

Leicestershire County Council Fair Processing Notice

This notice is to tell you about why we need information about you and/or your child or the child or young person you are contacting our service about and how we will handle it. This notice is for:

Children's Social Care in Children and Families Services Department

What information do we need from you?

Parents/Carers

- You and your child's name, address, telephone, date of birth and next of kin;
- Details of each contact that we have with you and your child, including visits and telephone calls;
- Records of your child's care and wellbeing;
- Details of your child's care and investigations that have been undertaken; and
- Relevant information from people who care for your child, including health and other care providers, carers and relatives.
- Any phone calls received by the Duty desk are recorded and held for 30 days for monitoring and training purposes.

Members of the public

- Unless you state your wish to remain anonymous, where you have contacted us to make a referral or raise concerns, we will collect some or all of the following information if you have chosen to share it with us – your name, your address, your telephone number, your email address.

This information is referred to as Person Confidential Data and we have to ensure that it is treated in confidence and with respect.

Why do we need this?

Your child's records are used to guide social care professionals in providing the care your child receives:

- To help inform the decisions that we make about your child's care;
- To ensure that your child's care is safe and effective;
- To help us to ensure we are providing a safe, high quality service;
- Support children and monitor their progress
- Identify children as part of the CP-IS programme
- Provide them with pastoral care
- Assess the quality of our services
- Evaluate and improve our policies on children's social care
- Identification of families eligible for inclusion in Troubled Families Programme

- Tracking of families included on Troubled Families Programme
- Troubled Families Programme payment by results claims
- Troubled Families Programme spot checks
- To help us to teach, train and monitor staff and their work, and to audit and improve our services and ensure they meet your needs;
- To help us to prepare statutory statistics on local authority performance;
- To assist with social care research and development;
- It may be shared if your child sees other care or health professionals and/or if your child is referred to a specialist for the purposes of direct care;

Coronavirus:

The Secretary of State for Health & Social Care has given notice under Regulation 3(4) of the Health Service Control of Patient Information Regulations 2002 that the Council is required to process and share necessary health and social care data for the following purposes:

- understanding Covid-19 and risks to public health, trends in Covid-19 and such risks, and controlling and preventing the spread of Covid-19 and such risks;
- identifying and understanding information about patients or potential patients with or at risk of Covid-19, information about incidents of patient exposure to Covid-19 and the management of patients with or at risk of Covid-19 including: locating, contacting, screening, flagging and monitoring such patients and collecting information about and providing services in relation to testing, diagnosis, self-isolation, fitness to work, treatment, medical and social interventions and recovery from Covid-19;
- understanding information about patient access to health services and adult social care services and the need for wider care of patients and vulnerable groups as a direct or indirect result of Covid-19 and the availability and capacity of those services or that care;
- monitoring and managing the response to Covid-19 by health and social care bodies and the Government including providing information to the public about Covid-19 and its effectiveness and information about capacity, medicines, equipment, supplies, services and the workforce within the health services and adult social care services
- delivering services to patients, clinicians, the health services and adult social care services workforce and the public about and in connection with Covid-19, including the provision of information, fit notes and the provision of health care and adult social care services; and
- research and planning in relation to Covid-19

Test and trace

- We will be assisting Public Health England (PHE) on the COVID-19 Test and Trace service. We will ask you for basic contact details if you enter some of our buildings e.g. libraries, museums and children's centres. This data will be kept

safely for 21 days and then securely destroyed. It will be shared with Public Health England's Test and Trace service, if there is a positive case of COVID-19 identified that you may have been exposed to, and PHE's Test and Trace team may contact you. Further details on why we need to do this is available at GOV.UK.

- We will also be exchanging personal data with PHE of patients and service users in order to make the contract tracing service as successful as possible. The Council may use its existing databases to enable us to contact you by telephone or in person if PHE's contact tracers have been unable to contact you after you have tested positive for COVID-19.

COVID-19 help for vulnerable groups

- As well as receiving data from the Ministry of Housing, Communities and Local Government (MHCLG) in order to support people who may be shielding due to COVID-19 and receiving government food parcels, we will also share personal data with The Department for Environment, Food and Rural Affairs (DEFRA) and Tesco in order to help provide supermarket priority delivery slots to those who may not be deemed clinically extremely vulnerable but still cannot go out for reasons such as self-isolation and disability.

Using information for direct care purposes

Children and Family Services holds information about you and your child to support their care. There are measures outlined in law which protect the information that is held by us. These measures ensure that information is only shared appropriately and in line with your wishes.

Organisations will use this information to support your child with any service or contact that they may have, which is known as 'direct care'. It helps them provide the most appropriate care for your child and they may share information with others including health professionals to ensure that they can make informed decisions. Where this information is shared, confidentiality and privacy will be protected. To make sure this takes place, there are clear rules in our own procedures as well as national legislation.

Who can access your information?

Our child social care staff will only have access to the information that is necessary for them to do their work. This is reflected in the principle that access to your child's information should be on a need to know basis only. Staff access of information is monitored to ensure your child's confidentiality is maintained.

Using information for purposes other than direct care

As well as this information supporting your child's care, analysis and reports are produced which contain information to help plan future care services, which is termed non-direct care (or secondary use) purposes. This information is used to identify areas where our services need to expand, improve or change in order to support our population fully and also to support the flow of funding from one organisation to another.

The range of information we use

Clearly there is a range of your child's information available for us to use depending on circumstances. This will include information that directly identifies your child at one end of the scale, to information that is so general it won't identify anyone.

We will use as little information about your child as possible for our work. Where practical we will use de-personalised information (where personal information is replaced by something else such as a reference number – also known as pseudonymised information) or anonymous information (where personal information is removed altogether).

The County Council has a specialised Business Intelligence Service based in the Chief Executive's Department who have been suitably trained to process and anonymise and pseudonymise information for Children and Family Services. These team members have all been approved to carry out this work by our Caldicott Guardians.

For all other uses of your personal information we will either directly ask for your consent or use data that does not directly identify you:

- Processing information – changing information so it can be used for secondary purposes;
- Research;
- Local and national benchmarking;
- Working with partners to manage, plan and integrate services across health and social care;
- Audits;
- Service management;
- Commissioning and commissioners reports;
- Contract monitoring;
- Capacity and demand planning;
- Reporting, including public health alerts, performance and board reports
- Teaching and training;
- Sharing best practice/serious case reviews/incident management of adverse events;
- Staff and patient/service user surveys;
- Personal development/review (particularly for social workers);
- Subject access requests; and
- Risk stratification.

Why are we allowed to process your information?

Data protection law allows us to process you and your child's information under certain conditions. In this case we are using our legal obligation or public task under various UK laws including but not limited to:

- The Welfare Reform Act 2012
- The Localism Act 2011
- The Children Act 1989, 2004

- The Children and Family Act 2014
- The Health & Social Care Act 2012
- The Health and Social Care (Safety and Quality) Act 2015
- The Education (Information About Individual Pupils) (England) Regulations 2013
- The Children and Social Work Act 2017
- The Care Act 2014
- The Mental Capacity Act 2005
- Mental Health Act 1983, 2007
- Local Safeguarding Children & Adults Boards Regulations 2006 (SI 2006/90)
- The Localism Act 2011
- The Crime and Disorder Act 1998
- The Welfare Reform Act 2012
- The Childcare Act 2006

as the lawful condition for us to do this.

We also need an appropriate lawful reason to processing sensitive data. In this case we are processing your child's sensitive personal data because of health or social care requirements.

Who will we share this with?

There are circumstances where we need to share information without your consent. For example, when the health and safety of others (including members of staff) is at risk, to ensure we provide your child with the correct care, to protect public health or when the law requires information to be passed on. Or for the prevention or investigation of serious crime, under a court order, when sharing is in the public interest, where there are safeguarding concerns for vulnerable children.

Information may be withheld if it is believed it may cause serious harm or distress to you, your child or to another person.

Sometimes it is necessary for us to share information with another organisation. For example, your child may be receiving care from the NHS and we may need to share information about them so we can all work together for your child's benefit.

We will only ever use or pass on information about your child if others involved in their care have a genuine need for it. Anyone who receives information from us is also under a legal duty to keep it confidential and secure.

We share your information with organisations such as:

- Judicial Agencies e.g. Courts
- Police
- Department for Education and their agencies
- Early Help services
- Safeguarding Boards
- Probation

- Speech and language therapists
- Specialist teachers
- Education Providers including early years providers, pre- and post-16
- Other Local Authorities
- Education Providers
- Youth offending Service
- Pupil Referral Units
- School Transport Operators
- Other Youth Offending Teams
- Voluntary Sector Partners
- Other care providers including third party providers and charities;
- NHS Trusts (Leicestershire Partnership Trust (LPT));
- Community and locality staff and district nurses;
- Local Acute Services (University Hospitals of Leicester (UHL));
- The ambulance or other emergency services (East Midlands Ambulance Service (EMSS));
- General Practitioners, Local Clinical Commissioning Groups (CCGs) (Leicester CCG, West Leicestershire CCG and East Leicestershire and Rutland CCG);
- Child and adult safeguarding services;
- Other Health Services;
- Other Local Authorities (Leicester City Council and Rutland County Council; Local District Councils);
- NHS 111;
- Care Quality Commission, Information Commissioners Office and other regulated auditors;
- Public Health England
- Funding bodies
- Elected members

How long will we keep it for?

We will only keep this information for as long as necessary or as the law requires. Please see the Information Asset Register/Retention Schedule for details of how long we keep specific information sets.

What if something changes?

If the information you provided changes, or your circumstances change please [contact us](https://www.leicestershire.gov.uk/about-the-council/contact-us) (https://www.leicestershire.gov.uk/about-the-council/contact-us)