



Supported Fostering Services – Privacy Notice

1. INTRODUCTION

Supported Fostering Services is an independent fostering agency with an office in Cardiff, Wales. 'We work in partnership with foster carers and Local Authorities to enable children and young people to grow, develop and achieve their full potential within a stable, caring family environment.'

An essential element of our business is to collect information ('data') from potential foster carers, approved carers, staff, Local Authorities, children and their families etc to promote safe care. We must have a legal reason to keep your data and process it.

Our compliance with the General Data Protection Regulation (known as GDPR) and the Data Protection Act 2018 (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.

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 our agency.

This Privacy Notice tells you about -

- 1. Introduction - who we are and our commitment to keeping your information secure*
- 2. The legislation which underpins our work*
- 3. The legal basis for processing information inc storage, sharing information and destroying information*
- 4. Our stakeholders - the people we collect information from, why we collect information and the legal basis for the 'processing' of this personal information. (The type of information and the rules around processing may differ for each party)*
- 5. The legal requirements on us to retain certain information for specific periods*
- 6. Your rights to*
 - Access your data*
 - Rectify any information we hold that is factually inaccurate,*
 - Request that information about you is deleted.*
 - Request that we stop processing personal information about you.*
 - Object to processing*
 - Withdraw consent for us to process your information*
 - Data portability*
 - Make a complaint*
- 7. How to contact us*
- 8. Changes to this privacy notice - keeping this policy under review.*
- 9. Some terminology used in the data protection legislation can be confusing, so we have provided a 'Glossary of Terms' at the end of this document, which we hope you will find helpful.*



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2. THE LEGISLATION WHICH UNDERPINS OUR WORK

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

- The Regulated Fostering Services (Service Providers and Responsible Individuals (Wales) Regulations 2019
- The Children Act 1989
- The Care Planning, Placement and Case Review (Wales) Regulations 2015
- Welsh Government Statutory Guidance for Fostering Services issued in April 2019
- The Adoption and Children Act 2002
- *The Regulation and Inspection of Social Care (Wales) Act 2016*
- The Children Act 2004
- The Children and Families Act 2014
- The Children and Social Work Act 2017
- Safeguarding Children - Working Together Under the Children Act 2004 (Wales)
- The Social Services and Wellbeing (Wales) Act 2014
- The Data Protection Act 2018
- The Equality Act 2010
- VAT Act 1994
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995
- Limitation Act 1980
- E-Privacy Directive

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 below in section 5 for further information.



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3. THE LEGAL BASIS FOR PROCESSING INFORMATION

The General Data Protection Regulation (GDPR) is the legal framework that sets guidance for the collection and processing of personal information of individuals within the European Union (EU). The Data Protection Act 2018 is a UK Act of Parliament designed to protect personal data stored on computers or in an organised paper filing system. It is a national law which complements the European Union's 'General Data Protection Regulation'.

The Data Protection Act 2018 has a set of rules and guidelines which we must follow when handling your information. There are eight principles of good information handling outlined in the Act which state that data must be:

- Fairly and lawfully processed
- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate
- Not kept for longer than is necessary
- Processed in line with your rights
- Secure
- Not transferred to other countries without adequate protection

Supported Fostering Services 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).

Storing your information - keeping it safe

Supported Fostering Services holds personal information about you which may include your name, date of birth, address, gender, ethnicity, sexual identity, whether you have a disability etc so that we can make sure our services meet your needs. We will also record information about the services provided to you eg support, annual reviews etc

Your details may be recorded by hand but all details will be transposed to our secure database within 2 working day(s).

Supported Fostering Services will take all reasonable steps to ensure that your information is treated securely and in accordance with this Privacy Notice.

Sharing /disclosing your information

- We share your data with people who need to see it to provide you with a service. We may also share it with the organisation that pays for your service or with external agencies that inspect our work.
- We may be required to share your data with other agencies for legal reasons eg a court order or with organisations if we believe that you are at risk of harm or may harm someone else.
- There may be occasions when we will ask you for consent to use your data, eg to help us inform the public about our work.



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- 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.
- Access to personal information is restricted to authorised individuals on a strictly need to know basis. All staff working at Supported Fostering Services are DBS checked.
- Staff have access permissions to our system according to their role in the organisation and are contractually obliged to sign a confidentiality agreement.
- We are committed to keeping your personal details up to date. You should inform us about any changes needed to ensure your details are accurate.

How we destroy information that is no longer required

Once no longer required, we will safely dispose of documents or media in shredding receptacles (locked consoles and wheelie bins where there is no access to the documents once deposited). A 3rd party data destruction specialist and /or vetted staff will collect your documents and media and shred on-site for the shortest chain of custody. On-site shredding is the most secure method of data destruction and offers shredding at the highest security standard. At the end of the data destruction process, we will have a Certificate of Destruction, to comply with our duty of care under the GDPR regulations.

Please refer to our data retention policy for data stored within database management system. Our database management system provide can safely delete the information recorded within the system as advised by Supported Fostering Services.



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4. THE PEOPLE WE COLLECT INFORMATION FROM AND WHY WE COLLECT THIS INFORMATION (includes the legal basis for requesting / holding this information)

To help identify how we navigate through the GDPR, the chart below outlines the various different parties with whom we may require personal and/or sensitive information on and the purpose and legal basis for requiring this information.

Data Type	Purpose	Legal Basis
Visitors to our web site	<ul style="list-style-type: none"> • 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. 	<p>We process your information under a legal obligation pursuant to</p> <ul style="list-style-type: none"> • The Regulated Fostering Services (Service Providers and Responsible Individuals)(Wales) Regulations 2019
<p>Cookies</p> <p>Note: You can set your browser not to accept cookies. However, in a few cases some website features may not function as a result For further information visit www.aboutcookies.org or www.allaboutcookies.org.</p>	<p>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.</p>	<p>Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)</p>
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 foster carer • Ensure we can verify the reference you give • Ensure we make adequate safety checks on prospective foster carers and that we can maintain detailed records on their recruitment 	<p>We process your information under a legal obligation pursuant to</p> <ul style="list-style-type: none"> • The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019
Prospective Foster Carer(s)	<ul style="list-style-type: none"> • Manage your application to foster • Monitor compliance with the fostering legislation relating to your application 	<p>We process your information under a legal obligation pursuant to:</p>



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	<ul style="list-style-type: none"> • 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 foster carers 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 	<ul style="list-style-type: none"> • The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 and supporting statutory guidance • The Fostering Panels (Establishment and Functions) (Wales) Regulations 2018 • The Children Act 1989 • The Care Planning, Placement and Case Review (Wales) Regulations 2015 • The Equality Act 2010
<p>Foster Carers</p>	<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 children and 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 children & 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 • Manage our foster carers work, with specific regard to the safeguarding of children and young people. 	<p>We process your information under a legal obligation pursuant to:</p> <ul style="list-style-type: none"> • The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 and supporting Statutory Guidance • The Fostering Panels (Establishment and Functions) (Wales) Regulations 2018 • The Children Act 1989 • The Care Planning, Placement and Case Review (Wales) Regulations 2015 • Part 7 of the Social Services and Wellbeing (Wales) Act 2014



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<p>Backup Carer/ Nominated Carer</p>	<ul style="list-style-type: none"> • Manage our foster carers work, with specific regard to the safeguarding of children and 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 Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 and supporting Statutory Guidance The Fostering Panels (Establishment and Functions) (Wales) Regulations 2018 • The Children Act 1989 • Part 7 of the Social Services and Wellbeing (Wales) Act 2014
<p>Panel members, and Independent assessing Social Workers</p>	<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 Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 Reg 30 : Fitness of staff 	<p>We process your information under a legal obligation pursuant to:</p> <ul style="list-style-type: none"> • The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 and supporting Statutory Guidance The Fostering Panels (Establishment and Functions) (Wales) Regulations 2018 • The Children Act 1989 • The Care Planning, Placement and Case Review (Wales) Regulations 2015 • The Equality Act 2010
<p>All staff including trustees, sessional staff and student social workers</p>	<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 children and young people. 	<p>We process your information under a legal obligation pursuant to:</p> <ul style="list-style-type: none"> • The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 and supporting Statutory Guidance The The Children Act 1989 • Equality Act 2010



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	<ul style="list-style-type: none"> • Be compliant with The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations - Reg 30 : 'Fitness of staff' 	
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 improve our services 	<p>We process your information under a Legal Obligation pursuant to:</p> <ul style="list-style-type: none"> • The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 and supporting Statutory GuidanceThe The Children Act 1989 • The Equality Act 2010
Contractors, Suppliers, Partners or Agents. This could include: Doctors, Schools, Dentists and Opticians, LADO, Volunteers, LA Customers: SSW's, Managers, IRO's	<ul style="list-style-type: none"> • Suppliers of services may be processing information on 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</p>

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.



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5. FOSTERING SERVICES RETENTION SCHEDULE

Legislation requires us to retain certain records and information for specific lengths of time. This is summarised in the table below. For further information regarding our data retention policy please contact us using the contact details at the end of this document.

Type or record	Retention period
Adoption records The Adoption and Children Act 2002	100 years from the adoption date
Case records relating to approved foster parents Regulations 11, 12 and 13 of The Fostering Panels (Establishment and Functions) (Wales) Regulations 2018	foster carer records must be retained for at least 10 years from the date on which the foster carers' approval is terminated
Records relating to a person who is not approved as a foster carer by SFS or whose application is withdrawn prior to approval. Regulations 11(4) and 13(3) of The Fostering Panels (Establishment and Functions) (Wales) Regulations 2018	3 years from the refusal or withdrawal of the application to become a foster parent
List of foster parents as prescribed by Regulation 12 of The Fostering Panels (Establishment and Functions) (Wales) Regulations 2018	At least 10 years from the date on which the foster carers approval is terminated
Fostering Panel Minutes <i>(As per SFS retention policy)</i>	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.
Record of all persons working for the fostering service provider Regulation 39 and Schedule 2 of The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 and supporting Statutory Guidance	15 years from the date of the last entry
Disclosure and Barring Service Certificate (formerly Criminal Records Bureau disclosures certificates) obtained as part of the vetting process.	The actual disclosure form must be destroyed after 6 months. However it is advisable that organisations keep a record of the date of the check, the reference number, the decision about vetting and the outcome



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Looked after children

Type or record	Retention period
Looked After Children	The 75th anniversary of the date of birth of the child (or, if the child dies before attaining the age of 18, for a period of 15 years from the date of death)
Any records relating to children and young people in foster care Regulation 64 of The Care Planning, Placement and Case Review (Wales) Regulations 2015	The responsible authority must retain the child's case record until the seventy fifth anniversary of the child's birth or if the child dies before attaining the age of 18, for fifteen years from the date of the child's death
Records in relation to Looked After Children — Case Notes etc	Once the placement has ended all documentation relating to the child/young person will be returned by SFS 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 by SFS for future reference for 10 years.
Children's Register The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 and supporting Statutory Guidance Regulation 39 and Schedule 2	In accordance with the Fostering Regulations in Wales the Agency must keep a register of all children placed with foster parents by the Agency for a period of 15 years from the date of the last entry.
A central record of all complaints made under the SFS complaints policy and the action taken by SFS in respect of any such complaints. Regulation 39 and Schedule 2 of The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 and supporting Statutory Guidance.	15 years from the last date of entry
A central record of the date and circumstances of any safeguarding referrals and the outcome Regulation 39 and Schedule 2 of The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 and supporting Statutory Guidance.	15 years from the last date of entry
A central record of the date and circumstances of any incident of control or restraint used by the foster parents on a child. Regulation 39 and Schedule 2 of The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 and supporting Statutory Guidance.	15 years from the last date of entry



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6. YOUR RIGHTS

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

Your right to access your information

- 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. A new SAR will need to be submitted in the event of failure to access your information within 90 days.

Your right to rectify the details of your information

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.

Your right to erasure

- You can request that the information we hold about you is deleted. However, we are subject to the data retention requirements, in accordance with the regulations and legal frameworks described within this notice. (See section 5). 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. For example, 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 be deleted at this stage we will comply with your request.

Your right to restrict 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:



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- You challenge the accuracy of the information (we must restrict processing until we have verified its accuracy). During your 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 would prevent us from proceeding with your enquiry.

Your right to object 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.

Your right to withdraw 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.

Your 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.



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Your right to make a complaint

- 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.
- In the first instance, if you have a complaint please contact us at our Cardiff Office.
- If you remain unhappy with our response to your complaint about how we have handled collecting and using your personal information, you have the right to complain to the Information Commissioners Office whose contact details are:
Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.
Telephone 0303 123 1113
Website <https://ico.org.uk/concerns>

7. HOW TO CONTACT US

Should you need to contact us for any data protection purposes, the individual responsible for data protection compliance at Supported Fostering Services is the SFS Data Controller. They can be contacted using the contact details below.

Supported Fostering Services - Head Office address

4 Richmond Road
Cardiff
CF24 3AS
029 2046 0004
datacontroller@fostering.com

All data is processed within the European Union.

8. 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: 19/12/2019.

9. GLOSSARY OF TERMS

Comply with a legal or regulatory obligation – means processing your personal data where it is necessary to comply with a legal or regulatory obligation that we are subject to eg the Children Acts, the Fostering Regulations etc

Consent of the data subject - consent is defined as receiving a data subject's agreement to process their data. Agreement must be freely given, informed, specific and unambiguous. This consent could be given several ways, such as via a written statement (including by electronic means) or an oral statement.



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The data controller – is the organisation responsible for your personal data. We as the 'data controller' are responsible for keeping your data secure, making decisions about what happens to your data and we are accountable if it is lost or not kept confidential.

The data processor is the natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

The Data Protection Act 2018 is a United Kingdom Act of Parliament that has updated data protection laws in the UK. It is a national law which complements the European Union's General Data **Protection Regulation (GDPR)**.

Data Protection Authority – the national authority who protects data privacy.

Data Protection Officer – an appointed individual who works to ensure you implement and comply with the policies and procedures set by GDPR.

Data Subject – someone whose personal data is processed by a controller or processor

Encryption is the method by which plain text or any other type of data is converted from a readable form to an encoded version that can only be decoded by another entity if they have access to a decryption key. Encryption is one of the most important methods for providing data security especially when transmitting data across networks.

General Data Protection Regulation (GDPR) is the 2018 legal framework that sets guidance for the collection and processing of personal information of individuals within the European union (EU).

Legitimate Business Interest / Legal basis means the interests of our Agency in conducting and managing our business to enable us to give you the best service and the best and most secure experience. Our legitimate business interests do not automatically override your interests – we will not use your personal data for activities where our interests are over-riden by the impact on you, unless we have your consent or are required or permitted to by law.

Personal Data – any direct or indirect information relating to an identified person that could be used as a means of identifying them. This includes their name, ID number, location data or an online identifier.

Personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.

Processing – this refers to any activity relating to personal data, from initial collection through to the final destruction. It includes the organising, altering, consulting, using, disclosing, combining and holding of data, either electronically or manually.

Sensitive Personal Data – other factors specific to physical, physiological, genetic, mental, economic, cultural or social identity. This can include genetic data, biometric data, and criminal convictions and offenses that, when processed, can uniquely identify a person.

Subject access request is your right to get a copy of the information that is held about you.

Third party means a natural or legal person, public authority, agency or body other than the data subject, controller, processor or persons who, under the direct authority of the controller or processor, are authorized to process personal data.