




FOSTERING SERVICES PRIVACY NOTICE

OwnLife Fostering Limited

OwnLife Fostering Limited is a Controller; a Joint-Controller and a Processor of personal and sensitive information for the purposes of the Data Protection Act 2018 (DPA), which enacts the UK General Data Protection Regulation (GDPR).

As a fostering agency we are governed by many different areas of legislation:

SPECIFIC FOSTERING LEGISLATION

- The Fostering Service Regulations (England) 2011
-  Children Act 1989
- Care Planning Placement and Case Review (England) 2010
- The Fostering National Minimum Standards 2011
- The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013
- Adoption and Children Act 2002
- Assessment and Approval of Foster Carers: Amended Guidance
- Care Standards Act 2000
- Children Act 2004
- Children and Families Act 2014
- National Minimum Standards: Adoption/Children's Homes/Fostering
- The Data Protection Act 2018
- The UK General Data Protection Regulation
- Children and Social Work Act 2017
- Working Together to Safeguard Children 2015

OTHER RELEVANT LEGISLATION

- Equality Act 2010
- VAT Act 1994
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995
- Limitation Act 1980

Where stipulated by the above legislation, we will be required to retain your personal and/or sensitive information for the prescribed amount of time. Please refer to our data retention schedule for further information. [Recording Policy and Guidelines \(proceduresonline.com\)](https://proceduresonline.com)



We collect, store, control and process Special Categories of Personal Information for the purposes of the provision of Social Care in compliance with the GDPR Article 9 2. (h)

Our compliance with the DPA will ensure that we do not keep your data for an excessive amount of time and that we handle your data with the respect and care that you deserve.

Should you need to contact us for data protection purposes the individual responsible for data protection compliance at OwnLife Fostering Limited is the Carol Hammond. They can be contacted using the contact details at the end of this document

The DPA has a set of rules and guidelines which we must follow when handling your information. These are referred to as Data Protection Principles. This privacy notice tells you what to expect when we, as a fostering agency, collect and store personal and sensitive personal information according to the different relationships that individuals may have with the agency.

The document tells you the purposes for which we may process your personal information and the legal basis for the processing ('processing' includes us keeping your personal information). It applies to information we collect about any stakeholders. The type of information and the rules around processing may differ for each party.

To help identify how we navigate through the GDPR we have outlined the various different parties with whom we may require personal and/or sensitive information on.

Visitors to our website

We collect the following information from visitors to our website:

- Details collected through forms, including information gathering forms, filled in when you contact us online
- Surveys and polls about the website
- Numbers of visitors to our pages and trends

Site usage information

We use third party tools on our website to ensure we are providing an effective website. In the main we use Google (Analytics, Adwords and Forms).

This tool measures traffic on our site and may be used for assessing our recruitment strategies.

Links to other websites

This privacy notice does not cover links within our website to other websites. We encourage you to read the privacy statements on the other websites you visit.

Changes to this privacy notice



We keep our privacy notice under regular review. We will update it if we undertake any new or amended processing. This privacy notice was last updated on:

1st March 2023

Your rights under the Data Protection Act

You have a number of rights which give you greater control over your information. To exercise your rights, please refer to the contact details at the end of this document.

The right to access

You have a right to ask us what personal information we hold about you, you can request a copy of your information. This is known as a 'subject access request' (SAR).

SARs should be made in writing and we ask that your written request is accompanied by proof of your identity.

We have one calendar month in which to provide the information to you in relation to this request (although we will try to provide this to you as promptly as possible).

Following your request, we will provide you with a copy of the information that we hold on you and make the information available for a period of 90 days.

Right to rectify

You can rectify the details of the information that we hold about you. If you need us to correct any mistakes contained in your information, you can let us know by using the contact details in this notice.

Right to erasure

You can request that the information we hold about you is deleted. We are subject to the data retention requirements in accordance with the regulations and legal frameworks described within this notice. Information outside of these requirements is kept and processed as it is in your own and our own legitimate interest for us to do so. If we hold your information in relation to an enquiry only and you decide you do not want to become a foster carer, us having your information is no longer in your interest and therefore it is not in ours either. If you request that your information to be deleted at this stage, we will comply with your request.

Please see the core retention policy periods below, for further information regarding our data retention policy please contact us using the contact details at the end of this document.

Fostering Services – retention schedule

Type of record	Retention period
Foster Parent (application withdrawn/refused) (relevant regulation): The Fostering Services (England) Regulations 2011 and The Fostering Services (Wales) Regulations 2003	100 years from the adoption date
Foster Carers (approved carers) (relevant regulation): The Fostering Services (England) Regulations 2011 and The Fostering Services (Wales) Regulations 2003	3 years
Foster placement records (and registers) of carers (relevant regulation): The Fostering Services (England) Regulations 2011 and The Fostering Services (Wales) Regulations 2003	10 years from termination of approval
In-house foster placement records (and registers) of carers (relevant regulation): The Fostering Services (England) Regulations 2011 and The Fostering Services (Wales) Regulations 2003	10 years from the end of the placement
Fostering Panel Minutes	15 years after the last entry
Initial enquiries from Prospective Foster Carers	25 years from the date of the Panel
Initial Visit to Prospective Foster Carer Reports	12 months after receipt of enquiry
	12 months of decision not to proceed

Looked after children – Note: Retention of records relating to young people is collected by this agency but retained by the responsible authority when placements cease.

Type of record	Retention period
Looked After Children (relevant legislation: Arrangements for Placement of Children (General) Regulations 1991 and The Care Planning, Placement and Case Review (England) Regulations 2010)	The 75th anniversary of the date of birth of the child (or, if the child dies aged 17 or less, for a period of 15 years from the date of death).

Court Orders	Any records that relate to proceedings in which an order is made in relation to a child must be retained until the order expires (typically the child's 16 th birthday).
Child Protection	Retain records of Section 47 (child protection) enquiries, investigations and case conferences until the child's 24 th birthday.
All other files (relevant legislation: Limitation Act 1980 and The Children Act 2004 Information Database (England) Regulations 2007 and The Children Act 2004 Information Database (England) (Amendment) Regulations 2010)	<p>The lesser of either:</p> <ol style="list-style-type: none"> 1. if relating to a child, the 24th birthday of the child; or 2. if relating to more than one child, the 24th birthday of the youngest child; or 3. 6 years after: <ul style="list-style-type: none"> • The 18th birthday of a child who has not consented to information being on file; • The 25th birthday of a child who has consented to information being on file; • The date on which the Council becomes aware that the child has ceased to be in (or looked after by) the Council and that it is unlikely he/she will return to the area of the local authority within 3 years from that date. <p>The 1st anniversary of the death of the child</p>
Records in relation to Looked After Children — Case Notes etc	Once the placement has ended documentation relating to the child/young person will be provided to the Local Authority responsible for the care of
Front Information Sheet & Placement Record	Once the placement has ended the front information sheet and placement record for each child will be stored securely for future reference (e.g. return of personal items located after child
Children's Register	In accordance with the Fostering Regulations (England) 2011 Agency will be kept register of all children placed with the Agency for a period of 15 years from the date of the last entry.

Restriction on processing

You have the right to require us to stop processing your personal information. When processing is restricted, we are entitled to store your information, but not do anything further with it. You can make an application to restrict processing where:

- You challenge the accuracy of the information (we must restrict processing until we have verified its accuracy). During the assessment you will be the source of information and the information should always be accurate.
- You challenge whether we have a legitimate interest in using your information – During the course of an assessment all information gathered will be of a legitimate interest.
- If the processing is a breach of the DPA or otherwise unlawful.
- If we no longer need the personal data but you need your information to establish, exercise or defend a legal claim.
- If we have disclosed your personal information to third parties, we must inform them about the restriction on processing, unless it is impossible or involves disproportionate effort to do so.
- We must inform you when we decide to remove the restriction giving the reasons why, however this will prevent us from proceeding with your enquiry.

Objection to processing

You have the right to object to processing unless it is in our legitimate business interests. We must stop using your information unless we can show there is a compelling legitimate reason for the processing, which overrides your interests and rights, or the processing is necessary for us or someone else to bring or defend legal claims.

Withdrawal of consent

If you request to withdraw your consent for us to have your information where consent is used as a legal basis for processing, we will oblige your request unless it is in our legitimate interest not to do so, however we will be unable to process your information any further.

Right to data portability

We will make every effort to provide any data you request in a machine usable format for transfer to another information service. Due to the type and the complexity of your information it may not be technically possible to provide this in a format that can easily be transferred across platforms. We will provide you with media containing all your information.

Data portability applies only to:

- Personal data an individual has provided to a controller;
 - This consists of your main details and information you supplied during your enquiry, application, assessment, and updates. This does not include data we have collected about you from other sources;
 - Where the processing is based on the individual's consent or for the performance of a contract;
- Data that is collected based on our legal obligations.
- Data processing that is carried out by automated means.

Why We Collect Information

Data Type	Purpose	Legal Basis
Enquiries	<ul style="list-style-type: none"> To manage your enquiry 	Legitimate interest
Referees	<ul style="list-style-type: none"> Manage the enquiry of the prospective family Ensure we can verify the reference you give Ensure we make adequate safety checks on families and that we can maintain detailed 	We process your information under a Legal Obligation pursuant to the Fostering Services Regulations (England) 2011
Prospective Foster Carer	<ul style="list-style-type: none"> Manage your application to Foster Monitor compliance with the fostering legislation relating to your application Deliver support to you regarding the application process Monitor Equality and Diversity Ensure we are meeting the needs of the young people we look after Provide information about our performance and services to our Local Authority customers Provide you with ongoing information about your application and arrange appropriate training in accordance with our procedure Ensure that only those prospective families who are able to offer a safe, warm, caring environment while remaining resilient become approved foster carers Conduct surveys in order to monitor and improve our services 	<p>We process your information under a Legal Obligation pursuant to:</p> <ul style="list-style-type: none"> The Fostering Service Regulations (England) 2011 Children Act 1989 Care Planning, Placement and Case Review (England) Regulations 2010 The Fostering National minimum standards 2011 The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013

Foster Carers	<ul style="list-style-type: none"> • Manage your approval and assess your continuing fitness to carry out the fostering task with specific regard to the safeguarding of young people • Monitor compliance with the fostering legislation relating to your fostering work • Deliver support to you regarding the role • Monitor Equality and Diversity • Ensure we are meeting the needs of the young people we look after • Provide information about our performance and services to our Local Authority customers • Provide you with ongoing information about the agency and arrange appropriate training in accordance with our policies and the regulations • Ensure that only those families who are able to offer a safe, warm, caring environment while remaining resilient continue to foster • Conduct surveys in order to monitor and improve our services 	<p>We process your information under a Legal Obligation pursuant to:</p> <ul style="list-style-type: none"> • The Fostering Service Regulations (England) 2011 • Children Act 1989 • Care Planning, Placement and Case Review (England) Regulations 2010 • The Fostering National minimum standards 2011 • The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013
Backup Carer / Child Minder / Sitter	<ul style="list-style-type: none"> • Manage our foster carers work, with specific regard to the safeguarding of young people • Monitor compliance with the fostering legislation relating to safeguarding young people • Ensure we are meeting the needs of the young people we look after • Provide information about our performance and services to our Local Authority customers • Ensure that only those families who are able to offer a safe, warm, caring environment will have any formal contact with our young people 	<p>We process your information under a Legal Obligation pursuant to:</p> <ul style="list-style-type: none"> • The Fostering Service Regulations (England) 2011 • Children Act 1989 • The Fostering National minimum standards 2011 • The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013

Panel members, and Independent assessing Social Workers	<ul style="list-style-type: none"> • Contact you in relation to your role • Deliver tailored training and support • Monitor Equality and Diversity (the information provided is anonymised and used only for statistical monitoring purposes which help us make improvements) • Ensure we have a quorate Panel Membership • Ensure you are a “safe” person to have access to the type of sensitive information you are required to pass judgement on at panel • Be compliant with The Fostering regulations 2011 Reg 20: Fitness of workers 	<p>We process your information under a Legal Obligation pursuant to:</p> <ul style="list-style-type: none"> • The Fostering Service Regulations (England) 2011 • Children Act 1989 • Care Planning Placement and Case Review • The Fostering National minimum standards • The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2012
Sessional staff	<ul style="list-style-type: none"> • Contact you in relation to your role as a Sessional Worker • Deliver tailored training and support • Monitor Equality and Diversity (the information provided is anonymised and used only for statistical monitoring purposes which help us make improvements) • Ensure you are a “safe” person to work with vulnerable young children. • Be compliant with the following regulations: • The Fostering Services (England) Regulations 2011 Reg 20 : Fitness of workers 	<p>We process your information under a Legal Obligation pursuant to:</p> <ul style="list-style-type: none"> • The Fostering Service Regulations (England) 2011 • Children Act 1989 • The Fostering National minimum standards 2011 • The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2012

Young People and Parents of young people in care (or other family members)	<ul style="list-style-type: none"> • Make sure you or your child are looked after in a safe and secure home • Make sure we are providing the best possible fostering service to you or your child. • Document you or your child's time with us so you have a detailed record for future reference • Deliver support to you or your child regarding your placement • Monitor Equality and Diversity • Ensure we are meeting the needs of all the young people we look after • Provide information about our performance and services to your Local Authority so they can maintain their own records alongside our own. • Conduct surveys in order to monitor and 	<p>We process your information under a Legal Obligation pursuant to:</p> <ul style="list-style-type: none"> • The Fostering Service Regulations (England) 2011 • Children Act 1989 • The Fostering National minimum standards 2011 • The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013
Contractors, Suppliers, Partners or Agents. This could include: Doctors, Schools, Dentists and Opticians, LADO, Volunteers, LA Customers:	<ul style="list-style-type: none"> • Suppliers of services may be processing information on our behalf of the agency. • Suppliers may have access to our processing systems. • Partner agencies may be processing information that the agency controls. 	<p>Legitimate Interest Fulfillment of Contract Legal Obligation</p>

Sharing information

When working with children and families, effective sharing of information is essential for the early identification of need, in order to complete robust assessments and to provide services which are tailored to individual need. Keeping children safe from harm will require staff and foster carers to record, analyse, understand the significance of and share information about:

- A child's health and development and exposure to possible harm;
- Individuals (adults and other children / young people) who may pose a risk of harm to a child.

Agency staff and foster carers should be proactive and share information as early as possible where this will help to identify, assess and respond to risks or concerns about the safety and welfare of children. Information sharing is also essential for the identification of patterns of behaviour; for example when a child has gone missing or is at risk of going missing, and when multiple children appear associated to the same context or locations of risk (this would include for example, concerns around trafficking, Child Sexual Exploitation and Child Criminal Exploitation).



Often, it is only when information from a number of sources has been shared and is then put together, that it becomes clear that a child has suffered, or is likely to suffer, significant harm.

Staff and foster carers should not assume that someone else will pass on information that they think may be critical to keeping a child safe. Anyone who has concerns about a child's welfare and considers that they may be a Child in Need or that the child has suffered or is likely to suffer significant harm, should share these concerns with the child's allocated social worker and / or the Police or Children's Social Care.

Staff and foster carers should be particularly alert to the importance of sharing information when a child moves from one local authority area into another; due to the risk that knowledge pertinent to keeping a child safe could be lost - for example of a child moves to a new placement in another local authority area.

The Data Protection Act 2018 and UK GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe. The UK GDPR provides a number of legal bases / reasons which set out when personal data can be shared between organisations. One of these bases is that the individual has consented to their information being shared. However, it is not necessary to seek consent to share information for the purposes of safeguarding and promoting the welfare of a child. This means that fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety of, children.

Where there is a clear risk of significant harm to a child, or serious harm to adults staff and foster carers should be confident that they can (and should) share information.

Whenever any information is shared it should be proportionate, and a record should be kept of what has been shared, with whom and for what purpose and the reasoning behind it.

Data Processing Locations

All data is processed within the European Union.

Contact Us

If you want to get in touch you can do so online or on the phone - Write to us at our Head Office address and we will pass the request on with our Data Control Officer/DPO.

Vikki Clements
OwnLife Fostering Limited
Dexter Business Center
3-5 Sandpit Road
Dartford
Kent
DA1 5BU
020 8313 3304

Our DPO Service:

Guardian Saints CiC



Eagle House
Cranleigh Close
South Croydon
Surrey
CR2 9LH

We always strive to meet the highest standards when collecting and using personal information. We take any complaints we receive seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading, inaccurate or inappropriate.

If you remain unhappy with our response to your complaint you have the right to complain to the Information Commissioners Office by writing to:

**Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow,
Cheshire, SK9 5AF.**