

Hampshire County Council Children's Social Care Adopt South – Birth Families – Privacy Notice

Why do we collect and use this information?

Adopt South is the partnership Regional Adoption Agency for Hampshire, Isle of Wight, Portsmouth and Southampton local authorities. Hampshire County Council, Southampton City Council, Portsmouth City Council and the Isle of Wight Council are each joint data controllers for the personal data processed by Adopt South for the purposes of supporting birth families of adopted children.

We collect information about you and your child as well as information about other individuals within your family. We hold this personal data securely and use it to:

- participate in the care planning for your child;
- enable access to birth parenting counselling;
- keep in contact after an adoption order when this is agreed in the child's best interest;
- support prescribed relatives to access information.
- gaining feedback and evaluating services

The following sections provide further detail around the information we process setting out what allows us to do this (lawful basis), who we may share it with, how long we keep it for (the retention period), alongside identifying any rights you may have and who to contact if you think we're not handling your information in the right way.

The categories of information that we collect, hold and share

The following personal and special category information may be processed as part of Adopt South's involvement:

- your personal information (such as name, address, date of birth, contact information) and special category data (such as ethnicity, gender, religion, language, health information);
- information about your child (such as name, address, date of birth, school) and special Category data about your child (such as ethnicity, gender, religion, language, health information);
- record of attendance at birth parent counselling;
- details of discussions, letters and records of telephone calls, which are added to your file as they happen, along with any reports and information about you from other people. We may also collect details of events attended and interventions undertaken, alongside the impact they may have had.
- written (typed) documents such as assessments, plans, reports, case notes, chronologies, emails, letters, and minutes of key meetings;



The lawful basis on which we use this information

Adopt South collect and use the information ensuring that they comply with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA2018) requirements for processing through:

- Article 6(1)(e) - the processing is necessary to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law;
- Article 9(2) (g) – Necessary for reasons of substantial public interest on the basis of Union or Member State law which is proportionate to the aim pursued and which contains appropriate safeguarding measures;
- Article 9(2)(h)- Necessary for the purposes of the provision of social care or the management of health or social care systems and services on the basis of Union or Member State Law.
- Sch.1, Pt.2, 6 – Substantial public interest conditions, for processing under the DPA2018.

These articles under the UK GDPR and DPA2018 are supported by the following specific legislation:

- The Adoption and Children Act 2002 and associated regulations;
- The Children and Adoption Act 2006 and associated regulations;
- Children and Families Act 2014 and associated regulations;
- Children and Young Persons Act 2008;
- Care Planning, Placement and Care Review (England) Regulations 2010;
- Children Act 1989;
- Children Act 2004;
- Care Standards Act 2000;
- The Local Authority Social Services Act 1970;
- The Equality Act 2010;
- Adoption Agencies Regulations 2005;
- Adoption Support Services Regulations 2005;
- Working Together with Children – statutory guidance (2018).

Under this lawful basis we do not require your consent to process information provided to us but we are required, through this privacy notice, to ensure you are fully informed of why we are collecting this information and what we will do with it.

Storing and Securing Data

Adopt South's IT systems is hosted by Hampshire County Council and all records will be held within Hampshire County Council's Children's Social Care Case Management System (CMS). The information held within Hampshire County Council's Children's Social Care CMS will be kept in line with Hampshire County Council's retention schedule and then disposed of as appropriate. The Children's Social Care CMS is hosted by Hampshire County Council in secure data centres based in the UK. No information leaves the European Economic Area (EEA).



Forms sent electronically (paper forms will be scanned to create an electronic record) will be stored within the Hampshire County Council's Document Management System (DMS), with any paper versions being destroyed or returned to the data subject as appropriate. The file will be linked to the record created in Hampshire County Council's Children's Social Care CMS using a reference identifier. The information held within Hampshire County Council's DMS will be kept in line with our retention schedule and then deleted as appropriate. The Hampshire County Council's DMS is hosted by Hampshire County Council in secure UK based data centres, which are on site. No information leaves the European Economic Area (EEA).

Due to the partnership arrangement some historical information about you may be held of the CMS or DMS of partner Local Authorities to Hampshire County Council. This information is stored securely according to each Local Authority's privacy and IT security policies.

Hampshire County Council takes its data security responsibilities seriously and has policies and procedures in place to ensure the personal data held is:

- prevented from being accidentally or deliberately compromised;
- accessed, altered, disclosed or deleted only by those authorised to do so;
- accurate and complete in relation to why we are processing it;
- continually accessible and usable with daily backups;
- protected by levels of security 'appropriate' to the risks presented by our processing.

Hampshire County Council also ensures its IT systems are certified to the internationally recognised standard for information security management, ISO27001.

Who do we share information with?

We do not share information with anyone unless there is a lawful basis that allows us to do so. Any information shared will be done so on the basis that it is necessary, relevant and proportional for the task being undertaken.

When supporting you and your family, we may be required to contact a range of professionals and agencies to provide information in order to support you and your family's requirements. We will only contact those services necessary, relevant and proportional to your individual circumstances, but this could include:

- Other Local Authorities
- Other Regional Adoption Agencies
- Voluntary Adoption Agencies
- Health Services
- Mental health services
- Early years providers
- Education
- Commissioned services (such as therapeutic interventions or participation services)
- Adoption Support Fund



- Housing
- Independent advocacy support
- Department of Education
- Adoption and Special Guardian Leadership Board
- Hampshire Safeguarding Children Partnership

When supporting a contact with your child through the Adoption Information Exchange, your information may be shared with:

- Children's social work teams and managers from partner Local Authorities
- Health Services
- Voluntary or charitable organisations
- Hampshire Constabulary/other relevant police forces
- Other Local Authorities
- Other Regional Adoption Agencies
- Voluntary Adoption Agencies
- Mental health services
- Commissioned services (such as therapeutic interventions or participation services)
- Housing

Requesting access to your personal data and your rights

Under data protection legislation, individuals have the right to request access to information about them that we hold. Some adoption information is exempt from disclosure under the Adoption and Children Act 2002 (consequential amendments) Order 2005. To make a request for your personal information, or someone you have responsibility for, please contact the Children's Services Department's Subject Access Request (SAR) Team for the relevant local authority, contact details on how this can be achieved can be found below:

Hampshire County Council -

<https://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/accessrecords>

Isle of Wight Council -

[file:///C:/Users/cseieegr/Downloads/Access%20to%20Records%20form%202018%20\(1\).pdf](file:///C:/Users/cseieegr/Downloads/Access%20to%20Records%20form%202018%20(1).pdf)

Portsmouth City Council – <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/Data-subject-access-request-form-1.pdf>

Southampton City Council - <https://www.southampton.gov.uk/council-democracy/council-data/data-protection/subject-access-requests/>

You also have the right to:

- prevent processing for the purpose of direct marketing;
- object to decisions being taken by solely automated means;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations.



Please note that under the UK GDPR, there is also a right to erasure but the right to erasure does not provide an absolute 'right to be forgotten'. Where the data being processed is for the purpose of 'performing a task in the public interest or for our official functions, and the task or function has a clear basis in law' (Article 6(1)(e)), this right does not automatically apply.

If you have a concern about the way we are collecting or using your personal data, you can raise your concern with us in the first instance or you can go directly to the Information Commissioner's Office, as the supervisory authority, at <https://ico.org.uk/concerns/>.

Contact Details

If you would like more information about this service, please visit Adopt South's website via: <https://www.adoptsouth.org.uk/>

For further information on how each Council handles personal information, your data rights, how to raise a concern about the way they are processing your information and details regarding the Council's individual Data Protection Officers, please follow the appropriate links below to the relevant Council's privacy notices:

Hampshire County Council Data Protection - <https://www.hants.gov.uk/aboutthecouncil/privacy>

Southampton City Council Privacy - <https://www.southampton.gov.uk/contact-us/privacy-cookies/privacy-policy/>

Portsmouth City Council Data Protection - <https://www.portsmouth.gov.uk/services/council-and-democracy/transparency/data-protection-privacy-notice/>

Isle of Wight Council Data Protection - <https://www.iow.gov.uk/about-us/legal/privacy-notice/#:~:text=We%20will%20only%20share%20your,provider%20acting%20on%20our%20behalf.>

