KCC Children, Young People & Education
Private Fostering Privacy Notice

This notice explains what personal data (information) we hold about you, how we collect, how we use and may share information about you.  We are required to give you this information under data protection law.

We keep this privacy notice under regular review and was last updated in July 2021.

**Who are we?**

Kent County Council (KCC) collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the United Kingdom General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA 2018). We are responsible as ‘controller’ of that personal information. Our Data Protection Officer is Benjamin Watts.

The Private Fostering team carry out the assessment of potential foster carers as part of KCC’s statutory duties.

**The personal information we collect and use**

**Information collected by us**

In the course of Private Fostering Assessments, we collect the following personal information when you provide it to us:

* Name, date of birth, gender
* Contact details
* Financial details in accordance with the Private Fostering Regulations 2005
* Family tree and family history
* Details about your children (E.g. names, dates of birth, education provider)

We also obtain personal information from other sources as follows:

* Agency checks regarding you and your children from the Police, GP, Probation, Ofsted, and your children’s education provider
* Referees who you provide to us

**How we use your personal information**

We use your personal information to:

* inform the Private Fostering Assessment and your suitability to provide a Private Fostering arrangement to a child or young person

**How long your personal data will be kept**

We will hold your personal information securely and retain it from the child /young person’s date of birth until they reach the age of 25, after which the information is archived or securely destroyed.

**Reasons we can collect and use your personal information**

We collect and use your personal information to carry out tasks in the public interest.

When we collect or share your personal data, we rely on the following legal bases:

* Article (6)(1)(e) – public interests: the processing is necessary to perform a task in the public interest or for official functions

If we need to collect special category (sensitive) personal information, we rely upon reasons of substantial public interest.

* Article 9(2)(g) - reasons of substantial public interest

We rely on the ‘Equality of opportunity or treatment’, ‘Statutory and government purposes’ and ‘Safeguarding of children and individuals at risk’ purpose conditions from Schedule 1 of the DPA 2018 when relying on Article 9(2)(g) to process your special category data.

**Who we share your personal information with**

* Teams within Kent County Council working to improve outcomes for children and young people
* Commissioned providers of local authority services
* Schools
* Partner organisations signed up to the Kent & Medway Information Sharing Agreement, where necessary, which may include health visitors, midwives, housing providers, Police, school nurses, doctors, and mental health workers.
* Department for Education and other government departments as required
* Ofsted, who undertake inspections of our services

We will share personal information with law enforcement or other authorities if required by applicable law.

**Your Rights**

Under the UK GDPR you have rights which you can exercise free of charge which allow you to:

* Know what we are doing with your information and why we are doing it
* Ask to see what information we hold about you (Subject Access Requests)
* Ask us to correct any mistakes in the information we hold about you
* Object to direct marketing
* Make a complaint to the Information Commissioners Office
* Withdraw consent (if applicable)
* Depending on our reason for using your information you may also be entitled to:
* Ask us to delete information we hold about you
* Have your information transferred electronically to yourself or to another organisation
* Object to decisions being made that significantly affect you
* Object to how we are using your information
* Stop us using your information in certain ways

We will always seek to comply with your request however we may be required to hold or use your information to comply with legal duties. Please note: your request may delay or prevent us delivering a service to you.

For further information about your rights, including the circumstances in which they apply, see the guidance from the Information Commissioners Office (ICO) on individuals’ rights under the UK GDPR.

If you would like to exercise a right, please contact the Information Resilience and Transparency Team at data.protection@kent.gov.uk

**Keeping your personal information secure**

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

**Who to Contact**

Please contact the Information Resilience and Transparency Team at data.protection@kent.gov.uk to exercise any of your rights, or if you have a complaint about why your information has been collected, how it has been used or how long we have kept it for.

You can contact our Data Protection Officer, Benjamin Watts, at dpo@kent.gov.uk, or write to: Data Protection Officer, Sessions House, Maidstone, Kent ME14 1XQ.

The UK GDPR also gives you right to lodge a complaint with the Information Commissioner, who may be contacted at [https://ico.org.uk/concerns or telephone 03031 231113](https://ico.org.uk/concerns%20or%20telephone%2003031%20231113).

Read our corporate [privacy statement](https://www.kent.gov.uk/about-the-council/about-the-website/privacy-statement)