

Privacy Notice Children and Families

When you or your child is referred to our service or if you apply to foster or adopt, you will need to provide us with some personal data or information.

As the 'data controller' for the personal information – or data – we hold about you, **South Ayrshire Council** decides how your personal information is used/processed, and what it is used for.

This statement provides more details about this and provides information on how to get in touch with us if you need to know more.

Your personal data – what is it?

Personal data is information relating to a living person who can be identified from that data. Identification can be based on the information alone, or in conjunction with any other information. The processing of personal data is governed by the General Data Protection Regulation 2016 (GDPR) and supplemented by the Data Protection Act 2018

What Personal Data will we collect from you?

The type of personal data we need to collect from you will depend on the service you are receiving from us, but we will only collect the personal information we need to provide you with relevant information, services and support. The personal data we will collect (depending on the service being provided) may include:

- Name
- Date of birth
- Address
- Telephone number
- Email
- Gender
- Ethnicity
- Disability
- Health conditions (physical/mental health)
- National Insurance number
- Sexual orientation
- Financial Information (e.g. bank account details)
- Political opinions/beliefs
- Religious beliefs
- Commission or alleged commission of an offence
- Proceedings for any offence committed
- Court disposal/sentence for any offence committed

We will log and keep your personal data on our electronic client database system as well as within your adoption/fostering or child's case file.

How will we use your information?

All personal information is processed by our Children and Families Staff. We will only collect the personal data we need in order to provide you with the support and service required. We will also use this information to contact you and to uphold our duty to protect children.

What is the legal basis for using/sharing your information?

We use and share this information to provide you with our adoption, fostering and children and families services, i.e. our 'public task'. Processing is necessary under the terms of GDPR "for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller".

Who will we share your information with?

The Council has a duty to protect children and to this end we may share your information with other agencies as necessary. Depending on the service we are providing you with this may include:

- Ayrshire Housing
- Housing Aid
- Education
- Police Scotland
- NHS Ayrshire & Arran
- Other Social Work Services
- The Children's Reporter
- Department of Works and Pensions
- Alcohol and Drug Partnership (ADP)
- SeAscape
- Stepping Stones for Families
- Skills Development Scotland
- South Ayrshire Council Services (e.g. Disability Resource Centre, Home Care, Environmental Health, Housing, Legal, Leisure, Education, Community Learning & Development, Girvan Opportunities and Money Advice)
- Barnados
- Children First
- Hear 4 U
- Aberlour

How long do we keep hold of your information?

We keep your personal data for no longer than reasonably necessary. Your information will be retained in line with our Corporate Records Retention Schedule as follows:

When we collect your personal data		How long will be hold onto it
<i>If you apply to Foster and Adopt with South Ayrshire Council, and progress only to:</i>	Making an initial enquiry	From Case Closure: Current + 1 year

	Having an initial interview	From Case Closure: No concerns – Current + 1 year Concerns raised – Current + 10 years
	Having background checks undertaken	From Case Closure: Current + 10 years
	Panel/Decision (not approved or withdrawn)	From Decision: Current + 25 years
	Have your application approved and become a Foster or Adoption Carer	From termination of approval or death of carer if earlier: Current + 25 years
<i>If you are a client of the Children & Families Services involving:</i>	A child protection case investigation and are either not placed, or placed on the Child Protection Register Child Protection Register	If looked after Date of birth (DOB) + 100 years If not looked after Current + 35 years DOB + 100 years
	A Looked After Child (e.g. fostered, freed to adopt) Throughcare and Aftercare	DOB + 100 years or Date of death (where child dies before 18th birthday) Current + 25 years
	Standard Case File (where no statutory measures were undertaken)	Current + 10 years from case closure

What are your rights?

The lawful basis for processing/using your personal data directly impacts which rights are available to you. For example, some rights will not apply, in this case we are not required to:

- erase your personal information.
- enable the right to data portability

However, you do have the following rights and can ask us to:

- correct your personal information if it is inaccurate;
- complete your personal information if it is incomplete;
- restrict the processing of your personal information in certain circumstances

You also have the right to object to the processing of your personal information.

Do you require this statement in a different format?

Please contact us if you require this information in an alternative format.

How can you get in touch with us?

If you wish to obtain any records held by the Council relating to you, or if you have any general data protection queries, please contact the Council's Data Protection Service at:

Data Protection Officer
South Ayrshire Council
County Buildings
Wellington Square
Ayr
KA7 1DR

Email: DataProtection@south-ayrshire.gov.uk

Telephone: 01292 612 223

Are you dissatisfied with the way your Personal Information has been handled?

If you are unhappy with the way we have dealt with your personal information, you can complain to the Council's Data Protection Officer using the contact details noted above.

If you remain dissatisfied after contacting us, you have the right to complain to the Information Commissioner (<https://ico.org.uk/for-the-public/>):

Information Commissioner's Office – Scotland
45 Melville Street
Edinburgh
EH3 7HL

Email: Scotland@ico.org.uk

Telephone: 0303 123 1115