

Safeguarding Children Privacy Notice



Oldham
Council

Date and version

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What this privacy notice is for

Our core data protection obligations and commitments are set out in the council's primary privacy notice at www.oldham.gov.uk/dataprotection

This notice provides additional privacy information for:

- Users of Children's Social Care services and organisations making referrals to the service. By users we mean children and young people but also their parents and/or carers and people who are connected to them.

Updating our privacy notices

We may update or revise our privacy notices at any time so please refer to the version published on our website for the most up to date details

What we use your information for

We collect your personal information for the following purpose(s):

- To assess children who may be at risk of 'harm' or 'significant harm' and identify their needs for support as a result of this;
- To provide support for children who may be at risk of 'harm' or 'significant harm' in order to prevent this occurring; and
- To meet the needs of looked after children and care leavers.

What categories of personal information we use

Personal information can be anything that identifies and relates to a living person. This can include information that when linked with other information, allows a person to be uniquely identified. For example, this could be your name and contact details.

The law treats some types of personal information as 'special' because the information requires more protection due to its sensitivity. This information consists of:

- Racial or ethnic origin
- Sexuality and sexual life
- Religious or philosophical beliefs
- Trade union membership
- Political opinions
- Genetic and bio-metric data
- Physical or mental health
- Criminal convictions and offences

In order to carry out these purposes we collect and obtain the following personal information.

Category of personal data	Special/ Sensitive
Name, gender and date of birth	
Address and telephone number	
Ethnicity and language spoken	Yes

Reason for referral (e.g. relating to financial and social circumstances, lifestyle and behaviour, physical and mental health)	Yes
Involvement with other services	Yes
Criminal convictions and offences	Yes
Sexuality and sexual life	Yes
Religious or philosophical beliefs	Yes

Legal basis for processing

Where possible, Children's Social Care services are based upon individuals giving explicit consent for the information they provide to be processed and shared, and in most circumstances the legal basis for processing and or sharing your personal information is therefore that you have consented for us to do so.

The Council may also share information in order to prevent or detect crime, or to safeguard individuals from harm. Various pieces of legislation set out the circumstances in which organisations are permitted, or required, to do this. These include, the Crime and Disorder Act 1998, Children Acts 1989 and 2004 and Care Act 2014.

In particular, under Section 47 of the Children Act, 1989 personal information may be processed and shared without consent, in order to protect children from the risk of suffering 'significant harm'.

Information sharing/recipients

We may share personal information about you with the following organisations / types of organisations:

- Organisations or Council teams delivering Early Help Services so that they can provide these services
- Adult social services, Greater Manchester Police and other relevant organisations such as schools and NHS organisations which are involved in safeguarding and supporting children and families
- Organisations providing care and support to looked after children and care leavers, such as GPs, schools, housing providers, private providers of fostering and residential placements.

As well as information collected directly from you, we also obtain or receive information from:

- Organisations (such as a school or GP surgery) who make referrals to Children's Social Care on your behalf, ideally with your consent but without it if they feel a child is at risk of harm
- Organisations which have delivered public services to you and family members in order to help us understand your needs and what support has previously been provided (e.g. early help services, education services including schools, housing providers, drug and alcohol services, NHS services, Department for Work and Pensions). Information will only be shared where it is relevant to do so, and the level of information shared will be proportionate to the needs identified
- Greater Manchester Police, probation and youth justice services where the referral involves concerns about criminal or anti-social behavior.

Data Transfers beyond European Economic Area

We do not transfer any of your personal information outside the European Economic Area ('EEA').

Automated Decisions

All the decisions we make about you involve human intervention.

How long we keep your data

The length of time we keep the information we hold varies depending on the type of involvement we had with you. In some specific instances we may hold information for up to 75 years. Some examples are:

- **Looked after children**
Where an investigation has resulted in a child/young person becoming looked after by the Council, records must be retained for 75 years from the child/young person's date of birth.
- **Child protection**
Where a child protection investigation has resulted in a child/young person being subject to a child protection plan, the records must be retained for 35 years from the date of the last contact with the Council.
- **Child in need**
Where a child/young person is considered to be 'in need' but is not accommodated by the Council or subject to a child protection enquiry, records must be retained for 25 years from the date of birth of the youngest child/young person in the family.

Where can I get advice

More information on how to seek advice in order to exercise your rights, raise a concern or complain about the handling of your personal information by the council can be found in the council's privacy notice which can be found at www.oldham.gov.uk/dataprotection.