



PRIVACY NOTICE

Privacy Notice (How we use child and young person's information)

This privacy notice is here to tell you what information Council of the Isles of Scilly Children's Social Care collect about you, what we do with that information and why we do it, who we share it with, and how we protect your privacy.

This notice covers all personal data collected by the council and where we tell other organisations to collect information for us. This is the same whether the information is collected by letter, email, face to face, telephone or online.

Why we collect your personal information

We will collect enough personal information to provide services that safeguard your children's emotional and physical health, their well-being and meet their developmental needs, in order that they get the best possible start in life and continued support whilst they grow up.

A member of the Children's Workforce will work in partnership with you to agree what the main worries and concerns for your children are and make plans for the best support.

We are not permitted to collect information we do not need or will not use. This document covers information you have provided direct to a member of the Children's Workforce and information which has been shared by other organisations.

We will keep your personal information in accordance with the case retention policy. If we use your personal information for research or analysis, we will always keep your details anonymous or use a fake name.

We will not sell your personal information to anyone else.

The legal basis for using your information

According to the General Data Protection Regulations (GDPR) and the Data Protection Act 2018, we must have a reason to collect and use your information.

This will be to:

- Deliver services and support to you and your family

- Manage those services we provide to you and your family
- Train and manage the employment of our workers who deliver those services
- Help investigate any worries or complaints you have about your services
- Check the quality of services
- Help with research and planning of new services.

There are a number of legal reasons why we need to collect and use your personal information.

- **Legal obligation:** The information is used to enable the duties placed upon the Local Authority, the Children's Trust and partner agencies who work with children, young people and their families in the Children's Act 2004, the Children and Young Persons Act 2008 and the Statutory Guidance of 2013, 2015 and 2018, Working Together to Safeguard Children.
- **Public task:** the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

We may also need to use sensitive personal information categorised as 'special' which requires more protection to keep it safe. It's often information you would not want widely known and is very personal to you. This may include information that can reveal your:

- Sexuality or sexual health
- Religious or philosophical beliefs or spiritual beliefs
- Ethnicity or nationality
- Physical or mental health
- Genetic or biometric data
- Criminal history

We will take extra care of this data. The legal reason for us to collect and use this personal information is:

- It is necessary to perform our statutory duties and required by law as detailed in the Children's Act 2004, the Children and Young Persons Act 2008 and the Statutory Guidance of 2013, 2015 and 2018, Working Together to Safeguard Children.
- It is necessary to deliver health or social care services
- It is necessary for archiving, research, or statistical purposes
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Who we may share your information with

Sometimes we have a legal duty to provide your personal information to other organisations, for example the court service or HMRC.

When we share your information, we will ensure the sharing is lawful, fair, proportionate, relevant and necessary. On that basis, we will share with Practitioners from across the Children's Workforce that are to be part of the team providing support to your family, sometimes referred to as the TAC/F (Team Around the Child/Family) CIN review group or core group.

It is not possible to list here every single agency that this may represent, and who we may share information with or seek information from, if relevant and necessary.

Sometimes we have a legal duty to provide personal information to other organisations. This is often because a court has ordered it for reasons, including:

- If a child is taken into care;

- If someone is taken into care under mental health law

We may also share your personal information when we feel there's a good reason that's more important than protecting your privacy. This doesn't happen often, but we may share your information:

- If there are serious risks to the public, our staff or to other professionals
- To protect a child
- To protect adults who are thought to be at risk. For example, if they are frail, confused or cannot understand what is happening to them.

For all of these reasons the risk must be serious before we can override your right to privacy.

If we're worried about your physical safety or feel we need to take action to protect you from being harmed in other ways, we'll discuss this with you. If possible, we will get your permission to tell others about your situation before doing so.

We may still share your information if we believe the risk is serious enough to do so.

There may also be rare occasions when the risk to others is so great that we need to share information straight away.

If this is the case, we'll make sure that we record what information we share and our reasons for doing so. We'll let you know what we've done and why if we think it is safe to do so.

Occasionally, other Childrens Workforce staff may be asked to quality assure the support, advice and services you have received to ensure they are of a sufficiently high standard.

If you do not want your data to be shared in this way, please contact the Council's Data Protection Officer.

We will not give information about your child to anyone unless the law and our policies allow us to do so.

The Council's Data Protection Officer, Simon Mansell, may be contacted at dpo@scilly.gov.uk.

Information Commissioner

For further information about Information Rights legislation, please contact the Information Commissioner's Office at www.ico.org.uk or by telephone 0303 123 1113