

Privacy Notice

Ethelbert Children's Services & Ethelbert Fostering Services

Introduction

Welcome to Ethelbert Children's Services' & Ethelbert Fostering Services (hereafter referred to collectively as Ethelbert Children's Services) privacy notice.

Ethelbert Children's Services respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data that you supply to us and tell you about your privacy rights and how the law protects you.

This privacy notice is laid out under manageable sections to make it easier to digest and allow you to find specific information quickly. We have also included a Glossary to explain the meaning of some of the terms used in this privacy notice.

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1. Important information and who we are

Purpose of this Privacy Notice

This privacy notice aims to give you information on how Ethelbert Children's Services collects and processes your personal data.

It is important that you read this privacy notice so that you are fully aware of how and why we are using your data.

Controller

Ethelbert Children's Services is the controller and responsible for your personal data (collectively referred to as Ethelbert Children's Services, "we", "us" or "our" in this privacy notice).

We have a Data Protection Officer who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact us using the details set out below.

Contact Details

Full name of legal entity: Ethelbert Specialist Homes Ltd. T/A Ethelbert Children's Services; Ethelbert Fostering Services; The Old Priory School; The Davenport School

Phone Number: 01843 823762

Email address for our DPO: dataprotectionofficer@ethelbert.net

Postal address: Ethelbert Children's Services, 17 Leigh Road, Ramsgate, Kent CT12 5EU

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO, so please contact us in the first instance.

Changes to the privacy notice and your duty to inform us of changes

This version was last updated in May 2019.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

Third Party Links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to

collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

2. The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- Identity Data includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.
- Contact Data includes address, email address and telephone numbers.
- Sensitive Personal Data includes race or ethnicity, religious or philosophical beliefs, sexual orientation, background, financial data, health and medical records, DBS and social service checks, family data.
- Circumstantial Data includes details about your relationship with our agency and any case records.
- Technical Data includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- Profile Data includes your username and password, your interests, preferences, feedback and survey responses.
- Usage Data includes information about how you use our website and services.
- Marketing and Communications Data includes your preferences and responses related to marketing you may receive from us and your communication preferences.

We also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific

website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to proceed with your assessment to become a foster carer or work within Ethelbert Children's Services). In this case, we may have to cancel your enquiry or assessment with us, but we will notify you if this is the case at the time.

The Ethelbert Children's Services website logs IP addresses and browser types to provide you with the best possible user experience and allow us insight into consumer behaviour. You can browse our site without entering any personal information, and therefore remain anonymous during your visit. However, our enquiry form asks for personal information such as name, postal address, email address and telephone number to enable us to send out the requested information and make any future visits to our site easier.

3. How your personal data is collected

We use different methods to collect data from and about you including through:

- Direct interactions. You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 1. enquire about fostering or employment with Ethelbert Children's Services
 2. proceed with an assessment to be a foster carer with Ethelbert Children's Services
 3. progress an application for employment with Ethelbert Children's Services
 4. are part of the support network for one of our foster carers
 5. provide a reference for a person applying to be a foster carer
 6. create an account on our website
 7. request marketing to be sent to you

8. enter a competition, promotion or survey
9. give us some feedback
10. Are a member of staff employed by our agency
11. Are a child or young person referred to our agency for the purpose of identifying a foster placement, residential children's home placement or an education placement
12. Are a child or young person placed with one of our foster carers, in one of our residential children's homes or a student at one of our schools
13. Automated technologies or interactions. As you interact with our website or email marketing, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites or social media platforms employing our cookies.
14. Third parties or publicly available sources. We may receive personal data about you from various third parties and public sources as set out below:-
Technical Data from the following parties:
 - A) analytics providers such as Google and Bing based inside OR outside the EU
 - B) database software such as Charms, CarePlace and Link Maker
 - C) search information providers such as Google or Bing based inside OR outside the EU
 - D) social media channels such as Facebook based inside OR outside the EU
 - E) Email marketing software such as Mailchimp and Click Dimensions based inside OR outside the EU- Identity and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the EU.

4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.

- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

If you submit your personal data to us via an enquiry form on one of our webpages, we will accept this as consent for us to contact you with information regarding fostering, residential childcare, education or employment with our agency.

For purposes outside of our contract, such as sending you marketing emails and invitation to events, we will require you to provide consent as a legal basis for processing your personal data in this way. You have the right to withdraw consent to marketing communications at any time by unsubscribing via the link within our emails, or contacting us directly.

If a child's personal data is submitted to us to provide the service of foster care, residential childcare or education we will process this data in accordance with the law.

Using your sensitive personal data

In light of the services which we provide in fostering, residential childcare and education, it is necessary for us to use sensitive information about your background, health, finances, race or ethnicity, religious or philosophical beliefs, sexual orientation, family data, and outcomes from DBS and social service checks.

This sensitive information forms a part of our assessments and allows us to proceed with providing a service to you, such as completing an assessment on a potential foster carer, an application to work with children in any capacity. We will require consent to obtain this information from you and process it as part of your assessment. We recognise the sensitivity of this information and ensure that it is handled both confidentially and within secure computer processing software.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are, where appropriate.

Please note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you require details about the specific legal ground we are

relying on to process your personal data where more than one ground has been set out in the table below:

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To process your enquiry	(a) Identity (b) Contact	Performance of a contract with you, such as to provide information on fostering or employment within our agency
To process and deliver our services to you:	(a) Identity (b) Contact	(a) Performance of a contract with you (b) Necessary for our legitimate interests
(a) Commence a fostering assessment	(c) Sensitive information (d) Marketing and Communications	(c) Necessary for us to proceed with a fostering assessment
To enable you to partake in a prize draw, competition or complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our services, to develop them and grow our business)

To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)

- (a) Identity
- (b) Contact
- (c) Technical

(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)

(b) Necessary to comply with a legal obligation

To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you

- (a) Identity
- (b) Contact
- (c) Profile
- (d) Usage
- (e) Marketing and Communications
- (f) Technical

Necessary for our legitimate interests (to study how customers use our services, to develop them, to grow our business and to inform our marketing strategy)

To use data analytics to improve our website, products/services, marketing, customer relationships and experiences

- (a) Technical
- (b) Usage

Necessary for our legitimate interests (to define types of customers for our services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)

To make suggestions and recommendations to you about services that may be of interest to you

- (a) Identity
- (b) Contact
- (c) Technical
- (d) Usage
- (e) Profile

Necessary for our legitimate interests (to develop our products/services and grow our business)

Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

Promotional news and events

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think may be of interest to you. This is how we decide which services and events may be relevant for you (we call this marketing).

You will receive marketing communications from us, including information about fostering and invitations to events, if you have opted in to receive these communications.

Third Party Marketing

We will get your opt-in consent before we share your personal data with any company outside of Ethelbert Children's Services, for marketing purposes.

Opting Out

You can ask us or third parties to stop sending you marketing messages at any time following the opt-out links on any marketing message sent to you, or by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a service we are providing, such as completing a fostering assessment.

Cookies and Web tracking

WHAT ARE COOKIES?

A cookie is a small data package that a web server stores on the visitor's computer, for example, it contains information about the preferred language or other settings. This information is stored in a text file. When the website visitor visits the same website again, the browser sends a copy of the cookie back to the web server. This allows the website visitor to be identified and the website display to be adapted accordingly.

For the EU cookie policy, the difference between the profiling cookie (consent required) and the technical cookie (no consent required) is important:

Profiling cookie: This type of cookie is used to analyse the use of a website, to collect statistical information on use and to individualise the visit of the website. This also includes, for example, recommending certain offers based on usage. This requires the visitor's consent. Ethelbert Children's Services do not use these cookies.

Technical cookie: This type of cookie is used to ensure the smooth operation of the website, e.g. to collect and provide data as to the amount of visitors to our website and individual pages therein. Ethelbert Children's Services do use these cookies, but no visitor's consent is required.

ADVERTISER COOKIES

You may be served cookies from advertisers while visiting our site. We do not control, nor do we have access to, any of the information they may collect.

HOW WE USE COOKIES

We only use technical cookies to track usage data of the website as explained above. We do not use profiling cookies.

INFORMATION THIS WEBSITE GATHERS/TRACKS

As web tracking offers more chances to market to website visitors across the Internet, you as a visitor to our agency website may be targeted with adverts on other websites. Google and third party vendors might show targeted adverts with the ability to opt out. First and third party cookies are used to provide information and offer improvements to optimise quality of adverts served. You can change the cookie management settings in your web browser to stop these adverts. If you are a registered Facebook user, you may also receive targeted adverts from us. You can read about how Facebook works by following this link <https://en-gb.facebook.com/policies/cookies/>

CHANGE OF PURPOSE

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. Disclosures of your personal data

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above. Such third parties consist of:

- IT: Service providers acting as processors who provide IT and system administration services.
- Advisors: Professional advisers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
- Authorities: HM Revenue & Customs, regulators and other authorities who require reporting of processing activities in certain circumstances.
- Childcare practitioners who may be contracted to provide services within the contract we have with you, such as external therapists, independent educators etc.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. International Transfers

We do not transfer information outside the European Economic Area.

Data Security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those

employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where this is likely to result in a risk to the rights and freedoms of any person.

8. Data Retention

How long will you use my personal data for?

Ethelbert Children's Services will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

We have outlined the retention periods for different types of personal data in the table below:

Type of Data	Period of Retention
Records of people who enquired about fostering	At least 5 years from the closure of the enquiry
Case records of prospective foster carers who are not approved, or who have withdrawn their application prior to approval (England)	At least 5 years from the refusal or withdrawal, under the Fostering Services (England) Regulations 2011. At least 25 years in line with Agency policy.
Case records of prospective foster carers (Scotland)	At least 25 years from the date on which their approval was refused or application withdrawn or until their death if earlier, in line with the Looked

After Children (Scotland) Regulations 2009.

Case records of approved foster carers (England)	At least 10 years from the date on which their approval was terminated, under the Fostering Services (England) Regulations 2011. At least 25 years in line with Agency policy.
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Case records of children placed with foster carers or in residential children's homes (England)	Until the 75th anniversary of the child's date of birth, in line with the Care Planning, Placement and Case Review (England) Regulations 2010, unless requested by the local authority to return the records to them.
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Case records of children placed with foster carers (Scotland)	Until the 100th anniversary of the child's date of birth, in line with the Looked After Children (Scotland) Regulations 2009, unless requested by the local authority to return the records to them.
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Records of children referred for foster placements or residential children's home placements	1 month from the closure of the referral (unless placed with our organisation)
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Information held relating to applicants who have sought employment with Ethelbert Children's Services that has not resulted in employment	6 months from last contact with applicant
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Application information and staff records held relating to former staff	15 years for information required in Schedule 4 of the CHR 2015 and 1 year for all other information
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members after they have left our employment

9. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Your rights include:

- **Request access to your personal data** (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction of the personal data** that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure of your personal data.** This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it, for example where you consider that we do not need it any longer for the purposes for which we originally collected it as explained to you in this Privacy Policy, where you have withdrawn your consent to our using it and we had relied on that consent according to this Policy, where you consider that we cannot show a ‘legitimate interest’ in continuing to process it and we have relied on that legitimate interest to process it as explained to you in this Policy. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing of your personal data** where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

- **Request restriction of processing of your personal data.** This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer of your personal data** to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent.

If you wish to exercise any of these rights, please contact us, marking your query for the attention of the DPO.

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10. Glossary

Lawful Basis

Legitimate Interest means the interest of our agency in conducting and managing our business to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party, or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

Necessary for us to commence a fostering assessment means processing your sensitive personal data (i.e. health data, finance data) where it is necessary for the purposes of the assessment to determine the suitability to foster (subject to required conditions and safeguards).