

# Children's Services Privacy Notice

Version 3.0

This privacy notice applies to the Children's Service provided by Worcestershire County Council and should be read in addition to Worcestershire County Council's [Full Privacy Notice](#).

The privacy notice will cover:

- [Purpose for processing](#)
- [Personal information collected and lawful basis](#)
- [Who we may share your information with](#)
- [How long we will hold your information](#)
- [Your information rights](#)

## Purpose for processing

The service processes personal information in order to carry out the protection and safeguarding of vulnerable children either directly or jointly with partners and commissioned private and third sector providers. This includes:

- Investigating concerns and reports
- Managing response to the concerns
- Delivering child focused services including Targeted Family Support, Safeguarding, Looked After Children, Children with Disabilities, Carer Leavers, Fostering and Family Front Door Initial Response
- Confirm your identity
- Contact you regarding the services we provide
- Supporting and managing our employees
- Maintaining care files that are ongoing
- Auditing how well our services are meeting the needs of children/young people and families
- Assessing how well our children's services team is performing
- Assessing / improving finance and individual service planning
- Providing statistical returns to Central Government departments including the Department of Health and the Department of Education

## Personal information collected and lawful basis

The service processes personal information relevant to individual cases. This may include, but is not limited to, the following personal data:

- Personal details – e.g. name / age / address / school / and family details
- Contact information – e.g. telephone numbers / email address
- Personal Reference Numbers – e.g. Social Care unique customer reference number / NHS number/ Unique Learner Number / National Insurance
- Employment details

## Childrens Service Privacy Notice

- Financial details – for funding purposes
- Licenses / permits held
- Lifestyle and social circumstances
- Online activity of children using council laptops with esafe
- Opinions and decisions
- Records of complaints
- Safeguarding reports
- Student and pupil records
- Visual images, personal appearance and behaviour

The legal bases for processing this personal information are:

- Compliance with a legal obligation relating to the following laws:
  - Children Act 1989
  - Children Act 2004
  - Children and Social Work Act 2017
  - [Working Together to Safeguard Children Statutory framework: legislation relevant to safeguarding and promoting the welfare of children](#)
  - Working Together to Safeguard Children 2023
- Tasks carried out in the public interest or in the exercise of official authority

We may also process some special category (sensitive) information, which is relevant to individual cases and may include some of the following but is not limited to:

- Biometric information
- Physical or mental health details
- Racial or ethnic origin
- Religious or other beliefs
- Offences (including alleged offences), criminal proceedings, outcomes and sentences

The legal bases for processing this special category personal information are:

- Necessary for the provision of health or social care or treatment or the management of health or social care systems and services
- Necessary for reasons of substantial public interest - safeguarding of children and of individuals at risk

## Who we may share your information with

We may need to share the personal information you have given to us or we've collected about you with partner organisations where relevant to the individual and/or their care provision. These include but are not limited to:

- Other services within Worcestershire County Council
- Other local authorities (in cases of adoption and fostering in particular)
- Government departments e.g. Department of Education
- Health/GPs/NHS
- Police
- Benefit agencies

- Housing agencies
- Children's centres
- Youth Justice/Probation
- Prospects (NEET Service)
- COMPASS/School Health and Wellbeing Service
- Voluntary and Community Groups
- Department for Education (DfE)
- Department for Health and Social Care (DHSC)

Information will only ever be shared when it is strictly necessary to help us provide effective services and you may have the right to refuse. We will not pass it onto any other parties unless required to do so by law or in all reasonable circumstances the disclosure is fair and warranted for the purposes of processing or subject to a data protection exemption.

We have specific data sharing agreements in place with local agencies and sometimes the law requires that we may have to pass your details on to a third party, for example, to prevent crime.

## **The Department for Education**

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our children in need and children looked after with the Department for Education (DfE) for the purpose of those data collections: under:

### **Children in Need (CIN) and Children Looked After (SSDA903):**

We share children in need and children looked after data with the Department on a statutory basis, under Section 83 of 1989 Children's Act, Section 7 of the Young People's Act 2008 and also under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

## **How Government uses your data**

The data that we lawfully share with the DfE through data collections helps to:

- develop national policies
- manage local authority performance
- administer and allocate funding
- identify and encourage good practice

## **Data collection requirements**

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

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

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

## **The National Pupil Database (NPD)**

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD).

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department.

It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

## **Sharing by the Department**

The law allows the department to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the department's NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website:

<https://www.gov.uk/government/publications/dfe-external-data-shares>

## **How to find out what personal information DfE hold about you**

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact DfE: <https://www.gov.uk/contact-dfe>

## How long we will hold your information

The record retention for Children's Services child casefile records is currently Date of Birth plus 25 Years; Looked After Children (LAC) records is currently Date of Birth plus 75 Years.

However there are also a range of other retention periods affecting different types of information and service needs and these range from 1 year to 100 years depending on the type of information and service. More information about our retention periods can be found in our [Disposal Schedule](#).

Please note, stated retention periods may be subject to any legal holds imposed under the Inquiries Act 2005 that may concern the information and override standard retention periods.

## Automated Decisions

Where laptops are supplied, they will be supplied with the **esafe monitoring service**. The purpose of the Service is to provide warning of markers of risk affecting the welfare and wellbeing of young people in care, to enable Worcestershire Children First to meet our statutory duty of care to safeguard and protect young people. Any incidents detected of this nature will be reported directly to nominated contacts at Worcestershire Children First by the monitoring service provider and appropriate intervention applied to support the child or young person in question.

## Your information rights

You are entitled to a copy, or a description, of the personal data we hold that relates to you, subject to lawful restrictions. Please go to our [Make a Data Protection Request webpage](#) to find out how to make a request.

You may be entitled to rectification, restriction, objection, and erasure of your personal information depending on the service and legal basis. Please in the first instance contact [dataprotection@worcestershire.gov.uk](mailto:dataprotection@worcestershire.gov.uk) to exercise these Information Rights or call the main Worcestershire County Council contact telephone number of **01905 765765**.

Please see our overarching Privacy Notice (<http://www.worcestershire.gov.uk/privacy>) for further contact details and if you have a complaint about your information rights.

### **Changes to this notice**

We keep this Privacy Notice under regular review and we will place any updates on this web page. This Notice was last updated on 23 May 2024.