

SCT Privacy Notice

1. Privacy Notice

Whether you are visiting our website, contacting us by email, by phone or visiting a Trust office or Trust-managed location, we may collect some personal information about you. Whenever we collect your personal information, we want you to be reassured that we will handle it responsibly and legally.

'Personal data' is any information which relates to a living individual who can be identified (either directly or indirectly) from this information. This also includes information which only identifies someone when combined with other information in a person's possession.

Our policies and procedures on managing personal information are designed to satisfy legal requirements and meet the standards residents, service users, employees, customers, partners and other public authorities expect from us.

2. Why Does SCT Process Personal Information

The Trust may collect personal information for the following purposes:

- To provide Trust Services including information, advice, guidance and social care to children, young persons, parents, guardians and families
- For the safeguarding and welfare of children and families
- When we act in a statutory role to provide social services and other statutory functions
- Carry out Trust functions.
- To help the Trust improve, plan and promote the services we offer.
- Sometimes we are bound by law to collect personal information or support its collection because of legal reasons. To maintain accounts and records
- For managing employees and support workers, processing job applications and other requests you or others might make to us in our role as a local authority and employer.
- Making payments to you and others for services, salaries and compensation.
- Personal information may be captured on CCTV if you visit our office location.
- Studying trend and contributing to research that will benefit our service users.
- Identity checks
- Help investigate any worries or complaints you have about our services.
- Improving your browsing experience when you use our website. Although we never use this information to identify you, it is still your personal information.

Whatever the reason is for collecting your personal information, we ensure there is an appropriate lawful basis in the General Data Protection Regulation and Data Protection Act, for doing so.

Lawful basis are legal paths in data protection law that regulate our approach and conduct when we collect your information. Please see section 5 for the Legal Basis the Trust uses for processing your personal information.

3. Personal Information SCT Processes

We will collect personal details appropriate to the service you require. No more information will be collected than is required to deliver that service.

Here is a list of personal information we may collect.

- Name, title and address
- Gender, date of birth, place of birth and age
- Ethnicity and country of origin and sexuality
- Immigration status and Asylum Seeker number
- Sexuality and marital status
- Physical, mental and other health records
- Criminal convictions and other law enforcement records
- Education, academic and home school records
- Membership of trade unions
- Religious, political and philosophical beliefs
- Genetic and biometric information
- Location information
- Internet protocol address
- Employment information
- Financial account information including bank details,
- Vehicle registration
- Mobile number, telephone number, fax number and email
- National Insurance, and NHS numbers
- Unique personal and pupil reference numbers
- Family relationships, next of kin, parents and children information
- Audio recording, CCTV and other photographic images
- Identification documents including driving licence, passport etc.

Some of the information we collect is classified as sensitive, such as medical or criminal records.

Whether the information is personal or sensitive we will treat it with care, and ensure it is processed lawfully and responsibly.

4. How SCT Processes Personal Information

The Trust may collect personal information directly from you through:

- Electronic or paper forms
- Email or letter correspondence
- Documents and records you share with us.
- When you talk to one of our officers in-person, on the telephone or in a virtual interview or meeting.
- When you visit our office location

- On CCTV

Your personal information may also be collected indirectly through:

- Specialist partner organisations. For example child adoption agencies
- Local authorities
- Public Authorities
- Law enforcement services
- Educational institutions
- The NHS and other health care providers
- A General Practitioner (GP)
- Employment Agencies
- Council Residents
- Legal Representatives
- Charitable Organisations
- Housing Associations

5. SCT's lawful basis for using personal information

Before we process personal information, we must have a valid legal footing. These legal footings are called Lawful Basis. A valid lawful basis will be required for processing personal information or special category personal information.

Depending on the purpose for collecting your information, our lawful basis might be;

- Consent
- Contract
- Where you have made the information public,
- When the law says we must
- To protect you or others when you or others are not in a position to provide consent.
- If the information is important for the public good and this reason is supported by specific law
- Because of our role as a Childrens Trust responsible for provision of social care and protection
- For reasons of public health
- Preventative or occupational medicine
- Preserving the record for the future and to study patterns that will help us provide better services.

Processing of data can mean using the personal information in any way, such as:

- Collecting / obtaining / recording
- Storing (including holding on someone else's behalf)
- Reading / viewing
- Sharing and disclosing
- Amending or altering
- Analysing
- Deleting / destroying
- Adapting

Everything the Trust does with your personal information will be classed as processing.

Personal Data

To process personal data we must have a lawful basis under **Article 6 of the UK GDPR**. Those the Trust may rely on are:

- **Consent:** the individual has given clear consent for us to process their personal data for a specific purpose.
- **Contract:** the processing is necessary for a contract we have with the individual, or because they have asked us to take specific steps before entering into a contract.
- **Legal obligation:** the processing is necessary for us to comply with the law (not including contractual obligations).
- **Vital interests:** the processing is necessary to protect someone's life.
- **Public task:** the processing is necessary for us to perform a task in the public interest or for our official functions.

If you have provided us with your consent to use your personal information, you can withdraw your consent at any time by contacting us using the contact details in Section 11.

Special Category Information

Special category data is personal data which is more sensitive and has the potential to cause more harm if processed inappropriately. The following types of information are special category data that the Trust may process about you:

- race
- ethnic origin
- nationality
- politics
- religion
- trade union membership
- genetics
- biometrics (where used for ID purposes)
- health
- sex life
- sexual orientation
- criminal history

To process special category data we also need a lawful basis under **Article 9 of the UK GDPR**. The ones which the Trust may rely on are:

- The data subject has given explicit consent to the processing.
- Processing is necessary for the purposes of employment and social security and social protection law.
- Processing is necessary to protect the vital interests of the data subject.
- Processing relates to personal data which are manifestly made public by the data subject.
- Processing is necessary for the establishment, exercise or defence of legal claims.
- Processing is necessary for reasons of substantial public interest.

- Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services.
- Processing is necessary for reasons of public interest in the area of public health.
- Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

If you have provided us with your consent to use your special category personal information, you can withdraw your consent at any time by contacting us using the contact details in Section 11.

6. Important Acts of Parliament and Regulations

To be able to collect, process, share and retain your personal information, we rely on different laws that tell us what information we are allowed to collect, how we process this personal information, who we can share this information with and how long we can keep it for.

Some of these laws tell us how to make sure people are safe, some of them tell us what information we are allowed to share with you. Here is a list of important legislation we rely on:

- Children Act 2004
- Children and Adoption Act 2006
- Children and Families Act 2014
- Children and Social Work Act 2017
- Children and Young Persons Act 2008
- Foster Service Regulations 2011
- Safeguarding Vulnerable Groups Act 2006
- Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013
- The Care Act 2014
- The Mental Health Act 1983
- The Mental Capacity Act 2005
- The Human Rights Act 1998
- The Disability Discrimination Act 1995
- The Health and Social Care Act 2015
- The General Data Protection Regulation 2016
- The Privacy and Electronic Communications Regulations 2003
- The Data Protection Act 2018
- The Employment Relations Act 1999
- The Race Relations Act 1976
- The Recognition of Trusts Act 1987

This not exhaustive, some laws we rely on are not listed here but are connected with these laws and might contain directives not mentioned in these. We use relevant legislation to guide our conduct across the services and areas we are responsible for.

7. Retention period for personal information

Sandwell Children's Trust Retention Policy sets out the information held by the Trust, and how long the associated records should be held for. Sandwell Children's Trusts retention schedule has been

developed and aligned with the recommendation and best practice of the Records Management Society of Great Britain, legislative recommendation, other local authorities, best practice, relevant code of practice and in certain instances record weighting against the statute of limitation in England and Wales.

Please see the [Trust's retention policy](#) for more information.

8. Who may receive personal information from SCT and why

Your personal information may be shared with internal departments or with external partners and agencies involved in delivering services on our behalf. They will only have access to your information on a need-to-know basis and will only be provided with the minimum amount of personal information required to provide that service.

We will only share your personal information with third parties where we have a legal basis to do so. The third parties we share your personal information with are determined by the service we are working with to deliver to you or on your behalf, what the law says we must do and, in some cases, fulfilling a request received from you to share your personal information. Below are the categories of third parties we may share your personal information with:

Public Authorities we Share Personal Information with

- The Cabinet Office, with Members of Parliament and other Elected Representatives
- The Office for Standards in Education, Children's Services and Skills (Ofsted)
- Police Forces and the Fire Service
- The National Health Service and General Practitioner Services
- Her Majesty's Revenue and Customs and the Department for Work and Pensions
- Local Authorities
- Schools and Educational establishments
- The Home Office
- The Disclosure and Barring Service
- Regional Adoption Agency
- Members of Parliament and other Elected Representatives
- Law enforcement and the Courts and the Children and Family Court Advisory and Support Service
- Across Sandwell Metropolitan Borough Council's services (on a need-to-know basis only)
- The Information Commissioner's Office (ICO)
- Other Public Authorities and Government Departments

Other Non-Public Authority Organisations we Share Personal Information with

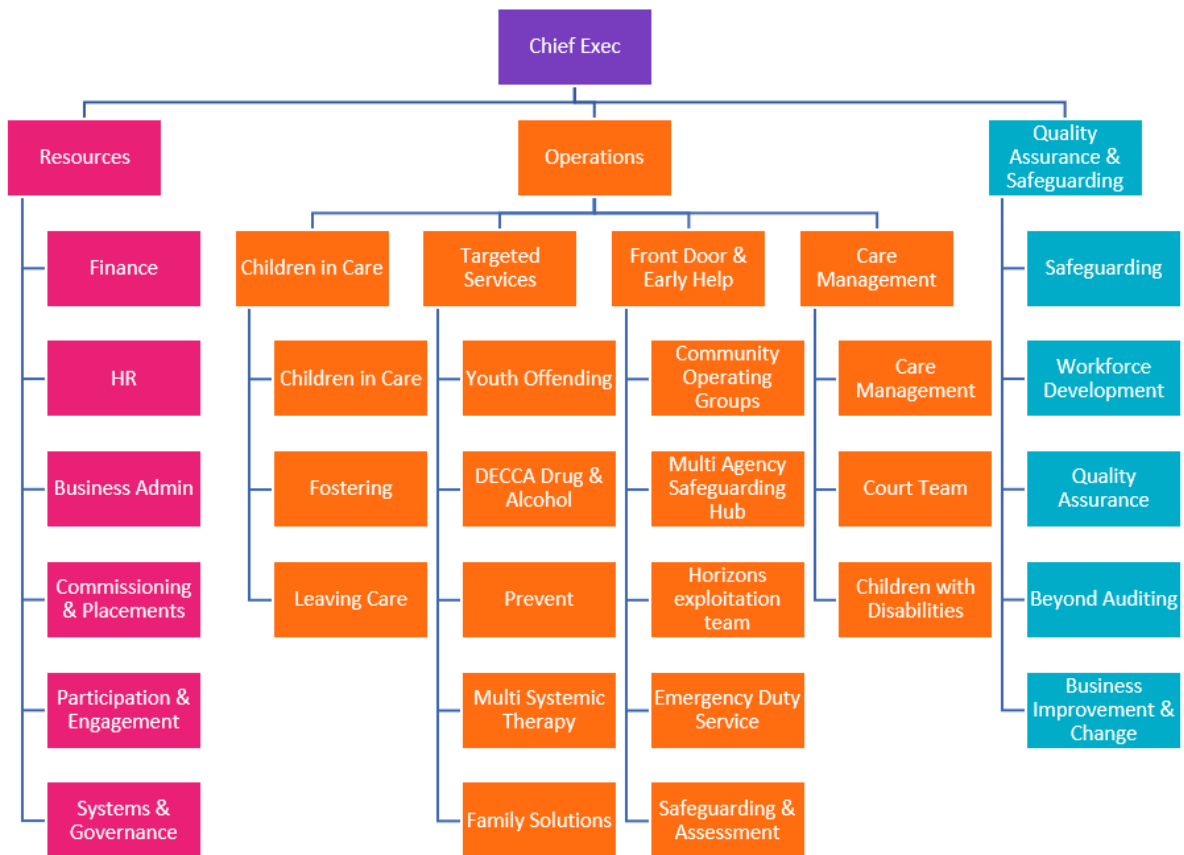
- The National Society for the Prevention of Cruelty to Children (NSPCC)
- Citizens Advice
- Child Adoption and Fostering Agencies
- Legal Counsel representing you or the Trust.
- Interpreting Services
- Charitable Organisations
- Health care providers

- Employment Agencies
- Other Specialist Service Provider and Partner organisations

Before we share your personal information, we make sure that those receiving this information understand their legal responsibility, we ensure your information is shared in a secure way, and we only share what is necessary. Before we share your personal information, we decide whether the decision to share it is appropriate.

9. SCT's Services

Please see below for a structure of the services the Trust offers:



10. Know your personal Information Rights

Here are the rights you have under the law and what they mean when we are in possession of your personal information.

The Right to be Informed

You have the right to be told what, why and how the Trust use your personal information. This Privacy Notice communicates to the public, the right to be informed.

The Right of Access

You have the right to know what personal information we hold about you. When you exercise this right, it is called a Subject Access Request. The law mandates us to respond within one month of receiving your request, depending on the scope, complexity and volume involved.

The Right to Rectification

If you discover that the information we hold about you is incomplete or wrong, you have the right to request that we correct it. Of course we will investigate and determine the validity of your claim depending on the reason for collecting that information, we can correct the information without delay.

The Right to Erasure

Where the purpose for processing your personal information has lapsed, you may have the right to request that we securely dispose of it. Not all records are subject to this right.

The Right to Restrict Processing

Instead of asking us to remove your personal information from our systems, in cases where you have concerns that the information is incorrect, or no longer needed by us, or you question the lawful reason we gave for holding your information, you can ask us to limit the use of the information. It might also be that you want us to hold on to the information because you might need it for a legal purpose.

When you make any request, we will investigate whether you are entitled to have your request granted. Even if we find out that you are not entitled to this right in a particular circumstance, we will still let you know before we continue to use your information.

The Right to Data Portability

If you had to give us permission to use your personal information (consent), or we collected your personal information to process an employment contract and this personal information is processed automatically by our computers, you can ask for a copy of this information in digital format (that is, in a format that another computer can read) and/or transferred to another local authority or organisation.

It is important that we let you know this right will not always apply, because we provide most of our services as a public authority and the law allows us to be exempt from this right most of the time.

The Right to Object

You have a right to ask us to stop processing information that refers to your particular circumstance. The law allows you to request that we do not continue to use the particular information, we will respect your wishes where the objection is valid or where we refuse your request, we will respectfully give you our reasons.

The Right to Object to Automated Processing

The law allows you to refuse or reject the results from the automated processing of your personal information regarding health, economic status, personal preferences, interests, performance at work, reliability, behaviour, location, movements and anything that affects you legally. You also have the right in such a case, to ask that a human processes the information instead.

However, this right will not apply in many of the functions we perform in our role as a public authority and if the processing involves entering into a contract with you.

The Right to Withdraw Consent

Where it is established that the lawful basis for processing your personal information is consent or explicit consent, you have the right to withdraw your consent at any time.

You can make a request for any of the rights listed above by contacting the Trust using the contact details in Section 11.

11. Access Procedure

We realise on occasion, you might want to see information we have collected about you, along with an explanation of the lawful basis we used to obtain and process it.

Such a request is called a Subject Access Request. You can do this by telling us verbally or in writing. Here is useful guidance to follow when you do this:

- Decide what records you seek. For example, supervision, review or assessment records.
- As much as possible, be specific about the timeframe. For example, the last one year or 2010 – 2015
- Note the service and Trust officers involved, if you have that information. This is not essential requirement.
- Check that you are eligible to make a valid request.
- Fill out any forms we ask for.
- Provide any form of identification we ask for.

How do I make a Subject Access Request:

- Apply online via a [MySandwell Account](#) (You can log in with your existing MySandwell account details or register for a new MySandwell Account)
- Alternatively you may wish to download and Complete the Subject Access Request (SAR) form which you can download by [clicking here](#)
- Forward the completed SAR form to us at info_governance@sandwellchildrenstrust.org

It is not necessary for you to apply online or complete this form to submit a Subject Access Request, but they provide a useful guide to what details we need in order to respond.

If you would like further guidance about how to submit a request for personal information, contact the Information Governance team at info_governance@sandwellchildrenstrust.org

12. Filming and Photographs

During Trust events and functions, we may use video and photographs to record these. At these events, we will display signage to tell you what we are doing. If you prefer not to be filmed or photographed at such events, you should tell the officers at the event.

13. Cookies

To improve your experience when you view our website, we sometimes place small data files on your computer. These data files are known as cookies. These files help to make sure your browsing experience on our website is simple, quick and safe. Cookies store information about how you use the website, such as the pages you visit. Necessary cookies enable core functionality such as page navigation and access to secure areas. The website cannot function properly without these cookies, and can only be disabled by changing your browser preferences.

In addition to essential cookies that this site needs in order to work, we also use Google Analytics to collect information about how people use our site.

You can use a [browser Add-on to opt-out of Google Analytics cookies](#) should you so choose.

More information about Google Analytics can be found at: <https://policies.google.com/privacy>

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Articles on this site may include embedded content (e.g. videos, images, articles, etc.). Embedded content from other websites behaves in the exact same way as if the visitor has visited the other website. These websites may collect data about you, use cookies, embed additional third-party tracking, and monitor your interaction with that embedded content, including tracking your interaction with the embedded content if you have an account and are logged in to that website.

14. Our Supervisory Authority

The Trust has a dedicated officer to make sure we respect your rights - this is the Data Protection Officer. The primary role of the data protection officer (DPO) is to ensure that the Trust processes the personal data of its staff, customers, providers or any other individuals in compliance with the applicable data protection rules.

If you have any concerns with how the Trust is processing your personal information, then you can contact the Data Protection Officer in writing or by email.

Office of the DPO

Sandwell Council House

Freeth Street

Oldbury

B69 3DE

Email: dp_officer@sandwell.gov.uk

If for any reason you are not happy with how we have handled your personal information or the response from our Data Protection Officer, you have the right to apply directly to the Information Commissioner to ask them to assess our response or handling of your personal information.

The Commissioner is an independent regulator who has the power to direct us to respond to your request differently if they consider that we have handled it incorrectly.

You can contact the ICO in writing, by email or phone.

Information Commissioner's Office

Wycliffe House

Water Lane
Wilmslow
Cheshire
SK9 5AF
Email: casework@ico.org.uk
Telephone: 0303 123 1113