

# **DATA PROTECTION**

## **Privacy Notice**

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Our privacy notice tells our data subjects what we do with their data, why we use it who we share it with and how long we keep it.

## **Our contact details**

**Name:** National Fostering Group Ltd.,

**Address:** National Fostering Group, Atria, Spa Road, Bolton, BL1 4AG

**Phone Number:** 01204 522 667

**Email:** Data.protection@nfa.co.uk

**Web address:** [www.nfa.co.uk](http://www.nfa.co.uk)

## **The type of personal information we collect**

The type of data we collect from will depend upon the data subjects relationship with us and the reasons why we have it.

We currently process information for the following reasons:

- Employment, including applicants, bank staff and agency staff purposes. This includes but is not limited to:
  - Name, address, DOB, contact details, marital status, gender, information relating to DBS checks, ID, reference data, bank details, qualifications details, images and/or audio captured in recordings, including CCTV, disciplinary or grievance data.
- Recruitment of foster carers. This includes but is not limited to:
  - Name, address, DOB, contact details including email address, marital status, gender, information relating to DBS checks, ID, reference data, bank details, qualifications details, images and/or audio captured in recordings, including CCTV, disciplinary or grievance data, associated third party data e.g., referees, dependant education, current living arrangements, significant relationships.
- To better place and provide for individuals and families we support. This includes but is not limited to:
  - Name, DOB, gender, Information on family/significant others, home/school records (where applicable), images and/or audio captured in recordings, including CCTV.

We may also collect, store and use information about or the above purposes that falls into 'special categories' of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions, trade union membership, physical and mental health, including any medical conditions, and sickness records, criminal convictions and DBS referrals.

## **How we get personal information**

Most of the personal information we process is provided to us directly by the data subject for one of the following reasons:

- Employment, including applicants, bank staff and agency staff
- Foster carer enquiry or registration
- Family support services
- Use of our website (See our cookie policy)

We also receive personal information indirectly for the following reasons:

- Placement approval
- Employment purposes as an emergency contact or a referee.
- Potential foster carer recruitment
- Foster carer recruitment assessment process e.g., references.

Data acquired indirectly could come from one of the following:

- Local Authorities
- Employees
- Foster carers

## **Why we collect personal information**

The personal data the National Fostering Group collects is very important to us as it enables us to realise our mission of improving the lives of young people / children, adults, their families and communities.

It enables us to recruit staff and carers, comply with our legal obligations, and to ensure that young people and adults are closely supported by our services to create a safe, nurturing space in which they can realise their full potential. That personal data provides the insight to make that possible.

We use the information that we have been given to:

- Recruit and employ staff including bank staff and agency staff
- Support families
- Recruit and register foster carers, including profiling for marketing purposes.
- Place individuals with the most appropriate carers
- Support individuals in their placements
- Comply with legal obligations

## **Who we might share your information with**

Personal data will be accessed on a 'need to know' basis. This may be allowable due the contract we have with the individual, or when the law permits or requires us to do so. Depending on the data subjects relationship with us this may include sharing with:

- a) Employees, bank staff and agency staff.
- b) Local Authorities – to meet our legal obligations to share certain information with it, such as safeguarding concerns.
- c) Regulators

- d) Assessors and examining bodies
- e) Processors – to enable them to provide the service we have contracted them for
- f) Central and local government, including Disclosure & Barring Service (DBS)
- g) Our auditors
- h) Survey and research organisations
- i) Health and social welfare organisations
- j) Professional advisors and consultants
- k) Police forces, courts, tribunals
- l) Professional bodies

## **Lawful basis**

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing this information are:

- a) Consent. A data subject can remove consent at any time. This can be done by emailing [marketing@nfa.co.uk](mailto:marketing@nfa.co.uk).
- b) Contractual obligation - the processing is necessary for a contract we have with them.
- c) Legal obligation – the processing is necessary for us to comply with the law, e.g., Fostering Regulations, Residential Family Centres Regulations.
- d) We have a vital interest.
- e) To carry out a task or exercise a duty in the public interest
- f) We have a legitimate interest in processing the data. E.g. recruitment of carers.

## **Who we may share data with**

Depending on our relationship with the data subject we may share this information with:

- Local Government
- Social Work England
- Third parties working on our behalf, e.g., panel members, freelance assessors, support services
- Local Government and Social Care Ombudsman
- DBS

Privacy is not an absolute right. Where required to do so under law we may share data with organisations without your consent for the following reasons

- Crime, law public protection
- National security and defence
- In connection with legal proceedings
- Immigration
- Functions designed to protect the public
- Audit functions

## **How long we might keep data for**

NFG will only keep data as long as is necessary in the performance of their duties. The minimum length of time data is retained for is dictated to us by legislation such

as the following:

Companies Act 2018  
The Fostering services (England) regulations 2011  
The Fostering Regulations (Wales) 2003  
The Looked after Children (Scotland) regulations 2009  
Residential Family Centres Regulations 2002  
Residential Family Centres Regulations (Amendment) Regulations 2013  
Care Standards Act 2000  
Residential Family Centres National Minimum Standards  
HMRC Compliance Handbook  
Limitation Act 1980  
The Income Tax (Employments) Regulations 1993  
VAT Act 1994  
The RIDDOR Regulations 2013  
The H&S at Work Act 1974

NFG is duty bound to comply with the relevant regulatory frameworks as detailed within the above. Ofsted registered facilities are subject to inspection at any time in respect of this and data may be subject to confidential inspection.

Where circumstances / business need requires us to we may hold records for longer but this must be justified.

## **Data subjects data protection rights**

Under data protection law, data subjects have rights including:

**Right of access** - the right to ask us for copies of their personal information.

**Right to rectification** - the right to ask us to rectify personal information a data subject think is inaccurate or to complete information they think is incomplete.

**Right to erasure** - the right to ask us to erase their personal information in certain circumstances.

**Right to restriction of processing** - the right to ask us to restrict the processing of their personal information in certain circumstances.

**Right to object to processing** - the right to object to the processing of their personal information in certain circumstances.

**Right to data portability** - the right to ask that we transfer the personal information they have given us to another organisation, or to them, in certain circumstances.

A data subject is not required to pay any charge for exercising their rights. If they make a request, we have one month to respond to them.

Please contact us using the details at the start of this privacy notice if you wish to make a request.

## **How to complain**

If you have any concerns about our use of your personal information, you can make a complaint to us at [data.protection@nfa.co.uk](mailto:data.protection@nfa.co.uk)

You can also complain to the ICO if you are unhappy with how we have used your data.

**The ICO's address:** Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

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Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>