

Privacy Notice

This document describes how and why we collect, store, protect, process and share the data you give to us. We collect personal data to help us to identify, protect and safeguard children in need and looked after children (previously known as “children in care”).

This notice is for children, young people and their parents or carers to explain how we use the data you give the Council.

Date of Issue: 9 May 2018

Update History:

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| <i>Version 1</i> | First issue of a new Privacy Notice |
| Version 1.1 13 April 2022 | Minor amendment to contact details of the Data Protection Officer |
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Directorate: Communities
Service: Children and Families Services
Team: All

About the Organisation

West Berkshire Council is the Data Controller. This means it is ultimately responsible for the data it holds about you.

Contact Address:

West Berkshire Council
Market Street
Newbury
Berkshire
RG14 5LD

ICO Registration Number: **Z6825178**
<https://ico.org.uk/ESDWebPages/Entry/Z6825178>

The Data Protection Officer

Contact details for the Data Protection Officer at the Council can be found at:
www.westberks.gov.uk/dpofficer

What data will we collect about you?

We collect, process, hold and share a range of data about you, including:

- personal information (such as name, date and place of birth and current and previous address, nationality, NHS number, wider family details, household details, parent and carer details, GP practice, parental responsibility, names and contact details of professionals involved with your family, school, nursery, education establishments)
- characteristics (such as gender, ethnicity, sexuality and disability)
- information relating to episodes of being a child in need (such as referral information, assessment information, Section 47 information, Initial Child Protection information and Child Protection Plan information)
- episodes of being looked after (such as important dates, information on placements)
- outcomes for looked after children (such as whether health and dental assessments are up to date, strengths and difficulties questionnaire scores and offending)
- information about adoptions (such as dates of key court orders and decisions)
- information about care leavers (such as their activity and what type of accommodation they have)
- special educational needs (SEN) information
- relevant medical information
- behavioural information

What will we use your data for?

We will use your data to determine if a social work assessment is required and / or whether any support or intervention is necessary. This may be under s17 of the Children Act 1989 and 2004 or s47 of the Children Act 1989 and 2004.

We also use this personal data to:

- share information between partner agencies and organisations (see “Who Will See Your Data” below); this could be as well as or instead of direct involvement from West Berkshire Council’s Children’s Social Care service
 - help to inform an assessment of need
 - identify any Child Protection/Safeguarding concerns
 - identify appropriate intervention and support
 - support children and monitor their progress
 - provide them with pastoral care
 - assess the quality of our services
 - evaluate and improve our policies on children’s social care
 - enable us to carry out specific functions for which we are responsible
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- gather statistics which we use to make decisions such as on funding of services • to assess performance and to set targets
- to undertake commissioning activities
- to inform our sufficiency strategy
- to inform statutory returns (information we have to provide by law to the government)

Who will see your data?

Information may be shared with (and between) other organisations and agencies. These may include:

- Police and criminal justice agencies
- Fire and rescue services
- Schools, nurseries and/or other educational establishments
- Learning support providers
- Other local authorities (councils)
- Your/your child's GP
- the wider health service including Hospitals, Alcohol and Substance misuse services, Mental Health, Midwives, Health Visitors, Nurses
- agencies working to provide services and support to children and young people; this can include a range of providers in order to support you and to help Children's Social Care to determine the level of need and as necessary need of protection the child might have.

Why do we do this?

The Council is required by law to process data with a view to safeguarding children. The Children Act 1989 and 2004 provide for the Council to perform this function. The Council is also expected to comply with direction from the Department for Education.

It's also in the public interest for the Council as a public authority to safeguard children in the district, and there may be occasions where data is processed in the vital interests of the children affected, as they may come to harm if we do not.

There is no requirement for the Council to collect your consent for most of the processing in question; the law gives the Council the right to act whether you have consented or not in the best interests of the child, though the Council will always try to work with you in a collaborative way.

To find out more about the data collection requirements placed on us by the Department for Education (DfE) go to:

- Children looked after: <https://www.gov.uk/guidance/children-looked-after-return> • Children in need: <https://www.gov.uk/guidance/children-in-need-census>

There's more on your rights below with respect to your data (see "Your Rights").

How long will your data will be kept?

Your data will not be kept any longer than necessary. You can check how long the organisation will keep each type of data against West Berkshire Council's Children's Services retention schedule (http://www.proceduresonline.com/westberks/cs/t_retention_records.html).

How is your data stored and processed?

Your data will be held on electronic databases and networked storage with restricted access and will be protected from unauthorized access using up-to-date technical and organisational security measures.

Transfer overseas

Your data will not be stored or sent outside of the UK.

Your rights

You have a number of rights when it comes to the data we hold about you. These are detailed on our request form (www.westberks.gov.uk/dprequest) that also allows you to make a request for us to take action about something.

Complaints

If you've already told us we need to do something, but we haven't responded in a way you're satisfied with, you can complain to the Information Commissioner's Office (the ICO). It's easiest to do this online via the ICO website (<https://ico.org.uk/concerns/handling/>), but you can also do so in writing to:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

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