

Privacy Notice

Children in need and children looked after

Who is the data controller for the information I provide?

Halton Borough Council is the Data Controller for the personal information you provide.

What personal information do you collect?

The categories of personal information Halton Borough Council collects includes are:

- personal information (such as name, date of birth and address)
- characteristics (such as sex, ethnicity and disability)
- health information
- episodes of being a child in need (such as referral information, assessment information, Section 47 information, Initial Child Protection Conference information, Child Protection Plan information, and Children in Need Plan information)
- episodes of being looked after (such as important dates, information on placements)
- outcomes for looked after children (such as whether health and dental assessments are up to date, strengths and difficulties questionnaire scores and offending)
- adoptions (such as dates of key court orders and decisions)
- care leavers (such as their activity and what type of accommodation they have)
- A record of any reported missing episodes

Why we collect and use this information

We collect and hold information about you in order to understand your family composition and support needs. Your information is needed to enable us to identify the level of support that you may require, and indeed to ensure we offer you appropriate support that you are statutorily entitled to. The support may consist of social work support or referral to support services for their support in your care. We will discuss this with you as appropriate.

We use this personal data to:

- a) provide appropriate care and support to children and families and monitor their progress
- b) assess the quality of our services
- c) evaluate and improve our policies on children's social care

What legal basis allows you to use my information?

Under the [UK General Data Protection Regulation \(UK GDPR\)](#), the legal bases we rely on for processing personal information are:

Article 6(1)(c) Legal obligation (it is necessary for us to comply with the law)

Article 6(1)(e) 'Public Task' (to carry out our public functions and powers that are set out in law, ie childcare services covered by children's legislation:

- Children and Families Act 2014
- Children Act 1989

- Working together to Safeguard Children 2023 – Statutory Guidance
- Children and Social Work Act 2017
- Adoption and Children's Act 2002
- Foster Services Regulations 2011 – Statutory Guidance
- The Care Standards Act 2000
- Securing Sufficient Accommodation for Looked After Children – Statutory Guidance
- Crime and Disorder Act 1998

Article 6(1)(a) Consent – where you have given clear consent to process your personal data for a specific purpose

The lawful basis used to process special category data (ethnicity, religion, data concerning health) is

Article 9(2)(h) Health and social care (with relevant basis in law)

Article 9(2)(g) Substantial public interest (with relevant basis in law)

Collecting this information

Children in need and children looked after information is essential for the local authority's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with UK GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

How will my information be stored?

Your information will be stored electronically in a secure environment meeting data protection requirements.

How long will you keep this information for and why?

The information provided for the processes outlined above are retained in line with the Council's Retention Policy and Schedule. Children's social care records are retained for 100 years.

Who will my information be shared with?

Your individual information could be shared with other agencies that provide support to children and families in Halton. These generally consist of:

- Teams within Halton who support to improve outcomes for children and young people
- Pre schools, schools, academies and colleges
- Partner organisations such as the police, housing providers, health services, emergency services and other local authorities for legitimate purposes
- Commissioned service providers that work with children and families
- OFSTED in the event of inspections of children's services
- Law enforcement if required by applicable law
- Government departments including the Department for Education, Department for Works and Pensions and the Home Office

We do not share information about our children in need or children looked after with anyone without consent unless the law and our policies allow us to do so.

The Department for Education (DfE)

The Department for Education (DfE) collects personal data from local authorities via various statutory data collections. We are required to share information about our children in need and children looked after with the Department for Education (DfE) for the purpose of those data collections.

We share children in need and children looked after data with the Department for Education (DfE) on a statutory basis, under [Section 83 of 1989 Children's Act](http://www.legislation.gov.uk/ukpga/2008/23/section/7), <http://www.legislation.gov.uk/ukpga/2008/23/section/7> and also under [section 3 of The Education \(Information About Individual Pupils\) \(England\) Regulations 2013](http://www.legislation.gov.uk/uksi/2013/1934/section/3).

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current [government security policy framework](http://www.gov.uk/government/publications/government-security-policy-framework).

For privacy information on the data the Department for Education collects and uses, please see:

<https://www.gov.uk/government/publications/privacy-information-children-and-young-people-under-18/privacy-information-children-and-young-people-under-18>.

What rights do I have when it comes to my data?

The UK GDPR gives parents, carers, and children certain rights about how their information is collected and used.

You have the following rights:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'
- the right to ask us for copies of personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request or right of access request

- the right to ask us to change any information you think is not accurate or complete – this is called ‘right to rectification’
- the right to ask us to delete your personal information – this is called ‘right to erasure’
- the right to ask us to stop using your information – this is called ‘right to restriction of processing’
- the ‘right to object to processing’ of your information, in certain circumstances
- rights in relation to automated decision making and profiling
- the right to withdraw consent at any time (where relevant)
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way.

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task
- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests
- if the lawful basis is consent, you don’t have the right to object, but you have the right to withdraw consent.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with the Council’s *Data Protection Officer in the first instance or directly to the Information Commissioner’s Office at [raise a concern with ICO](#)

Contacts

*The Council’s Data Protection Officer can be contacted on 0151 511 7002, by email to dpo@halton.gov.uk or by post to Data Protection Officer, Compliance and Data Management, ICT Services, Halton Borough Council, PO Box 317, RUNCORN, WA7 9BZ.

For enquiries about services provided by Children’s Services, refer to the relevant contact details on the [Council’s website](#)