

How Children, Schools and Families use your information to provide services



1. Explanation of privacy and the policy

We, Children, Schools and Families Directorate, Cornwall Council, New County Hall, Truro, TR1 3AY, Data Protection Registration Number: Z1745294 are committed to protecting and respecting your privacy.

For further information or assistance on Data Protection matters, please contact the Practice Development and Standards Service on **01872 327617** or email **csfdpa@cornwall.gov.uk**

This Privacy Notice sets out the basis by which any personal data we collect from you, or that you provide to us, will be processed by us, in accordance with the General Data Protection Regulations (GDPR) and the Data Protection Act.



2. Purpose of data processing

Cornwall Council provides social care services, education services and early help services through its Children, Schools and Families Directorate and in partnership with health organisations. The Council needs to collect information about you in order to provide these services and, depending on the service, information about your family and other people associated with your case. The Council retains case histories in line with retention schedules or as long as we are legally required to and you will be advised on how long we will retain the data when it is collected.

The Council needs to use this personal, and often sensitive information to help make the right decisions about the type of service you need, and to check whether the services are helping you as they should. The Council will always comply with the General Data Protection Regulation, and the Data Protection Act.

The Council provides services in partnership with other agencies and providers on your behalf. Social Care, education and health care workers in Cornwall often work together in teams providing support to people living in the community. Sometimes some of the information held by social care and education staff needs to be shared with staff working in other Council departments and staff employed by the Police, Schools, National Health Service (NHS), other Health organisations and also other charities or organisations working on our behalf. Full details can be found at <https://procontract.due-north.com/ContractsRegister/Index>.

We will advise you when we collect the data who it will be shared with and why.

This is to ensure that you receive appropriate care, support and treatment. Sharing this information also helps avoid you being asked for the same information more than once.

3. Why we need information about you

- To allow us to undertake accurate assessments and reviews of your social care, educational, early help and support needs.
- To ensure you receive services best suited to your needs and circumstances.
- To help us monitor and improve services.

4. Why we need information about other people in relation to your case

- Why we need information about other people in relation to your case
- To allow us to most effectively assist the people who are providing you with care and support.
- To allow us to protect you better, particularly if you are vulnerable or at risk.

5. How we will use your information

Cornwall Council is required under the Children and Social Work Act 2017, to process your information where it is necessary for compliance with a legal obligation or to provide you with a requested service, support or information from Children, Schools and Families. When we process your data if it is done in accordance with a statutory requirement we will advise you of the statutory basis for processing.

Children and Family Services operate within a complex legal framework, supplemented by a significant body of statutory guidance. The primary legislation and guidance include:

- Childcare Act 2006
- Chronically Sick and Disabled persons Act 1970
- Police and Criminal Evidence Act (PACE) 1984: Code C 3.15
- Children Act 1989
- United Nations Convention on the Rights of the Child 1989
- The Carers (Recognition and Services) Act 1995
- Education Act 1996 (particularly Section 2)
- Housing Grants, Construction and Recognition Act 1996
- The Crime and Disorder Act 1998
- Human Rights Act 1998
- Data Protection Act 1998
- Youth Justice and Criminal Evidence Act 1999

- Children Leaving Care Act 2000
- Care Standards Act 2000
- The Carers and Disabled Children Act 2000
- Adoption and Children Act 2002
- Criminal Justice Act 2003
- Children Act 2004
- Code of Practice for Victims 2006 (Victim's Charter)
- Achieving Best Evidence 2007
- Children and Young Persons Act 2008
- Criminal Justice and Immigration Act 2008
- Information Sharing: Guidance for practitioners and managers 2008
- Equalities Act 2010
- Care Planning, Placement and Case Review Regulations 2010
- Short breaks statutory guidance 2010
- Legal Aid, Sentencing and Punishment of Offenders 2012
- Working Together 2015
- Children and Families Act 2014
- Special Educational Needs Code of Practice 0-25 years 2015
- Care Act 2014
- School Premises (England) Regulations 2012
- School Standards and Framework Act 1998
- The Special Educational Needs and Disability Regulations 2014
- The Special Educational Needs and Disability (Amendment) Regulations 2015

6. Who we will share your information with

We will only use this information in conjunction with the services provided to you by Children Schools and Families. We may also share your information with colleagues within the National Health Service and health colleagues if this is necessary to enhance the support we provide, or to protect another person or where we have a legal obligation to share with another public body.

Whenever your consent to share your information is required, we will always ask you and clearly explain why we are asking.

7. Will we share information without consent or knowledge?

In the following circumstances, the law allows information to be shared without your consent or knowledge:

- To aid in the prevention and/or the detection of crime.
- If your behaviour constitutes a serious risk of harm to yourself, others, including any children to whom you may have access.

8. Your data rights

Your personal information belongs to you and you have the right to:

- Be informed of how we will process it.
- Request a copy of what we hold about you and in commonly used electronic format if you wish (if you provided this to us electronically for automated processing, we will return it in the same way).
- Have it amended if it is incorrect or incomplete.
- Have it deleted (where we do not have a legal requirement to retain it).
- Withdraw your consent if you no longer wish us to process.
- Restrict how we process it.
- Object to us using it for marketing or research purposes (if it is used for this purpose).
- Object to us using it in relation to legal tasks or in the exercise of an official duty.
- Request that a person reviews an automated decision where it has had an adverse effect on you.

9. Accessing your data

If you would like to access any of the information we hold about you or if you have concerns regarding the way we have processed your information, please contact:

Data Protection Officer

Cornwall Council

County Hall

Truro

TR1 3AY

Email: **dpo@cornwall.gov.uk**

Tel: **01872 32642**

10. Complaints, compliments and comments

Our complaints team can be contacted via the following address:

Natalie Bryant
Quality Assurance Business Manager
Children, Schools and Families
Cornwall Council
County Hall
Truro
TR1 3AY

Email: csfeedback@cornwall.gov.uk

We would prefer any complaints to be made to us initially so that we have the opportunity to see if we can put things right. However, if you are unhappy with the way we have processed your information or how we have responded to your request to exercise any of your rights in relation to your data, you can raise your concerns direct with the Information Commissioner's Office.

Tel: **0303 123 1113** or online: <https://ico.org.uk/concerns>

If you would like this information in another format or language please contact:

Cornwall Council
County Hall
Treyew Road
Truro TR1 3AY

Email: comments@cornwall.gov.uk
www.cornwall.gov.uk
Telephone: **0300 1234 100**

