

## **Privacy Notice (How we use your information) Kirklees LADO (Local Authority Designated Officer)**

This notice explains what personal data (information) we hold, how we collect, how we use and may share information. We are required to outline this information under data protection law.

### **Who we are**

Kirklees Council as a Local Authority has a statutory duty to have a Designated Officer, the council uses the term Local Authority Designated Officer (LADO) who is responsible for co-ordinating the multi-agency response to concerns you may have about any adult in a position of trust or working (paid or unpaid) with children.

The LADO role is in Resources, Improvement & Partnerships within Children & Families Directorate and gives advice and guidance to professionals, employers, voluntary or faith organisations and other individuals who have concerns.

Please note that failure to provide your personal data may put children at risk of harm.

Where concerns arise about the person's behaviour towards his/her own children or any other child the Police and/or Children's Services should consider if they need to inform the person's employer and/or the LADO to assess whether there may be implications for children with whom the person has contact through their work (paid or unpaid).

The categories of information that we collect, process, hold and share include:

- personal information (such as name, date of birth and address)
- characteristics (such as gender, ethnicity and disability)
- information relating to episodes of referrals or contacts being made to social care about a child (such as referral information, assessment information, Section 47 information, Child Protection / Child In Need / Looked After Child)
- episodes of being looked after (such as important dates, information on placements)
- outcomes for looked after children (such as whether health and dental assessments are up to date, strengths and difficulties questionnaire scores and offending)
- adoptions (such as dates of key court orders and decisions)
- care leavers (such as their activity and what type of accommodation they have)

### **Why we collect and hold this information**

We use this personal data in order to:

- Enable us to carry out specific functions for which we are responsible;
- Assess the quality of our services;

- Evaluate and improve our performance and our policies;
- Derive statistics which inform decisions about future delivery of services;
- Fulfil our statutory requirements e.g. reporting to Government;
- Carry out research including consultations;
- Safeguarding Children;
- Carry out Equality Monitoring;

## **The lawful basis on which we use this information**

Under the General Data Protection Regulations, Kirklees Council collects and uses this information under powers given to Local Authorities (councils). The following categories of lawfulness apply:

- 6(1)(c) Processing is necessary for compliance with a legal obligation;
- 6(1)(d) Processing is necessary to protect the vital interests of a data subject or another person;
- 6(1)(e) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Where we process special category data (racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation) the lawful basis for processing will be:

- 9(2)(g) processing is necessary for reasons of substantial public interest, on the basis
- of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject
  - Part 2 of Schedule 1 of the DPA 2018 (para 18) also refers

This is in order for us to fulfil our statutory obligations under various UK laws, including but not limited to the following legislation:

- Children Act 1989, 2004
- Health & Social Care Act 2012
- Health and Social Care (Safety and Quality) Act 2015
- Education Regulations 2013
- Children and Social Work Act 2017
- Care Act 2014
- Mental Capacity Act 2005
- Mental Health Act 1983
- Local Safeguarding Children & Adults Boards Regulations 2006 (SI 2006/90)
- Localism Act 2011
- Crime and Disorder act 1998
- Welfare Reform act 2012
- Childcare Act 2006
- Equality Act 2010

## Storing this information

We will hold the information securely, and for no longer than reasonably necessary. Your information is stored securely on database and document management systems with stringent access and use policies. We also undertake quality checks and monitoring to ensure the information we hold is accurate at the time and being used appropriately.

The length of time that we will hold the information will depend on the reason for collection and processing, and whether or not a specific retention period is outlined in statute. For example, for looked after children the retention period for data is retirement age plus 10 years.

## Who we share this information with

We may sometimes share the information we have collected where it is necessary, lawful and fair to do so. In each case we will only share the minimum amount of information, only when required, for the following reasons:

- To safeguard vulnerable children and young people;
- To develop national policies;
- To manage local authority performance;
- To administer and allocate funding;
- To identify and encourage good practice. We may share this information with:
- Other services within Kirklees Council;
- National government department e.g. Department for Education;
- Other partners such as health and the police.

We do not share personal information without consent unless the law and our policies allow us to do so.

## Keeping your personal information secure

We have security measures in place to prevent information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

## Further information

If you would like further information about how we manage your data, please see the Kirklees Council privacy notice.

If you would like further information about this privacy notice, please contact the LADO at [lado@kirklees.gov.uk](mailto:lado@kirklees.gov.uk)

If you would like further information about how your personal data is handled, please contact: please contact the Data Protection Officer at [DPO@kirklees.gov.uk](mailto:DPO@kirklees.gov.uk) or by ringing 01484 221000.