

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: 12 July 2018

Update History:

Version 1	First issue of a new Privacy Policy
Version 1.1 13 April 2022	Minor amendment to contact details of the Data Protection Officer

Directorate: Communities
Service: Education
Team: Disabled Children’s Team

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 services
 - 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
-

- 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)
- Update the disabled children's register as required by the Children Act 1989

Who will see your data?

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

- Special Educational Needs Team
- Adult Social Services
- Other Children's Social Service Teams
- Children's Occupational Therapies Team
- 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, community health professionals, Children's Integrated Therapies Team
- agencies working to provide services and support to children and young people; this can include a range of providers from the private and voluntary sectors.

Why do we do this?

In most cases we will collect personal information with your knowledge and consent in order to complete accurate assessments and provide the services necessary.

Data with respect to a child's ethnicity, sexuality and medical information is considered "special category" data under the GDPR and is subject to special protection. This data is being processed under Schedule 1, Part 2, Paragraph 18 of the Data Protection Act 2018 in that it is intended to safeguard children from neglect, but is also required to be collected and processed by various legislation.

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.

Where it is in the best interests of the child, and safeguarding issues have been identified, the law gives the Council the right to act whether you have consented or not, 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>
- The Children Act 2004: <https://www.legislation.gov.uk/ukpga/2004/31/contents> •
- Special educational needs and disability code of practice: 0 to 25 years:
<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

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

END
