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## **St David's Children Society Adopter's Privacy Notice**

### **Context**

St David's Children Society is a Voluntary Adoption Agency established in 1942 to provide adoption services across Wales. The society's primary functions are to recruit, approve and support adoptive families providing safe permanent homes for children who require adoption.

St David's Children Society is a Registered Charity (Registration Number 509163) and a company limited by Guarantee (Registered Cardiff 1546688).

St David's Children Society is committed to protecting your privacy. This Privacy Notice explains how we use the information you give us and the ways in which we protect your privacy.

Under the Data Protection Act 2018 and the General Data Protection Regulation 2018 **Wendy Keidan, Chief Executive Officer** of St David's Children Society is the '**data controller**' and is responsible for ensuring personal data held about you is used for the purposes set out in this notice.

### **What this policy covers**

This privacy policy applies to the data we collect in the following ways:

- Data acquired through recruitment activity for prospective adopters i.e. During Initial Enquiry and Initial Visit.
- Data acquired once families are between the start of assessment and Adoption Order (i.e. From when Registration of Interest is submitted to when the Adoption Order is granted).
- Data acquired from families who are accessing Post Adoption Support i.e. those that provide data after the Adoption Order has been granted.
- Any data collected about adoptive families through their engagement with any services offered (groups, workshops and courses).

There is a separate privacy policy that covers data collected via the website ([www.adoptionwales.org](http://www.adoptionwales.org)) and for data acquired through the purposes of fundraising, volunteering and marketing.

### **The Data Protection Act 2018**

St David's Children Society treats all personal information that you provide to us, or that we obtain from you, in accordance with the provisions of the Data Protection Act. Under this Act, we have a legal duty to protect any information we collect from you. We use technologies and encryption software to safeguard your data and keep strict security standards to prevent any unauthorised access to it.

Any amendments to this policy will continue to be in accordance with the provisions of the

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Data Protection Act 2018 and General Data Protection Regulation 2018. The Data Protection Act 2018 and Regulation can be reviewed at The Information Commissioner's Office web site at [www.ico.gov.uk](http://www.ico.gov.uk).

### **How do we collect information?**

We obtain personal information from you when you enquire about our activities and services, ask a question, register to attend an activity or event, send or receive an email, or otherwise provide us with your personal information.

This data may be collected from you in numerous ways – via online forms that you have completed, via the telephone, face to face meetings/conversations, receiving communications in writing from you via email or post, and from other individuals and agencies where you have given specific consent for this.

### **The information we collect**

We collect and hold data which you share with us as part of an enquiry into adoption, as part of the adoption assessment process, a request for post adoption support or consent to contact in relation to fundraising, volunteering and marketing. This data can be personal and special category.

The type of information we collect and how we use it varies depending on why you are providing it. It may include:

- Your title, name, gender and date of birth
- Your address, telephone number, mobile number, email address, and your preferences as to how we should contact you in the future
- Records of your correspondence with us
- Details about your relationships, i.e. your family, partner/spouse, relationships to other donors/adopters or organisations
- Non-identifying information about your visit to our website, including technical information such as your IP address
- Any other information provided by yourself that is relevant to your relationship with us.
- Information that you may provide to us as part of your enquiry about becoming an adoptive parent, assessment or accessing Post Adoption Support may include a large amount of personal and sensitive data.

By requesting St David's Children's Society to assess your appropriateness to adopt you will be entering into a provision of service and aspects of your data will be processed as a condition of this service. At each stage of the adoption process, and where applicable, additional consent and permissions will be sought to hold and/or share information.

### **Personal Data**

The personal information we collect from you will be used solely for adoption purposes. This is to assess if adoption is right for you and your family; if now is the right time for you to

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adopt and if you are able to adopt the children who currently need adoptive families. From the point of your initial enquiry, during the adoption assessment processes, and beyond the making of the Adoption Order we will collect and hold personal information.

We will also hold personal information on you if you contact St David's Children Society to access further support in the years following the making of the Adoption Order or provide consent for contact in relation to fundraising, volunteering or marketing.

### **Sensitive Personal Data**

Data Protection Law recognises that certain categories of data are more sensitive than others. These are known as special categories of personal data and include information about a person's health, racial or ethnic origin, political opinions, religious beliefs, and from 25 May 2018 genetic and biometric data.

We do ask you for some of the information that is classified as special categories of data, as this is needed as part of an assessment of prospective adopters. The legislation and guidance around adoption assessments guides our data collection on these matters. The purpose of this data collection is to enable robust assessments are completed and are in line with adoption legislation and requirements.

When accessing support services, we may also ask for this data, for instance regarding your health, to make sure we provide appropriate support and facilities.

### **Why do we collect your information?**

We collect personal information from you in order to:

- Respond to your enquiry, question or complaint
- Register your attendance at an 'information evening' or one of our events
- Update you on our work and the services, activities and events we offer
- Communicate with you about aspects of our work that are relevant to you or that you have expressed an interest in
- Keep a record of your relationship with us
- Comply with our legal obligations, policies and procedures
- Meet financial auditing requirements
- Understand how we can improve our services, products or information

### **How is data used**

Following an initial enquiry or information request your data information will be shared with internal staff responding to the request. In exceptional circumstances such as child protection or safeguarding concerns it may be shared with external parties in accordance with our statutory responsibilities. We are also obliged under statutory duties to provide information to external fostering and adoption agencies if an application is made, by you, to them.

During assessment we will share information with relevant individuals, agencies or

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organisations to verify the information you have provided. This will include contact with;

- Disclosure & Barring Service (DBS),
- the Local Authority in which you reside,
- present employers,
- financial checks,
- and if applicable schools and nurseries.

We will also share information with those individuals you have nominated as personal referees and if applicable contact ex-partners. We need to be as sure as we can that you will be able to care for a child through to adulthood and these checks support our understanding.

We will ask your consent for you to have a medical examination by your registered medical practitioners who will then send a written report to a designated medical advisor who reports to the Adoption Agency. If we feel that further enquiries from medical specialists are needed, we will contact you to ask for your specific consent to obtain further health information.

We never pass your personal information to any other parties unless we have first obtained your permission to do so. We will ask you to sign relevant forms in order for us to proceed with your application. In signing these forms, you are giving specific consent for St David's Children Society to process the information we collect from you now and whilst we have involvement with you for the purposes of adoption. Should you choose to withdraw your consent at a later stage, we will not be able to assess your suitability for becoming an adopter. In this instance disposal of your personal information will be in accordance with your own individual circumstances underpinned by the Data Protection principles of proportionality and reasonableness.

Once you have been approved as an adopter any data gathered, shared and processed is governed by the legislation underpinning St David's Children Society as a Voluntary Adoption Agency.

We will seek your consent for your personal information to be used for the purposes of communicating with you in relation to additional services provided by St David's Children Society, including fundraising, volunteering and marketing.

#### **Disclosure of personal data to third parties**

As stated we do not disclose your personal data to any third parties without your permission except insofar as you have consented or we are required to do so by law for information such as a court order, witness summons, or complaint from governmental authorities.

There may be certain circumstances, such as child protection or safeguarding concerns, where we are legally obliged to share without your consent. This will be only where necessary and in accordance with our statutory obligations.

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We are signed up to the WASPI agreement on the sharing of information.

### **Keeping your data secure**

St David's Children Society takes its Data Protection obligations very seriously. The information you provide is subject to rigorous security measures and procedures to make sure it can't be seen. We have put in place appropriate physical and electronic measures (including Cyber Essentials certification), security policies and managerial procedures to safeguard and secure personal data we store from unauthorised access, improper use, alteration, unlawful or accidental destruction or accidental loss.

The information shared will form part of the agency's case record in respect of your adoption records and once an approved adopter adoption order is made will be stored and disposed of in accordance with the Adoption Agencies (Wales) Regulations 2005 and the Adoption Agencies (Wales) Amendments 2020.

Only authorised personnel will have access to your personal information. All personnel who have access to your personal data are contractually obliged to respect the confidentiality of your personal data.

### **How we protect your information**

1. We aim to ensure that there are appropriate controls in place to protect your personal information. As part of our commitment to this we continue to invest in appropriate technologies to secure and appropriately manage your personal information. We also work hard to ensure our network, on which we carry out all of our IT functions across the charity, and websites are protected and regularly monitored.
2. Prospective adopters information is securely stored, this is done through saving your information on the "CHARMS" database which is fully GDPR compliant.
3. Your information at all other points of your adopter journey with St David's Children Society will be saved on our secure IT systems and on our secure Servers.

### **Spouse or partner data**

During an initial enquiry you will be requested to share information about a spouse or partner living with you. You will be asked to share their name, age and relationship status alongside specific health questions. This information is collected in respect of Part 4 of the Adoption Agencies (Wales) Regulations 2005 and will be processed in accordance with legitimate interests of the agency in providing the service requested. Consent to hold personal data will be sought directly from the individual as soon as possible. You will also be required to share any other household member details.

### **Referee Data**

Under the Adoption Agencies (Wales) Regulations 2005 (part 1 of Schedule 4) St David's is required to request that prospective adopters provided the names of three referees. This

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contact information will be held securely on the St David's systems as necessary for the service being provided. On direct contact with referee's consent will be sought to hold their personal information which will be stored securely with the information provided by the referee. Under the regulations any information shared by a referee will be confidential and only shared with full consent. Referee information is held in line with the adoption assessment in relation to the retention periods stated.

### **Retention Period**

#### **Prospective Adopters: Prior to an Adoption Order being made:**

The Adoption Agencies (Wales) Regulations 2005 state it is at the agency's "discretion to keep records for such a period as is considered appropriate". The periods stated below remain at the discretion of the agency and will be discussed and agreed on an individual basis as reasonable and appropriate.

- i. All data provided at initial enquiry will be held for a period of 18 months or as deemed necessary.
- ii. All data provided at initial visit will be held for a period of up to 5 years or as deemed necessary.
- iii. All data provided during an adoption assessment that **does not** proceed to panel and Agency Decision Maker (ADM) will be held for a period of 5 years or as deemed necessary.
- iv. All data provided during an adoption assessment that **does** proceed to panel and ADM but is **not** approved will be held for a period of 5 years or as deemed necessary.
- v. All data provided during an adoption assessment where it is approved post approval but does not proceed to adoption order and prior to an Adoption Order will be held for a period of 6 years or as deemed necessary.

#### **Approved Adopters: Once an Adoption Order is made**

In accordance with Adoption Agencies (Wales) Regulations 2005 all personal data will be held for **100 years post Adoption Order**. This will include both your case record and your child(ren)'s case record.

### **Children**

St David's Children Society receive children's information in line with the Adoption Agencies (Wales) Regulations 2005 (part 5, Regulation 32). Children's information is shared with St David's Children's Society by the five Regional Collaborative Adoption Services in Wales or by the Adoption Register Wales. This information is shared for the purpose of identifying and matching appropriate adopters for children waiting.

When children's information is downloaded it will be securely stored. The retention of this information will be as follows:

- a) Following reviews by social workers and prospective adopter's children **DO NOT** proceed to be placed the information will be deleted within 3 months of the date saved.

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- b) Should a scrutiny meeting take place and the children DO NOT proceed to be placed the information will be deleted within 3 months of the date of the scrutiny meeting.
- c) Should a matching panel take place and the children DO NOT proceed to be placed the information will be deleted within 3 months of the date of the matching panel.
- d) Should a disruption take place it is at the discretion of the agency to agree the retention of information and this will be agreed with the local authority.
- e) In relation to the Adopting Together Service were a child does not proceed to a match the children's referral information will be stored until mutual agreement with the Local Authority to withdraw the child from the Service. On receipt of a withdrawal form the child's information will be deleted within 2 working weeks.
- f) In line with Adoption Agencies (Wales) Regulations 2005 children's information will be stored for 100 years following an Adoption Order.

### **Feedback and Evaluation Information**

Any feedback or evaluation forms should be destroyed after 10 years.

Case studies will be retained as deemed necessary by the agency or destroyed up on request by the case study participant.

### **Contacting us to access to personal data**

You have the right to request a copy of the information held on you by the agency. We have a separate policy on **Subject Access Requests** for this process.

To request a copy of your personal information, contact us on [info@stdavidscs.org](mailto:info@stdavidscs.org). You will be expected to provide proof of identity. Insofar as the law permits, however, we reserve the right to refuse to provide you with information. In this eventuality we will give you reasons for this refusal.

If inaccurate data is held, you can request that it be updated, unless the information is third part or gathered as part of a safeguarding process.

A Subject Access Request is free of charge. Should a request be manifestly unfounded, excessive or repetitive the agency maintains the right to charge a 'reasonable fee' or to refuse to respond with full explanation. A fee may also be charged if to comply with further requests for the same information. The fee charged will be based on the administrative costs of providing the information.

Information will be provided without delay and within 30 days of the request. In the case of complex or numerous requests the period of compliance will be extended to a maximum of a further 60 days. In this instance the individual will be informed within one month of the request with explanation of extension.



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Any request for a Subject Access Request must be passed to the CEO as Data Controller with immediate effect. The data controller will make a decision as to what information can (if any) be shared or deleted.

Adoption records fall under the jurisdiction of the Adoption Act which has a records retention policy of 100 years for adoption records, this overrides the data protection legislation. However, you can request current contact details are deleted or that you are not contacted for marketing, volunteering or fundraising purposes.

If you have any other questions or concerns about our privacy statement and practices please contact us at [info@stdavidscs.org](mailto:info@stdavidscs.org)

### **Complaints Procedure**

If you do wish to make a complaint about our use of your personal data contact Information Commissioners Office (ICO) [www.ico.org.uk](http://www.ico.org.uk)

### **Changes to this policy**

This policy was last updated in November 2020. We may update the terms of this policy at any time, so please do check it from time to time. We will notify you about significant changes in the way we treat personal information by sending a notice to the primary email address you have provided to us or by placing a prominent notice on our website(s)