

**Privacy Notice – Children’s Information**

How we use personal information relating to the children we look after at:

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| **White Orchid Care****147 Bedford Road****Marston Moretaine****Bedfordshire****MK43 0LD** | **White Orchid Care****42 Exbury Lane****Westcroft****Miton Keynes****MK4 4FE**  |

This Privacy Notice is to let you know how we as a children’s residential provision look after personal information about our children. This includes personal information about the children and information relating to their history and family. This notice explains the reasons why we hold personal information, how we use this information, who we share it with and how we keep it secure. This notice meets with the requirements of the General Data Protection Regulations (GDPR).

Please refer to the website copy of this Privacy Notice for the latest version as it will be updated from time to time to reflect any changes in our circumstances.

If you have any questions or queries or would like to discuss anything in this Privacy Notice, please contact: Debbie Bavister, Director and Registered Manager on 01234 767432.

**How we collect children’s information**

We obtain children’s information at the time of referral to White Orchid Care. We also collect any changes or relevant additions to children’s information during the time they reside at White Orchid Care. It is part of our data administration process to keep the information we hold as up-to-date as possible.

**We collect and hold children’s information that includes:**

* Personal information about the child that resides in our home, such as name, NHS number, and date of birth.
* Information regarding the child’s history; previous carer information and Local Authority history/chronology.
* Medical and health history.
* Characteristics such as home language, distinguishing features, gender, ethnicity, religion and religion history.
* Contact information such as parental and other relevant contact names and telephone numbers of family and friends relating to the child. This includes records of contact sessions that take place for the child whilst residing at White Orchid Care.
* Professional correspondence between Local Authorities, Education settings and Health Professionals relating to the child.
* Safeguarding information such as court orders, professional involvement and contact agreements for the child.
* Sibling information.
* History of previous schools and/ or nurseries attended and special educational needs information including school attendance.

In addition to this information, we also record and hold the following information relating to each child:

* Behavioural Measures – Positive and Negative.
* Achievements.
* Physical Interventions.
* Relevant Assessment Information such as Psychotherapy and CAMHS.
* Key Work Sessions.
* Behaviour Management Plan and Risk Assessment for each child.

**Why we collect and use this information**

We use the children’s information to:

* Support and meet the individual needs of each child.
* Safeguard the children we look after.
* Keep the children safe.
* Record and monitor progress.
* Assess the quality of the care that we provide.
* Comply with the law regarding data returns and sharing.
* Provide any additional support we can to parents/families.
* Communicate with parents and professionals regarding the child.

**The lawful basis on which we hold and use this information**

We collect and use children’s information under the legal basis of public interest as a children’s residential setting with the delegated task of caring for and safeguarding the children in our care and under a legal obligation which necessitates our provision making statutory data returns to Ofsted and Local Authorities where relevant.

Personal information is required on the legal basis of legitimate interest where the information is required to support and safeguard the child. Contact information of family members and or friends where appropriate is collected in order to liase with the family regarding the welfare of the child and to be used in an emergency for reasons involving the safety of the child. There are certain personal data items (e.g. photographs) which we collect on the legal basis of legitimate interest.

The data we collect relating to medical health information is necessary to protect the vital interests of the child so that we can ensure a child’s medical needs are properly addressed and catered for.

Parents, carers and Social Workers who hold Parental Responsibility can change their decision to grant or withdraw consent at any time. If at any point in the future, we seek to use any previously collected information for another purpose or use the information in new software, we will ask for explicit consent to do so.

**Who we share children’s information with:**

We routinely share children’s information with:

* Ofsted.
* Local Authority relevant to a child.
* Children’s Psychotherapist working with the child.
* Relevant health professionals, i.e. CAMHS.
* We may need to share information/CCTV footage with the police or our legal advisers if required.
* Photographs of the children we look after are shared strictly with parents of the child (where appropriate and as agreed by the Local Authority) and the Local Authority relevant to the child.
* Photographs of the children are taken and retained for the purpose of their own personal life story work. Photographs received from family members are shared only with the child for who the photographs are associated and with the consent of the person giving the photos. These are also used for the purpose of life story and therapeutic work.
* We publish our Statement of Purpose for the purpose of Ofsted and to share with the external world what we do and how we operate as a business.

The information of the children we look after is stored securely within the Residential Home and on a web based information and reporting system called ClearCare. ClearCare is owned and operated by ClearCare Solutions Limited. ClearCare Solutions is in place within White Orchid Care for the purpose of recording information about the children we care for and retaining it securely.

We actively ensure that all of the third party organisations we share data with comply with the General Data Protection Regulations through their Privacy Notices and Data Sharing Agreements that they share with us. We do not share information about the children we care for with anyone without appropriate consent unless the legal basis for holding and sharing the data allow us to do so.

We fully adhere to our Data Protection Policy which outlines our procedures and processes for accessing, handling and storing data safely in accordance with all the GDPR principles. These policies are regularly reviewed and updated by Management within our homes.

**The following processes ensure that we comply with data protection legislation in how we manage the protection of personal data:**

* Our networks, file systems and server operating systems are secured through firewalls and spyware virus detection programs on our servers to prevent unauthorised access to our data.
* Data held in a physical location within the homes is held securely and only accessible by staff with appropriate authorisation.
* Access to data on systems is through individual passwords which are carefully managed and monitored.
* Data is not removed from the homes.
* Older data is securely removed or archived and stored securely for the appropriate length of time.
* Data shared with Local Authorities is shared through secure file transfer systems. Any data shared with other legitimate third parties where there is a legal basis for sharing will only be shared through secure methods.
* We ensure all White Orchid Care staff receives regular training on data protection.

We also adhere to our Data Breach Procedures Policy in the event of a data breach. These procedures explain how White Orchid responds to occurrences of known or reported data breaches.

**Requesting Access to Personal Data**

Under data protection regulations, parents, carers and children (over 13 years of age) have the following rights:

* Right to be informed.
* Right to access to your child’s or your personal information.
* Right to have inaccurate personal data rectified, blocked, erased or destroyed in certain circumstances.
* Right to object to processing of personal data that is likely to cause, or is causing, damage or distress.
* Right to restrict processing for the purpose of direct marketing.
* Right to data portability.
* Right to object to decisions being taken by automated means.
* Right to claim compensation for damages caused by a breach of the Data Protection Regulations.

It should be noted that some of these rights will not apply in circumstances where allowing them would significantly reduce or prevent our ability to perform our duties as a residential provision and safeguard the children in our care.

In order for access to information to be requested, a Subject Access Request (SAR) must be made.

We hold children’s data for the period determined appropriate for the different types of data we hold. We will keep information for the minimum period necessary in accordance with data retention recommendations which take into account legal and safeguarding considerations linked to the types of data held. All information is held securely and will be destroyed as appropriate under secure and confidential conditions.

Any requests or concerns regarding the way in which White Orchid Care collect, store and use data should be raised in the first instance with Debbie Bavister, Director and Registered Manager of White Orchid Care.

White Orchid Care will inform of any changes to our data collections and data protection obligation through this Privacy Notice. The most recent copy will be available on our website.