



## HYTHER HOUSE SUPPORT PRIVACY NOTICE

Hythe House Support 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 EU 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
- 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.

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's responsible for data protection compliance at Hythe House Support is David Duffy & Robert Duffy. 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
- 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.





## Cookies

We use cookie technology to help log visitors to our web site. Cookies are pieces of data that are often created when you visit a website, and which are stored in the cookie directory of your computer. A number of cookies are created when you visit our website. The cookies do not contain any personal information about you, and they cannot be used to identify an individual user.

For further information visit [www.aboutcookies.org](http://www.aboutcookies.org) or [www.allaboutcookies.org](http://www.allaboutcookies.org).

You can set your browser not to accept cookies and the above websites tell you how to remove cookies from your browser. However, in a few cases some website features may not function as a result

## 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:

**31/08/2018**

## 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 need to 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 or record	Retention period
Adoption records	100 years from the adoption date
Foster Parent (application withdrawn/refused) (relevant regulation): <a href="#">The Fostering Services (England) Regulations 2011</a> and <a href="#">The Fostering Services (Wales) Regulations 2003</a>	3 years
Foster Carers (approved carers) (relevant regulation): <a href="#">The Fostering Services (England) Regulations 2011</a> and <a href="#">The Fostering Services (Wales) Regulations 2003</a>	10 years from termination of approval



Foster placement records (and registers) of carers (relevant regulation): <a href="#">The Fostering Services (England) Regulations 2011</a> and <a href="#">The Fostering Services (Wales) Regulations 2003</a>	10 years from the end of the placement
In-house foster placement records (and registers) of carers (relevant regulation): <a href="#">The Fostering Services (England) Regulations 2011</a> and <a href="#">The Fostering Services (Wales) Regulations 2003</a>	15 years after the last entry
Fostering Panel Minutes	25 years from the date of the Panel
Initial enquiries from Prospective Foster Carers	12 months after receipt of enquiry
Initial Visit to Prospective Foster Carer Reports	12 months of decision not to proceed

### Looked after children

Type or record	Retention period
Looked After Children (relevant legislation: <a href="#">Arrangements for Placement of Children (General) Regulations 1991</a> )	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 <sup>th</sup> birthday).
Child Protection	Retain records of Section 47 (child protection) enquiries, investigations and case conferences until the child's 24 <sup>th</sup> birthday.
All other files (relevant legislation: <a href="#">Limitation Act 1980</a> and <a href="#">The Children Act 2004 Information Database (England) Regulations 2007</a> and <a href="#">The Children Act 2004 Information Database (England) (Amendment) Regulations 2010</a> )	The lesser of either: <ol style="list-style-type: none"> <li>1. if relating to a child, the 24<sup>th</sup> birthday of the child; or</li> <li>2. if relating to more than one child, the 24<sup>th</sup> birthday of the youngest child; or</li> <li>3. 6 years after:               <ul style="list-style-type: none"> <li>• The 18<sup>th</sup> birthday of a child who has not consented to information being on file;</li> </ul> </li> </ol>

	<ul style="list-style-type: none"> <li>• The 25<sup>th</sup> birthday of a child who has consented to information being on file;</li> <li>• 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.</li> </ul> <p>The 1<sup>st</sup> anniversary of the death of the child that the records relate to.</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 returned to the Local Authority responsible for the care of that child.
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 moves on).
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"> <li>• To manage your enquiry</li> </ul>	Legitimate interest
Referees	<ul style="list-style-type: none"> <li>• Manage the enquiry of the prospective family</li> <li>• Ensure we can verify the reference you give</li> </ul>	We process your information under a Legal Obligation pursuant to the Fostering



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



	<p>environment while remaining resilient continue to foster</p> <ul style="list-style-type: none"> <li>• Conduct surveys in order to monitor and improve our services</li> </ul>	
<b>Backup Carer / Child Minder / Sitter</b>	<ul style="list-style-type: none"> <li>• Manage our foster carers work, with specific regard to the safeguarding of young people</li> <li>• Monitor compliance with the fostering legislation relating to safeguarding young people</li> <li>• Ensure we are meeting the needs of the young people we look after</li> <li>• Provide information about our performance and services to our Local Authority customers</li> <li>• Ensure that only those families who are able to offer a safe, warm, caring environment will have any formal contact with our young people</li> </ul>	<p>We process your information under a Legal Obligation pursuant to:</p> <ul style="list-style-type: none"> <li>• The Fostering Service Regulations (England) 2011</li> <li>• Children Act 1989</li> <li>• The Fostering National minimum standards 2011</li> <li>• The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013</li> </ul>
<b>Panel members, and Independent assessing Social Workers</b>	<ul style="list-style-type: none"> <li>• Contact you in relation to your role</li> <li>• Deliver tailored training and support</li> <li>• Monitor Equality and Diversity (the information provided is anonymised and used only for statistical monitoring purposes which help us make improvements)</li> <li>• Ensure we have a quorate Panel Membership</li> <li>• Ensure you are a “safe” person to have access to the type of sensitive information you are required to pass judgement on at panel</li> <li>• Be compliant with The Fostering regulations 2011 Reg 20: Fitness of workers</li> </ul>	<p>We process your information under a Legal Obligation pursuant to:</p> <ul style="list-style-type: none"> <li>• The Fostering Service Regulations (England) 2011</li> <li>• Children Act 1989</li> <li>• Care Planning Placement and Case Review</li> <li>• The Fostering National minimum standards</li> <li>• The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013</li> </ul>
<b>Sessional staff</b>	<ul style="list-style-type: none"> <li>• Contact you in relation to your role as a Sessional Worker</li> <li>• Deliver tailored training and support</li> <li>• Monitor Equality and Diversity (the information provided is anonymised and used only for statistical monitoring</li> </ul>	<p>We process your information under a Legal Obligation pursuant to:</p> <ul style="list-style-type: none"> <li>• The Fostering Service Regulations (England) 2011</li> </ul>

	<p>purposes which help us make improvements)</p> <ul style="list-style-type: none"> <li>• Ensure you are a "safe" person to work with vulnerable young children.</li> <li>• Be compliant with the following regulations:</li> <li>• The Fostering Services (England) Regulations 2011 Reg 20 : Fitness of workers</li> </ul>	<ul style="list-style-type: none"> <li>• Children Act 1989</li> <li>• The Fostering National minimum standards 2011</li> <li>• The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013</li> </ul>
<p><b>Young People and Parents of young people in care (or other family members)</b></p>	<ul style="list-style-type: none"> <li>• Make sure you or your child are looked after in a safe and secure home</li> <li>• Make sure we are providing the best possible fostering service to you or your child.</li> <li>• Document you or your child's time with us so you have a detailed record for future reference</li> <li>• Deliver support to you or your child regarding your placement</li> <li>• Monitor Equality and Diversity</li> <li>• Ensure we are meeting the needs of all the young people we look after</li> <li>• Provide information about our performance and services to your Local Authority so they can maintain their own records alongside our own.</li> <li>• Conduct surveys in order to monitor and improve our services</li> </ul>	<p>We process your information under a Legal Obligation pursuant to:</p> <ul style="list-style-type: none"> <li>• The Fostering Service Regulations (England) 2011</li> <li>• Children Act 1989</li> <li>• The Fostering National minimum standards 2011</li> <li>• The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013</li> </ul>
<p><b>Contractors, Suppliers, Partners or Agents. This could include: Doctors, Schools, Dentists and Opticians, LADO, Volunteers, LA Customers: SSW's, Managers, IRO's</b></p>	<ul style="list-style-type: none"> <li>• Suppliers of services may be processing information on our behalf of the agency.</li> <li>• Suppliers may have access to our processing systems.</li> <li>• Partner agencies may be processing information that the agency controls.</li> </ul>	<p>Legitimate Interest</p>

## Sharing information



We do not share your information with any third parties unless we are legally obliged to do so under the legal framework described within this notice. We do not share your data with any third parties for marketing purposes.

## 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 Officers.

#### David Duffy / Robert Duffy

59 Staplehurst Road  
Sittingbourne  
Kent  
ME10 2NY  
**01795 438634**

#### 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.**

