Summary
A guide for foster carers to enable them to understand what BFfC do with their data and how they can complain if things are going wrong.

OWNER
BFfC: Fostering Service

VERSION
One

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Who are we?

Brighter Futures for Children (BffC): Fostering Service collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) and we are responsible as ‘controller’ of that personal information for the purposes of those laws.

The BffC: Fostering Service recruits, assesses, approves, supports and pays foster carers. We also provide them with ongoing support, guidance and training to ensure they are fully skilled to be effective foster carers.

BffC: Fostering Service works with foster carers and a range of fostering agencies to ensure that children are placed with the most appropriate family.

The personal information we collect and use

Information collected by us

In the course of assessing, approving and supervising foster carers we collect the following personal information when you provide it to us:

- Personal information (such as name, address, contact details, date of birth, gender, language)
- Special category characteristics (such as ethnicity, disability, religion and medical information)
- Family network and relationship information
- Employment information
- Financial information
- Information relating to assessments and approvals for suitability to foster children

We also obtain personal information from other sources as follows:

- The local authority in whose area you live in
- Other RBC and Brighter Futures for children departments
- NSPCC
- Disclosure and Barring Service
- Past and Present Employer
- Volunteer services with children and/or vulnerable adults
- Social Media
- References (personal and employment)
- Previous partners
- Health
- Schools
- Previous Local Authorities

How we use your personal information

We use your personal information to match children with the most appropriate foster carer. For example:
Skills and experience
Ethnicity
Cultural background
Religion
Gender
Specialisms

How long your personal data will be kept

We keep your information securely in line with the retention periods shown in Appendix one – Retention periods, after which time it is archived or securely destroyed, except where required by legal reasons. In these instances BFfC: Fostering Service will retain records for longer than the stated retention period.

Reasons we can collect and use your personal information

We collect and use your personal information to comply with our legal obligations under The Fostering Services (England) Regulations 2011. If we need to collect special category (sensitive) personal information, we rely upon reasons of substantial public interest (equality of opportunity or treatment), for social security or social protection law, and for the establishment, exercise or defence of legal claims whenever Courts are acting in their judicial capacity.

BFfC: Fostering Service is required to collect, use and store data outlined in legislation. These include, but are not restricted to:

- The Care Act 2014
- Working Together to Safeguard Children 2018
- Child Protection Procedures 2018
- Childcare Act 2006/2016
- Special Educational Needs Code of Practice statutory guidance relating to Part 3 Children and Families Act 2014
- Crime and Disorder Act 1998 Section 115 and Section 14 of the Offender Management Act 2007
- The Fostering Services (England) Regulations 2011
- Limitation Act 1980 S.2
- School Admissions Code 2012 and 2015
- School Standards and Framework Act (SSFA) 1998
- School Attendance: Departmental advice for maintained schools, academies, independent school and local authorities 2014
- HMRC Compliance Handbook CH15400
- Children’s Services are also to collect and provide information as required by the DfE,
- Ofsted inspection requirements and Troubled families payment by results framework

Data collected is used to:

- enable us to carry out specific functions for which we are responsible
- derive statistics to fulfil our statutory duties and returns and inform decisions such as the funding
- assess performance, set targets and improve services
Who we share your personal information with

- Brighter Futures for Children and Reading Borough Council teams including Finance and children’s services
- Ofsted (in the event of a local authority inspection of children’s services)
- Other Local Authorities for child protection and safeguarding
- LADO referral in the area you reside
- Fostering Agencies - Regulation 26(1A) gives the fostering service undertaking the current assessment the power to request access to records about the applicant held by the fostering service or adoption agency which granted the approval (provided that the applicant consents).

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

Your Rights

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

- Right to correction (Ask us to correct any mistakes in the information we hold about you)
- Right of access (Ask to see what information we hold about you (Subject Access Requests))
- Right to object to process (Withdraw consent if applicable)

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.

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

If you would like to exercise a right, please contact the Data Protection Team at ricky.gill@reading.gov.uk

Keeping your personal information secure

Your data, supplied to BFfC electronically or paper based will be stored in secure electronic management database systems, portals, spreadsheets stored on internal secure folders and accessed on secure encrypted laptops. All data is stored on secure servers.

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 Data Protection at ricky.gill@reading.gov.uk or 01189 373306 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.

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority. The supervisory authority in the UK is the Information Commissioner who may be contacted at https://ico.org.uk/concerns or telephone 03031 231113.

Appendix one – Retention periods

<table>
<thead>
<tr>
<th><strong>Prospective Adopter and Foster Carer Files (Formal Application received)</strong></th>
<th><strong>Records relating to prospective adopters or foster carer, either approved at panel stage, but not placed with a child, or not approved as prospective adopters or foster carer at panel stage.</strong></th>
<th><strong>Date of panel where decision made on application to be approved as a Foster Carer or an Adoptive Carer</strong></th>
<th><strong>Prospective adopters or foster carer approved at panel stage, but not placed with a child, or not approved as prospective adopters or foster carer at panel stage. Retain 10 Years from date of panel. Persons who formally applied to be assessed as prospective adopters or foster carer but not reached panel stage retain for 10 years from date of application.</strong></th>
<th><strong>Paper file destroyed (confidential waste) Electronic file deleted</strong></th>
<th><strong>Fostering Service regulations 2011 (reg 30 and 32)</strong></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>Prospective Adopter and Foster Carer Files (Which do not lead to approval or are withdrawn)</strong></th>
<th><strong>Enquires from prospective adopters and foster carers, who never subsequently submit a formal application to start the approval</strong></th>
<th><strong>Enquiry from a prospective carer</strong></th>
<th><strong>Retain for 3 years from date of enquiry</strong></th>
<th><strong>Paper file destroyed (confidential waste)</strong></th>
<th><strong>Good practice</strong></th>
</tr>
</thead>
</table>

<p>| <strong>Foster Carer Register</strong> | <strong>Details of foster parent, including name, address, date of birth, address and sex of each foster parent and list of which children are placed name, address, date of birth and sex of each foster parent and, in the case</strong> | <strong>Approval as a foster carer</strong> | <strong>Retain 75 years from closure of the fostering file and in conjunction with the retention period for the case file of the child place (in which case the retention period maybe 100 years)</strong> | <strong>Paper file destroyed (confidential waste) Electronic file deleted</strong> | <strong>Fostering Service regulations 2011 (reg 32)</strong> |</p>
<table>
<thead>
<tr>
<th>Service</th>
<th>Description</th>
<th>Retention期</th>
<th>Disposal</th>
<th>Relevant Legislation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foster Carer Case File</td>
<td>Documentation relating to families or adults who have fostered children in their care</td>
<td>Retain 75 years from closure of the fostering file and in conjunction with the retention period for the case file of the child placed (in which case the retention period maybe 100 years)</td>
<td>Paper file destroyed (confidential waste) Electronic file deleted</td>
<td>Fostering Service regulations 2011</td>
</tr>
<tr>
<td>Kinship Care Case File</td>
<td>Documentation relating to the families or adults who have fostered children in their care</td>
<td>Retain 75 years from date of approval and in conjunction with the relevant retention period for the case file relating to the child placed</td>
<td>Paper file destroyed (confidential waste) Electronic file deleted</td>
<td>Fostering Service regulations 2011</td>
</tr>
<tr>
<td>Special Guardianship Case File</td>
<td>Documentation relating to the process of the special guardianship order</td>
<td>Retain for 75 years from date of Order</td>
<td>Paper file destroyed (confidential waste) Electronic file deleted</td>
<td>Adoption &amp; Children Act 2002; Special Guardianship Regulations 2005; Children Act 1989</td>
</tr>
<tr>
<td>Private Fostering</td>
<td>Records containing personal data, including assessment, support plan and reviews</td>
<td>DOB + 75 years</td>
<td>Paper file destroyed (confidential waste) Electronic file</td>
<td>The Children (Private Arrangements for Fostering) Regulations 2005;</td>
</tr>
</tbody>
</table>