

Isle of Wight County Council Isle of Wight Safeguarding Children Board (IOWSCB) Privacy Notice

Why do we collect and use this information?

Isle of Wight County Council is the Data Controller for the purpose of collecting and using information from parents/carers, Isle of Wight Council staff and Statutory Board partners <http://www.iowscb.org.uk/> and relevant persons and bodies of the Isle of Wight Safeguarding Children Board (IOWSCB). This information is used to fulfil our roles and statutory functions including developing local safeguarding policy and procedures and scrutinising local arrangements.

We collect information about children and families, member agencies of the IOWSCB, and other key agencies involved in providing support to children and families on the Isle of Wight. We hold this personal data securely as per data protection legislation and use it to:

- manage the membership of the IOWSCB and its associated subgroups, including communicating with them;
- develop policies and procedures for safeguarding and promoting the welfare of children on the Isle of Wight;
- communicate to persons and bodies operating on the Isle of Wight, the need to safeguard and promote the welfare of children and raising their awareness of how this can best be done and encouraging them to do so;
- monitor and evaluate the effectiveness of what is done by the authority and our Board partners individually and collectively to safeguard and promote the welfare of children and advise them on ways to improve;
- assist in the planning of services for children on the Isle of Wight;
- undertake Serious Case Reviews (SCRs), including the review of all deaths of Isle of Wight children and advise the Isle of Wight Council and our Board partners on lessons to be learned;
- undertake other types of reviews (non SCRs), such as partnership reviews, desk top reviews;
- undertake multi-agency audit activity, such as case file audits;
- provide training courses, forums and briefings, including pre and post evaluation;
- carry out staff surveys for monitoring and evaluation purposes;
- undertake statistical and financial forecasting and planning;
- complete statutory returns, such as to the Department for Education (DfE);
- undertake wider Isle of Wight Council statutory duties in support of children's education and welfare; and
- ensure compliance with our obligations under the accuracy principle of the General Data Protection Regulation (Article (5)(1)(d)), making sure our records about you and your family are up to date at the point that they are provided to the IOWSCB.

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 are not handling your information in the right way.

The categories of information that we collect, hold and share

Local authorities and Board partners should provide the LSCB with data to enable us to fulfil our statutory functions effectively. The following personal and special category information is processed:

- Child personal information (such as name, date of birth, date of death);
- Parent/carer and other adults with caring responsibility personal information (such as name, address, telephone numbers, email);
- Partners personal information (such as email, telephone numbers); and
- Information to help Child Death Overview Panels (CDOPs) assess the causes of a child's death as part of the child death review process (<https://www.gov.uk/government/publications/child-death-reviews-forms-for-reporting-child-deaths>).

The lawful basis on which we use this information

We collect and use the information ensuring that we comply with the General Data Protection Regulation (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; and
- Sch.1, Pt.2, 1 - Substantial public interest conditions, for processing under the DPA2018.

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

- Sections 13 and 14 Children Act 2004;
- Regulation 5 and 6 of Local Safeguarding Children Boards Regulations 2006; and
- Chapter 3 section 2 and chapters 4-6 of Working Together to Safeguard Children (2015).

Under this lawful basis we do not require your consent to process this information 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. Please also note that no automated decision making (decisions taken without a person involved) occurs for any parts of these activities controlled by the County Council and we do not use profiling as part of this process.

Storing and Securing Data

The information provided to us will be held within the IOWSCB's standalone secure storage system. The information held within this storage system will be kept in line with our retention schedule and then disposed of as appropriate. The IOWSCB's storage system is hosted by the County Council in secure UK based data centres, which are on site. No information leaves the European Economic Area (EEA)

The Isle of Wight 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; and
- protected by levels of security 'appropriate' to the risks presented by our processing.

The Isle of Wight Council also ensures its IT Department is 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, for example, responding to safeguarding concerns.

All reviews of cases meeting the SCR criteria should result in a report which is published and readily accessible on our website for a minimum of 12 months. Thereafter the report will be made available on request. We also send copies of all SCR reports, including any action taken as a result of the findings of the SCR, to the DfE and the national panel of independent experts.

We are also required to share copies of any other non-SCR reports that are being published with the DfE and the national panel of independent experts.

Depending on the individual circumstances of each situation, we may have to share this information with other teams within the Isle of Wight Council to fulfil other duties and powers to support our work. These might include our Legal Services (for independent review panels); Youth Support Service (for ensuring the participation of young people); Children Missing Education (for ensuring the provision of full time education); Virtual School (for support of children looked after); and/or Social Care (supporting welfare, safeguarding and corporate parent functions).

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. To make a request for your personal information, or someone you have responsibility for, please contact the Corporate Information Unit whose contact details alongside further information around this process can be found via: www.iwight.com/council/OtherServices/Data-Protection/Introduction

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 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 our service please visit our website via:

<http://www.iowscb.org.uk/>

For further information on how we handle personal information, your data rights, how to raise a concern about the way we are processing your information and the Isle of Wight Council's Data Protection Officer, please see our General Privacy Notice:

<https://www.iwight.com/Council/OtherServices/Data-Protection/Relevant-Policies>