Diverse Fostering - Privacy Policy

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1. Introduction

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Diverse Fostering Limited respects your privacy and is committed to protecting your personal data.

This Privacy Notice explains how we collect, use, store and protect personal data, the circumstances in which we may share it with others, how long we retain it and the rights individuals have in relation to their personal data. As a fostering agency, we process personal data relating to a range of individuals, including prospective and approved foster carers, children and young people referred to or placed with our foster carers, members of foster carer households and support networks, referees, family members, employees, professionals and other individuals who have contact with our service.

We are committed to handling personal data lawfully, fairly, transparently and securely in accordance with applicable data protection legislation.

This Privacy Notice is divided into sections to make it easier to find information about how we process and protect personal data.

2. Important information and who we are

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Purpose of this Privacy Notice
This Privacy Notice explains how Diverse Fostering Limited collects and processes personal data and provides information about individuals' rights in relation to that information.
It is important that you read this Privacy Notice together with any other privacy information we may provide on specific occasions when we collect or process personal data, so that you understand how and why we use your information.

Controller
Diverse Fostering Limited is the Data Controller responsible for the personal data it collects and processes.

We have a Data Protection Officer who oversees data protection matters within the agency. If you have any questions about this Privacy Notice, how we use your personal data, or if you wish to exercise your data protection rights, please contact us using the details below.

Contact Details
Diverse Fostering Limited
1 Commerce Street
Longton
Stoke on Trent
ST3 1NW
Telephone: 01782 376555
Email: info@diversefostering.co.uk

Complaints
If you have concerns about how Diverse Fostering has collected or used your personal data, please contact our Data Protection Officer in the first instance so that we have an opportunity to consider and respond to your concerns.

You also have the right to make a complaint to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection.

Changes to the privacy notice and your duty to inform us of changes
This Privacy Notice will be reviewed periodically and updated where necessary to reflect changes in legislation, regulatory guidance or the way in which Diverse Fostering collects and processes personal data.

It is important that the personal data we hold about you is accurate and up to date. Please inform us if your personal information changes during your relationship with Diverse Fostering.

Third Party Links
Our website may contain links to websites operated by third parties. Diverse Fostering does not control those websites and is not responsible for their privacy practices. We encourage you to read the privacy information provided by those organisations when visiting their websites.

3. The data we collect about you

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Personal data means information relating to an identified or identifiable individual. It does not include information that has been anonymised so that an individual can no longer be identified.

The personal data we collect and process will depend upon your relationship with Diverse Fostering and the reason we are processing your information. This may include:
Identity Data includes information such as your name, previous names, title, date of birth, age, gender and other information used to identify you.

Contact Data includes your home address, email address, telephone numbers and other contact information.
Family and Household Data includes information about family relationships, household members, children, partners, former partners, support networks and other significant relationships where relevant to fostering or the services we provide.

Fostering and Case Data includes information relating to fostering enquiries, applications and assessments, foster carer approval, reviews, supervision, training, placements, referrals, care planning, recordings, incidents, allegations, complaints and other information relevant to the provision and oversight of fostering services.
Financial Data includes financial information where this is required in connection with fostering assessments, payments, allowances, expenses or the administration of our services.

Employment and Professional Data includes employment history, qualifications, training, references, professional registration and other information relevant to employment, fostering assessments or professional involvement with the agency.

Special Category Data
Because of the nature of fostering services, Diverse Fostering may need to process special category personal data. This can include information about:

- racial or ethnic origin;
- religious or philosophical beliefs;
- health, medical information or disabilities;
- sex life or sexual orientation; and
- other special category information where relevant and lawful to process.

Special category personal data will only be processed where we have both an appropriate lawful basis for processing the personal data and an applicable condition for processing special category data.

Criminal Offence Data
Diverse Fostering may process information relating to criminal convictions and offences, including information obtained through Disclosure and Barring Service checks and other statutory or regulatory checks, where this is necessary and lawful in connection with fostering, employment, safeguarding or our regulatory responsibilities. Technical and Usage Data includes information such as IP addresses, browser and device information and information about how individuals interact with our website and online services, where this information is collected.

Marketing and Communications Data includes information about communication preferences and whether an individual has chosen to receive information about fostering, events or other communications from Diverse Fostering.

We may also use anonymised or aggregated information for statistical, monitoring and service-development purposes where individuals cannot be identified from that information.

If you fail to provide personal data
Where we are required to collect personal data by law, regulation or because it is necessary to provide a service or progress a fostering application or assessment, failure to provide the required information may mean that we are unable to proceed.

4. How your personal data is collected

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We collect personal data in a number of ways, depending on your relationship with Diverse Fostering and the services we provide.

Direct interactions
You may provide personal data directly to us when you:

- enquire about fostering;
- apply to become or are assessed as a foster carer;
- are an approved foster carer;
- are a member of a foster carer's household or support network;
- provide a reference for a prospective or approved foster carer;
- are a child or young person referred to or placed with one of our foster carers;
- are a parent, family member or other significant person connected to a child or young person;
- work for, apply to work for, or provide services to Diverse Fostering;

- communicate with us by telephone, email, post, online forms or in person;
- attend meetings, supervision, training or events;
- provide feedback, make a complaint or raise a concern; or
- interact with our website or other online services.

Information provided by other organisations and individuals
We may receive personal data about you from other organisations or individuals where this is necessary and lawful. This may include:

- local authorities and children's social care services;
- health, education and other professionals;
- the Disclosure and Barring Service and other organisations responsible for statutory or regulatory checks;
- referees;
- previous employers or fostering services;
- family members, household members and members of support networks;
- the police, courts, regulatory bodies and other public authorities; and
- other organisations or individuals involved in the assessment, placement, care, safeguarding or support of children and young people.

Information created through our work
We also create and record personal data as part of providing and managing our fostering services. This may include assessments, foster carer reviews, supervision records, placement information, case records, foster carer recordings, reports, meeting records, safeguarding information, complaints, allegations and records of decisions and actions.

Information may be recorded and securely stored within systems used by Diverse Fostering, including Inspire Software and Microsoft SharePoint.

Website and electronic information
When you use our website or electronic services, certain technical information may be collected automatically, such as your IP address, browser or device information and information about how you interact with our website. Cookies and similar technologies may also be used where applicable. Further information about the cookies used on our website and the choices available to you can be found in our Cookie Policy.

5. How we use your personal data

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Diverse Fostering will only collect and use personal data where we have a lawful basis for doing so. Depending on the circumstances, we may process personal data where:

- it is necessary to take steps at your request before entering into a contract or to perform a contract with you;
- it is necessary to comply with a legal or regulatory obligation;
- it is necessary for our legitimate interests, or those of a third party, where those interests are not overridden by your rights and freedoms;
- it is necessary to protect someone's vital interests;
- it is necessary for a task carried out in the public interest or in the exercise of official authority, where this applies to the particular processing; or
- you have given consent where consent is the appropriate lawful basis.

We will identify the appropriate lawful basis according to the purpose for which the personal data is being processed.

How we use special category personal data
Due to the nature of fostering services, Diverse Fostering processes special category personal data, including information relating to health, racial or ethnic origin, religious or philosophical beliefs, sex life and sexual orientation.

Where we process special category personal data, we will identify both a lawful basis for processing under Article 6 of the UK GDPR and an appropriate condition for processing special category data under Article 9.

Depending on the circumstances, this may include processing that is necessary for reasons of substantial public interest, employment and social protection purposes, the provision or management of health or social care, the establishment, exercise or defence of legal claims, or another condition permitted by data protection legislation. We will only process special category personal data where it is necessary and proportionate for the relevant purpose and appropriate safeguards are in place.

Criminal offence information
Diverse Fostering may process personal data relating to criminal convictions and offences where this is necessary for fostering assessments, safeguarding, recruitment, regulatory compliance or the management of our fostering service.

This may include information obtained through Disclosure and Barring Service checks, local authority checks, police information or information provided by individuals themselves.

Criminal offence data will only be processed where permitted by data protection legislation and subject to appropriate safeguards.

Consent
Where we rely on consent, we will make this clear at the time the information is collected. Consent must be freely given, specific, informed and capable of being withdrawn.

You may withdraw your consent at any time where consent is the lawful basis for processing. Withdrawal of consent will not affect the lawfulness of processing carried out before consent was withdrawn.

However, much of the personal data processed by Diverse Fostering is necessary for the delivery and regulation of fostering services. In these circumstances, we may rely on another appropriate lawful basis rather than consent.

Children and young people
Diverse Fostering processes personal data about children and young people who are referred to or placed with foster carers approved by the agency.

This may include information relating to their identity, family relationships, health, education, care needs, placement, safeguarding, contact with family members, behaviour, experiences, wishes and feelings, progress and other information necessary to support and oversee their placement.

Information may be provided by the responsible local authority, foster carers, the child or young person, family members and professionals involved in their care. Diverse Fostering will also create records as part of its work, including placement records, reports, supervision information and recordings completed by foster carers.

Children’s personal data will only be processed where there is an appropriate lawful basis and, where special category information is involved, an appropriate additional condition for processing.

Purposes for which we will use your personal data
We have set out below, in a table, the purposes for which we may use your personal data and the lawful bases we rely upon to do so. Where we rely on legitimate interests, we have also identified those interests where appropriate.

We may process your personal data under more than one lawful basis depending on the specific purpose for which the information is being used. Where special category personal data or criminal offence data is processed, additional conditions and safeguards will apply as required by data protection legislation.

Please contact us if you would like further information about the lawful basis or conditions we rely upon for a particular processing activity.

Purpose	Types of personal data	Lawful basis
Responding to fostering enquiries and providing information about fostering	Identity, contact and communication data	Steps prior to entering into a contract and/or legitimate interests
Assessing prospective foster carers and members of their household	Identity, contact, family and household, employment and professional, financial, fostering and case data, special category and criminal offence data where necessary	Contract/pre-contractual steps, legal obligation and/or legitimate interests, together with an appropriate Article 9 condition and provisions governing criminal offence data where required
Managing the approval, supervision, support, training and review of foster carers	Identity, contact, fostering and case, family and household, financial, special category and other relevant information	Contract, legal obligation and/or legitimate interests, with an appropriate Article 9 condition where required
Supporting and overseeing placements of children and young people	Identity, contact, family, fostering and case, health, education, safeguarding and other relevant information	Legal obligation, legitimate interests and/or another applicable lawful basis, with an appropriate Article 9 condition where required
Safeguarding children, young people and others	Identity, contact, fostering and case, special category and criminal offence information where necessary	Legal obligation, legitimate interests, vital interests and/or another applicable lawful basis, together with the relevant additional conditions
Managing allegations, complaints, concerns and incidents	Identity, contact, fostering and case, special category and criminal offence information where relevant	Legal obligation and/or legitimate interests, with additional conditions where required
Managing payments, allowances, expenses and financial administration	Identity, contact and financial data	Contract, legal obligation and legitimate interests
Recruitment, employment and management of staff	Identity, contact, employment and professional, financial, special category and criminal offence data where necessary	Contract, legal obligation and legitimate interests, together with applicable additional conditions
Operating and securing our IT systems and services	Identity, contact, technical and usage data	Legitimate interests and legal obligations where applicable
Communicating information about fostering, events and services	Identity, contact and communication preference data	Consent and/or legitimate interests, depending on the nature of the communication

Marketing
Diverse Fostering may provide information about fostering, events, news and other relevant services to individuals who have asked to receive such communications or where we are otherwise permitted to do so by law.

Where consent is required for direct marketing, we will obtain consent before sending marketing communications.

You can ask us to stop sending marketing communications at any time by using the unsubscribe option contained within the communication or by contacting us directly.

Choosing not to receive marketing communications will not affect communications that are necessary in connection with a fostering enquiry, assessment, placement, your role as a foster carer, employment or another service or relationship you have with Diverse Fostering.

Third Party Marketing
Diverse Fostering will not share your personal data with third parties for their own direct marketing purposes without your consent where consent is required by law.

Cookies and Website Information
Our website uses cookies and similar technologies for purposes such as enabling the website to function, remembering preferences and, where applicable, understanding how visitors use our website.

Where consent is required for non-essential cookies, these cookies will not be used unless you have made the appropriate choice through our cookie consent arrangements.

You can change your cookie preferences at any time using the options available on our website.

Further information about the cookies and similar technologies used by Diverse Fostering, including their purposes and duration, is available in our Cookie Policy.

Change of Purpose
We will normally only use your personal data for the purpose for which it was collected.

If we reasonably need to use personal data for another purpose, we will consider whether that purpose is compatible with the original purpose for which the information was collected.

Where we need to use personal data for an unrelated purpose, we will inform you where required and explain the lawful basis that permits us to process the information.

We may process personal data without consent where this is required or permitted by law and an appropriate lawful basis applies.
law.

6. Disclosures of your personal data

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We Diverse Fostering will only share personal data where there is a lawful and legitimate reason to do so. The information shared will be limited to what is necessary and proportionate for the relevant purpose.
Depending on the circumstances, we may share personal data with:

- local authorities and children's social care services, including placing and responsible authorities;
- social workers and other professionals involved in the assessment, placement, care, support or safeguarding of children and young people;
- health and education professionals and services;
- the Disclosure and Barring Service and other organisations involved in statutory, regulatory or suitability checks;
- Ofsted and other regulatory, inspection or statutory bodies;
- the police, courts and other law enforcement or public authorities where disclosure is necessary and lawful;
- professional advisers, including legal advisers, auditors, insurers and accountants;

- service providers who provide IT systems, secure data storage, communications, administrative or other services on our behalf; and
- other organisations or individuals where disclosure is necessary for safeguarding, legal proceedings, regulatory requirements or the provision of fostering services.

Where another organisation processes personal data on our behalf, we require appropriate data protection and confidentiality arrangements to be in place. Such organisations may only process personal data for the agreed purposes and in accordance with our instructions and applicable data protection requirements.

We will not sell personal data to third parties.

Where personal data is shared, we will consider the nature and sensitivity of the information, the purpose of the disclosure, the lawful basis for sharing and the rights and interests of the individuals concerned.

Where appropriate, information will be shared in accordance with Diverse Fostering's Confidentiality and Information Sharing procedures.
instructions.

7. International Transfers

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Some of the organisations that provide systems or services to Diverse Fostering may process or store personal data outside the United Kingdom.

Where personal data is transferred outside the UK, Diverse Fostering will ensure that the transfer is made in accordance with applicable data protection legislation and that appropriate safeguards are in place.

This may include transferring personal data to a country recognised as providing an adequate level of data protection or using other legally recognised safeguards for international transfers.

Where appropriate, we will also consider the risks associated with an international transfer and take additional measures where necessary to protect personal data.

You can contact our Data Protection Officer if you would like further information about the safeguards used where your personal data is transferred outside the UK.

8. Data Security

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Diverse Fostering takes the security of personal data seriously and has appropriate technical and organisational measures in place to protect personal data against accidental or unlawful loss, destruction, alteration, unauthorised disclosure or access.

Access to personal data is restricted to employees, foster carers, contractors, service providers and other authorised individuals who have a legitimate need to access the information for the purposes of their role or responsibilities.

Individuals who have access to personal data are expected to maintain confidentiality and to handle information securely and in accordance with Diverse Fostering's policies, procedures and data protection responsibilities.

Personal data held electronically is stored using secure systems and appropriate access controls. This includes information held within systems used by Diverse Fostering, including Inspire Software and Microsoft SharePoint. Diverse Fostering has procedures in place for identifying, managing and responding to actual or suspected personal data breaches. Where required by data protection legislation, we will notify the Information Commissioner's Office and affected individuals within the applicable timescales.

We regularly review our data security arrangements and take appropriate action where changes or improvements are required.

9. Data Retention

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How long will you use my personal data for?
Diverse Fostering will only retain personal data for as long as it is necessary for the purpose for which it was collected, including meeting our legal, regulatory, safeguarding, accounting and reporting responsibilities.

When determining an appropriate retention period, we consider the nature, amount and sensitivity of the personal data, the purposes for which it is held, the potential risks associated with its unauthorised use or disclosure, safeguarding considerations and any applicable legal or regulatory requirements.

Some fostering records are subject to specific statutory retention requirements. Where a statutory minimum retention period applies, Diverse Fostering will retain the records for at least that period. The agency may retain records for longer where this is necessary and appropriate, including where an agency retention period has been established.

Personal data that is no longer required will be securely deleted or destroyed in accordance with Diverse Fostering's information management arrangements.

The retention periods currently applied by Diverse Fostering are set out 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 3 years from the refusal or withdrawal, under the Fostering Services (England) Regulations 2011 Reg 32.
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 Reg 32.
Case records of children placed with foster carers (England) for Independent Fostering Agencies	The fostering service provider must maintain and keep up to date records specified in Schedule 2. These records must be retained for at least 15 years from the date of the last entry. Local authorities must maintain records for a child until the 75th anniversary of the child's date of birth, in line with the Care Planning, Placement and Case Review (England) Regulations 2010 (Regulation 50)
Records of children referred for foster placements (England and Scotland)	1 month from the closure of the referral (unless placed with carers)

Where records relate to more than one category or retention requirement, the longer applicable retention period may be applied where this is necessary to meet legal, regulatory, safeguarding or evidential requirements.

Records may also be retained beyond the usual retention period where they are required in connection with an ongoing complaint, allegation, safeguarding matter, investigation, legal proceedings or other legitimate reason. Where this occurs, the information will only be retained for as long as necessary.

10. Your legal rights

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Under data protection legislation, you have a number of rights in relation to your personal data. These rights will depend on the circumstances and the lawful basis on which your personal data is being processed.

Your rights may include:

- Right of access – you can ask us for confirmation that we are processing your personal data and request a copy of the personal data we hold about you.
- Right to rectification – you can ask us to correct personal data that is inaccurate or to complete information that is incomplete.
- Right to erasure – in certain circumstances, you can ask us to delete your personal data. This right does not apply in all circumstances, particularly where we are required by law or regulation to retain information.
- Right to restrict processing – in certain circumstances, you can ask us to restrict the way in which we use your personal data.
- Right to object – you may have the right to object to processing where we rely on legitimate interests as our lawful basis. You also have the right to object to the use of your personal data for direct marketing.
- Right to data portability – in certain circumstances, you may have the right to receive personal data you have provided to us in a structured, commonly used and machine-readable format, or ask us to transfer it to another organisation.
- Right to withdraw consent – where we rely on your consent to process personal data, you may withdraw that consent at any time. This will not affect the lawfulness of processing carried out before consent was withdrawn.

Exercising your rights

If you wish to exercise any of your data protection rights, please contact the Data Protection Officer using the contact details provided in this Privacy Notice.

You will not usually have to pay a fee to exercise your rights. However, where permitted by data protection legislation, we may charge a reasonable fee or refuse to act on a request that is manifestly unfounded or excessive.

We may need to ask you for information to confirm your identity before responding to a request. This is a security measure designed to ensure that personal data is not disclosed to someone who is not entitled to receive it.

We may also ask for further information where this is necessary to understand or respond to your request.

Responding to your request

We will respond to requests within the timescales required by data protection legislation.

In most cases, this will be within one month of receiving your request. Where permitted by law, this period may be extended where a request is particularly complex or where a number of requests have been made. If an extension is necessary, we will inform you and explain the reason.

Complaints

If you are concerned about the way Diverse Fostering has handled your personal data or responded to a request, please contact our Data Protection Officer in the first instance.

You also have the right to make a complaint to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection.

11. Glossary

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Personal Data
Information relating to an identified or identifiable individual.

Special Category Personal Data
Personal data that is particularly sensitive and is given additional protection under data protection legislation. This includes information about racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic and biometric data used for identification purposes, health information, and information concerning a person's sex life or sexual orientation.

Criminal Offence Data
Personal data relating to criminal convictions and offences or related security measures. This can include information obtained through Disclosure and Barring Service checks and other relevant checks.

Data Controller
The person or organisation that determines why and how personal data is processed. Diverse Fostering Limited is the Data Controller for the personal data covered by this Privacy Notice.

Data Processor
A person or organisation that processes personal data on behalf of a Data Controller and in accordance with the Controller's instructions.

Legitimate Interests
Processing that is necessary for the legitimate interests of Diverse Fostering or a third party, provided those interests are not overridden by the rights and freedoms of the individual concerned.
Where Diverse Fostering relies on legitimate interests, we consider the purpose of the processing, whether the processing is necessary and the potential impact on the individuals concerned.

Performance of a Contract
Processing that is necessary to perform a contract with an individual or to take steps at their request before entering into a contract.

Legal Obligation
Processing that is necessary for Diverse Fostering to comply with a legal or regulatory obligation.

Consent
A freely given, specific, informed and unambiguous indication that an individual agrees to the processing of their personal data for a particular purpose. Where we rely on consent, it can be withdrawn.

Processing
Any operation performed on personal data, including collecting, recording, organising, storing, accessing, using, sharing, altering, retrieving or deleting information.

UK GDPR
The United Kingdom General Data Protection Regulation, which forms part of the UK's data protection framework alongside the Data Protection Act 2018 and other applicable data protection legislation.

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