

## **DURHAM LOCAL SAFEGUARDING CHILDRENS BOARD PRIVACY NOTICE**

This Privacy Notice explains how the LSCB uses and shares personal information for in order to carry out its statutory duties and responsibilities. This notice will be reviewed and updated annually or earlier if necessary to comply with changes in the law.

### **1. Who We Are and What We do**

Durham LSCB is a statutory body established under the Children Act 2004. It is a partnership of local agencies which is independently chaired and consists of senior representatives of all the key organisations that work together to safeguard and promote the welfare of children and young people in County Durham. Support is provided to the LSCB by a dedicated Business Unit.

The LSCB also has responsibilities for organising serious case reviews, supporting the Child Death Overview Panel, assuring appropriate training and maintaining child protection procedures in line with legislation and government guidance.

The following organisations are partners in the Durham Local Safeguarding Children Board.

- LSCB Business Unit (including the Independent Chair of the LSCB)
- Durham County Council Children and Young People's Service
- Durham Constabulary
- National Probation Service
- National Offender Management Service
- Community Rehabilitation Company
- Children and Family Court Advisory and Support Service (Cafcass)
- Clinical Commissioning Groups
- North Tees & Hartlepool Hospitals NHS Foundation Trust
- County Durham & Darlington NHS Foundation Trust
- Tees, Esk & Wear Valleys NHS Foundation Trust
- City Hospitals Sunderland NHS Foundation Trust
- Harrogate and District NHS Foundation Trust
- NHS England
- Governing Body of Maintained School
- The governing body of a further education institution
- Lay Members of the LSCB
- Designated Paediatrician
- Voluntary and Community Sector (Durham Voice)

### **2. What type of personal information do we collect and how do we collect it?**

We may collect the following types of personal information and data:

- Your name
- Your date of birth
- Your Contact Details
- Your NHS Registration Number
- Details of family members, associates and personal relationships

- Details of criminal offences and prosecutions including details of committal and release
- Reports of behaviour that may cause concern as they relate to safeguarding children and young people
- Professional opinions in relation to concerns and complaints
- Information about individuals who have an a risk to children status
- Information about individuals who are reported as missing
- Information about individuals who are to be released from prison

**We also collect the following special category data:**

- Racial or ethnic origin
- Religious or philosophical beliefs
- Health information
- Gender

**How We Collect Personal Information**

We collect your Personal Data by using

- contact via telephone or email
- paper and electronic forms
- visits and discussions with you and others who may know you
- information received from partners or other professionals

**3. What is our power to obtain and use the personal data?**

We must have a lawful basis to process personal data. If we need to we will do so for one of the following reasons -

- **Public Task** – processing is necessary for the performance of a task which is carried out in the public interest or in the exercise of official authority vested in the controller
- **Legal obligation:** Processing your data is necessary for us to comply with the law (not including contractual obligations).
- **Legitimate interests:** Processing your data is necessary for our legitimate interests or the legitimate interests of a third party unless there is a good reason for us to override those legitimate interests and protect your personal data.

If we need to process any “special category data” we will do so for the following reason –

- a) Processing your data is necessary to protect your vital interests or of another person where you are physically or legally incapable of giving consent
- b) The provision of health or social care or treatment or the management of health or social care systems and services
- c) Processing your data is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with [Article 89\(1\)](#) of the General Data Protection Regulations 2018.

**4. What is your personal information used for?**

We will use the information we have collected for the following purposes:

- To fulfil our statutory responsibilities in relation to organising serious case reviews, supporting the Child Death Overview Panel and complying with child protection procedures in line with legislation and government guidance

- Provide you with our services, and to develop and improve those services
- To deal with any problems or complaints that arise in relation to your account;
- For assessment and analysis purposes to help improve the operation of our service
- To maintain safeguarding registers

#### 5. Will your personal information be shared?

The partner agencies of the LSCB have signed up to [a County Durham Protocol](#) which is a high level agreement between named public organisations in Durham. Its aim is to facilitate more effective data sharing across Durham where this is needed to improve safeguarding or to enable each organisation to respond quickly to safeguarding needs.

We may also need to share information with national regulatory authorities and if this happens it will be through the provision of statutory powers held by those authorities.

National Organisations that may require us to share information:

- OFSTED

There are other times where we may need to share your information. These include:

- Where there is a serious risk of harm to you or to others
- Where there are concerns for the welfare of a child
- For the prevention or detection of crime
- Where a court order requires us to share information about you

#### 6. How do we keep your personal information secure?

The security of your personal information is important to us. This is why we follow a range of security policies and procedures to control and safeguard access to and use of your personal information.

Anyone who receives information from us is also under a legal duty to only use the information for the purposes agreed and keep the information secure and confidential.

Where we use data for the purpose of a serious case review or a child death review we will apply additional protection for your information when we need to.

#### 7. How long will we keep your personal information?

After we deliver a service to you, we have to keep your information as a business record of what was delivered. The type of service you receive will determine how long we have to keep your information.

Currently children's records cannot be destroyed due to independent enquiries in England and Scotland into child abuse. Information will not be destroyed until 6 years after the end of the enquiries or in accordance with our normal retention schedule (whichever is later).

For Serious Case Reviews records are kept for 75 years following the publication of the Serious Case review.

#### 8. Is your personal information processed overseas?

We do not process your personal data outside of the EU

#### 9. Marketing (if applicable)

At no time will your information be used or passed to others for marketing or sales purposes, or for any commercial use without your express consent.

#### 10. What are your Information Rights?

It is important to us that you understand that your Information Rights are set out in the law and, subject to some legal exceptions, you have the right to:

- to have any inaccuracies corrected;
- to have your personal data erased;
- to place a restriction on our processing of your data;
- to object to processing; and
- to request your data made available to someone else.

**If you wish to exercise your information rights, please contact us at [LSCB@durham.gov.uk](mailto:LSCB@durham.gov.uk) or alternatively write to:**

LSCB,  
Floor 4 Room 129-134,  
Durham County Council  
County Hall,  
Durham  
DH1 5UF

You also have the right to request a copy of the personal information the LSCB holds about you. To do this, you can apply on line or download an application form from the [DCC website](#)

If you would like to learn more about these rights you can access further information from the Information Commissioners Office (ICO) [website](#).

#### Further Information

We try to make sure we apply the best standards to protecting your personal information. If something goes wrong with your personal information, or you have questions about how we process your data, please contact us at [LSCB@durham.gov.uk](mailto:LSCB@durham.gov.uk) or by calling 03000 268050

If we have not been able to deal with your complaint, you can also contact the [Information Commissioner's Office](#)

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

**Telephone:** 0303 123 1113 (local rate) or 01625 545 745

**Fax:** 01625 524 510