

Privacy Notice

Young Person & Children's Services

About Children's Services

Southend Borough Council and the professionals we work with have a clear duty to keep you safe from harm and promote your wellbeing and will work together with others to improve your life chances. This includes teachers, the police, doctors, health visitors, social workers, youth offending services, relevant council teams such as housing, education and other relevant professionals.

It is important that you know you have a right to be kept safe from anything that might do you harm – being kept safe from harm is the most important right you have.

We must be able to provide you with help to make things better, we need to find out information about you to help our social workers and other professionals do what is best for you. We will find out what is best for you by doing an assessment, this helps social workers to get a better understanding of what is happening within your family and will enable them to come up with a plan to help you and to keep you safe from harm.

Anyone working with you is required by law, under the relevant data protection legislation (including the UK General Data Protection Regulation (UK GDPR), the General Data Protection Regulations (GDPR) and the Data Protection Act (DPA) 2018), to protect any personal information we have about you and it is important that you know when and what information is shared between internal departments and other professionals and why.

Southend-on-Sea Borough Council is the data controller for your personal information, and has its own Data Protection Officer (DPO) who can be contacted by email dataprotection@southend.gov.uk or by telephone on 01702 215000.

This Privacy notice will tell you:

- Why we collect information about you?
- What information we collect?
- How we use your information and who we share your information with?
- How the law allows us to use your personal information
- How you can access the information we hold about you and other rights.
- How your information is protected?
- How long we keep your information?
- What we will do if your personal information is used outside the UK?
- Who can you contact about data protection and your rights?
- How to comment, compliment or complain to us?

Why do we need your personal information?

We have a duty to safeguard vulnerable children and young people. Child protection means protecting children from physical, emotional, sexual abuse or neglect. It also means helping children to grow up into confident, healthy and happy adults. Our specialist children's services staff will use your information to work with other professionals so everyone knows what your needs are and to be able to take action to make sure you are safe. If you are being harmed, we should protect you and make sure you get the right help from the right people. Together we will make decisions and make sure we respond in a way that helps keep you safe.

What information we collect about you?

The information we will collect and hold about you can include personal and special categories of personal data.

The types of personal data we collect can include;

- Details such as name, date of birth, address, gender, ethnicity and religion.
- Information provided to us when you have an assessment.
- Details of conversations between our specialist children's services staff; the police, health professionals and other agencies involved to make decisions about your welfare and actions needed to protect you.

This may also include all or some of the following:

- Details about your views, needs, wishes and feelings.
- Details of support you receive from other professionals.
- Reports relating to why you need help and support and any concerns about your safety and wellbeing
- Things that other people and professionals (such as teachers, the police, doctors, health visitors) tell us to help us do what is best for you.
- Any help we have given to you before.

How do we use your information and who do we share it with?

You can expect that any information about you will only be shared with people who have a duty to keep you safe and do what is best for you. We have strict policies about how we use your information to make sure services for children are keeping them safe.

- We will share your information with our professional partners if there are concerns about your safety and welfare. This is to ensure everyone works together to get you the right help.
- The information we share will be relevant to that purpose and accurate, unbiased and up-to-date.
- We are required by law to send information to the Government Department for Education on Children and Young People who we help. (Part 3 and 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). They use this information to develop national

policies, manage local authority performance, administer and allocate funding and identify and encourage good practice. They may share your information with third parties but only where the law allows them to do so and they have to follow the rules of the relevant data protection legislation. To find out more about the statutory data requirements please go to the 'Data collection requirements' section.

Sharing information with our professional partners will:-

- Help decide what support you need, how often you need it and when.
- Work together to make sure you are kept safe from harm.

Your data is accessed by staff working for Southend Borough Council's Children Social Care and Early Help Services. Our social workers will share information about you with other professionals about what is going on, so everyone knows what your needs to take any necessary action to keep you safe. Children's Social Care and Early Help includes a variety of different teams and which ones access your data will depend on what services are involved.

The teams include:

- Single Point of Contact (also known as the Multi-Agency Safeguarding Hub (MASH+))
- Assessment
- Care Planning
- Permanence
- Looked After Children
- Leaving Care
- Adoption
- Special Guardianship
- Fostering
- Children With Disabilities
- Early Help
- Family Resilience Service
- Functional Family Therapy
- Placements
- Youth Offending Services
- Supporting Families
- Other Council teams so they can carry out their statutory roles and support our service (e.g. housing, education, Complaints, Business Intelligence, Corporate Finance, Legal Services, Quality Assurance)

We also may share your information with external partners and relevant external services including:

- Other local authorities in cases of adoption, special guardianship and fostering arrangements
- Voluntary adoption agencies/charities (Adopt East, Adoption Plus, Adoption UK and Barnardo's) in cases of adoption and special guardianship arrangements

- Government departments e.g. Department for Education, Department of Health, Ofsted, The Children's Commissioner
- Services contracted by government departments e.g. Coram-i who are commissioned by DfE to provide a management and secretariat service for the Adoption and Special Guardianship Leadership Board (ASGLB)
- GPs / NHS Trusts / NHS England / NHS Digital / Clinical Commissioning Groups (CCGs)
- Police
- Benefit agencies
- Housing agencies
- Education providers (e.g. academies, maintained schools, pupil referral units, independent schools and independent specialist providers, FE and sixth-form colleges)
- Early years providers in the maintained, private, voluntary and independent sectors that are funded by Southend Council
- Children Centres
- Child and Adolescent Mental Health Services (CAMHS)
- Youth Offending Services / Probation Services
- HM Courts & Tribunals Service
- Children and Family Court Advisory and Support Service (CAFCASS)
- Education, employment and training (NEET) Support Services
- Contracted services including those provided by voluntary organisations and community groups working with young people
- Commissioned social care and/or health services
- Your legal representative or another advocate (if you have instructed one)

Your information can be useful for other purposes to ensure that all those working with children in the local area, work together to keep children who have needs safe. It is very important that we always learn what has been done well and when things have gone wrong so we can improve the way we do things to protect children. To help us do this we may share your information with people who plan and provide services to help young people in need of help to learn what works in keeping children safe.

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>

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](#).

How the law allows us to use your personal information

The information below shows the legal basis we are relying on to use your personal or special category (sensitive) personal information.

Personal information

Our legal basis for using your personal information are to meet our legal obligations, exercise our tasks in the public interest and to protect your vital interests.

Special category (sensitive) personal information

Our legal basis for using your special category information are substantial public interest and the delivery of health and social care services.

If we have asked for consent to use your personal information, you have the right to withdraw it at any time. If you want to remove your consent, please contact Dataprotection@southend.gov.uk and tell us which service you're using so we can deal with your request.

We need to use your personal information to meet our legal obligations under:

- Adoption and Children Act 2002
- Apprenticeship, Skills, Children and Learning Act 2009
- Care Act 2014
- Care Leavers (England) Regulations 2010
- Care planning, Placement and Case Review (England) Regulations 2010
- Childcare Act 2006
- Children's Act 1989 and 2004
- Children (Leaving Care) (England) Regulations 2001
- Children and Families Act 2014
- Children and Social Work Act 2017
- Children and Young Persons Act 1963
- Child Poverty Act 2010
- Chronically Sick and Disabled Act 1970
- Contact with Children Regulations 1991 (SI1991/891)
- Crime & Disorder Act 1998,
- Education Act 1996 and 2000
- Employment and Training Act 1973
- Equalities Act 2010
- Health and Safety at Work Act 1974
- Housing and Regeneration Act 2016
- Learning and Skills Act 2000
- Local Government Act 1972
- Localism Act 2011
- Protection of Freedoms Act 2012
- Safeguarding Vulnerable Groups Act 2006
- Welfare Reform and Work Act 2016

When you have an assessment, if you are aged 12 or over, you will be asked to give your permission for us to share your information, this will be used for the planning of services. You will only have the right to say 'No - do not share my information' for this purpose when we do not have any legal obligation to share your information. Your information will ONLY be shared with people that are providing support and

services that may be of benefit to children in need of support and care. It will NEVER be sold to a third party organisation or used for marketing or insurance purposes.

If you do agree or do not agree but then change your mind at any time, you can let us know by phone, email, in writing or by face to face contact and we will make sure your permissions are recorded.

How is your information protected?

It is important to us that you feel you can trust us to protect your information, that we will keep it secure and only share it with the people that will work together to help you. To make sure we do this, we have to follow strict rules that are set down by the Government in the relevant data protection legislation. This means we must:-

- Process your data fairly, ensuring it is relevant and accurate
- Have legal grounds for collecting and using your personal data
- Have your consent to share for purposes beyond your direct support – such as planning for services
- Not use your information in ways that have unfair and poor effects on you
- Be transparent about how we intend to use your data, and give you appropriate privacy notices.
- Handle your personal data only in ways you expect us to; and
- Make sure we do not do anything improper with the data.

When any information is shared about you, we ensure that is secure and that professionals record when and who they have shared it with.

Our aim is to help you and we won't ask irrelevant or unnecessary questions. The information you provide will be subject to rigorous measures and procedures to make sure it can't be seen, accessed or disclosed to anyone who should not see it

How long do we keep your information for?

Southend on Sea Borough Council will keep your information in their social care case management system and disposed of in line with the Council's Document Retention and Disposal Guidance. There are different timescales depending on different situations.

We will only use your personal information whilst delivering the service to you and to deal with any questions or complaints that we may receive about this unless the law requires us to keep it for a longer period. In practice, this means that your personal information may be retained for the relevant period listed below dependant on our involvement with you:

- 35 years from last contact (general social care services)
- 75 years from last contact for looked after children records (children in care)
- 100 years for adoption records

- unapproved foster carers or withdrawn applications will be deleted following a review after three years
- for volunteers, we will stop using your information after you cease to be a volunteer and your information will be deleted 75 years from the date of birth of the young person you support
- for safeguarding allegations, your data will be deleted when you have reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer. Please read our [data retention leaflet](#) for further information
- Young Carers personal information will be held for 15 years
- research information will stop being used after the research project you have been involved in has been completed. Any notes taken (handwritten or typed) during consultation sessions will be destroyed. The information will continue to be used in a summarised and anonymised form in any research reports or papers that are published. The anonymised information in the papers may be of historic interest and may be held in public archives indefinitely

Your rights, including the right to see your social care records:

You have the right to request information about yourself under the relevant data protection legislation.

To make a Subject access request you can use one of the following methods:

- Fill in our online form which can be found at:
https://www.southend.gov.uk/info/200437/data_protection/427/requesting_your_information
- Phone:
01702 215000
- Write to:
- The Information Governance Team
Civic Centre, Victoria Avenue,
Southend-on-Sea SS2 6ER

You also have other rights under data protection legislation;

- The right to rectification
- The right to erase (the right to be forgotten)
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling

To exercise any of these rights you can contact us using the details provided above.

Will my personal information be accessible outside the UK?

Personal information held in relation to the services we provide you is not routinely sent or held outside the UK. Should the transfer of personal information outside of

the UK become necessary, it will only take place if permitted by law, and then only where there are appropriate safeguards in place to protect the information.

Who can you contact about data protection and your rights and how to make a complaint?

If you have a concern about the way we are collecting or using your personal data, you can raise this in the first instance via our Data Protection Officer. You can email dataprotection@southend.gov.uk or phone the Council at 01702 215000 and ask to speak to the Data Protection Officer.

Sometimes things go wrong. If you want to complain we will listen and do our best to put things right as quickly as possible. Complaints might be made about the department's actions, something we have failed to do or about the conduct of staff. We are here to listen so please talk to us. We will treat you fairly and with respect.

If you are unhappy about your contact with Children's Social Services you can make a complaint and explain why you are not satisfied by either:

Calling the Council 01702 215000

Email: Council@southend.gov.uk

Complete an online form at www.southend.gov.uk

Alternatively, for independent advice about data protection, privacy and data sharing issues or to lodge a complaint about how we have handled your information you can contact the Information Commissioner's Office (ICO) **at:**

You can visit ico.org.uk or email casework@ico.org.uk

Alternatively you can write or telephone:

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

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

The full Southend-on-Sea Borough Council Privacy Notice can be viewed at:
www.southend.gov.uk/privacynotice

Last Updated

We will regularly review and update this privacy notice to reflect changes in our services; from feedback from the young people we help, or any changes in the law. This version was last updated in **November 2021**.