

## **1. The purpose of this document**

We are a 'data controller'. This means that we are responsible for deciding the purposes for which we hold and use personal information about you.

We are required under data protection legislation to notify you of the information contained in this privacy notice. This privacy notice describes how we collect and use personal information about you during and after your relationship with us.

This notice does not form part of your foster carer agreement. We may update this notice at any time. It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

## **2. The type of information we hold about you**

We will collect, store, and use the following categories of personal information about you:

- The information which has been obtained during the recruitment process, such as your contact details, employment history and various other data. This includes any information acquired through checks and enquiries as well as during the initial enquiry, home visit, fostering assessment and foster care committee meeting ("FCC").
- The information which has been acquired during your relationship with us as an approved foster carer. This includes details relating to your approval and information about you in connection with fostering placements.

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs and sexual orientation.
- Information about your health, including any medical condition, health records and medical report.
- Genetic information and biometric data.
- Information about criminal convictions and offences.

We have set out a summary of the information about you which we would collect, store and use during the recruitment process and throughout your relationship with us as an approved foster carer:

- **Personal and contact details** such as title; full name; address; date of birth; age; personality; sex; nationality; PPS number; carer profile ; telephone and mobile numbers; email address; sexual orientation; place of birth; passport (including passport number); birth certificate (including birth certificate number); driving licence (including driving licence number); next of kin and emergency contact details.
- **Health information** such as details of health (supported by a medical report); disability information; doctor's details; medical advisor's report.
- **Relationship information** such as marital status; current relationship; details of current and any previous marriage, civil partnership or similar relationship; type of marriage; former partners and previous relationships.
- **Information about family and household members** such as details of any other adult members of the household (including their relationship to you); information about birth children; details of children in the family, whether or not members of the household, and any other children in the household (including their relationship to you); information from school, nursery and any previous public health nurse visits.
- **Race, ethnicity and culture details** such as ethnicity; primary language; religion; religious persuasion, racial origin, cultural and linguistic background; capacity to care for a child from any particular religious persuasion, racial origin or cultural or linguistic background.
- **Information about accommodation and local area** such as details of accommodation (including landlord details); statutory authority check.

- **Information about lifestyle and social circumstances** such as family background and childhood; adult life information; standard of living; leisure activities; personal and social interests.
- **Employment information** such as past and present employment or occupation; previous employment history involving children; voluntary work.
- **Information about previous experience and relevant skills** such as previous experience (if any) of caring for your own and other children; skills, competence and potential relevant to your capacity to care effectively for a child placed with you.
- **Information about previous applications** such as the outcome of any request or application to foster or adopt children, including particulars of any previous approval or refusal of approval.
- **Information within reference** such as referee's details; referee's relationship to you.
- **Information about criminal offences, convictions and any information on court proceedings** such as Garda Vetting checks.
- **Financial information** such as income and expenditure information; bank account details; fostering allowance; expenses.
- **Approval information** such as terms of approval; date of approval; variation of terms of approval; review of approval; termination of approval (and the circumstances surrounding this); date of termination of approval.
- **Details of training** such as training records; training, support and development information; training history.
- **Fostering placement information** such as details of each placement (including placement start date and placement end date); preferences for type of placement; procedure in connection with the placement of children; matters to be included in any placement plan.
- **Information in relation to legal liabilities** such as legal liabilities arising by reason of a placement; insurance policy documents/evidence; details in relation to a claim.
- **Details of incidents such as complaints and representations;** outbreak at your home of an infectious disease; serious incident relating to a child placed with you; any serious complaint about you (and its outcome); instigation and outcome of any child protection enquiry involving a child placed with you; allegation made against you (and its outcome); concern or suspicion against you (and its outcome).
- **Information within feedback, reports, records and associated documents** such as FCC feedback; link social worker feedback; FCC minutes; supervision feedback; annual review; risk assessments (incidents involving siblings, fire setting, missing person etc.); monitoring reports (accident, injuries, illness, complaints, etc.); misconduct reports (allegation, investigation, etc.); case records.
- **Other information** such as social media and internet checks; other checks; your relationship with the other foster carer (if you are approved as a joint foster carer); information obtained in connection with the assessment; report presented to FCC (and any associated documents); recommendation of FCC; outcome of application (and the circumstances surrounding this); performance information; enquiry source (how you contacted us and heard about us).

We may collect, hold and use additional personal information in the course of fostering-related activities during your relationship with us.

### 3. How your personal information is collected

We collect personal information about you through the application and recruitment process from the following sources:

- You, the applicant at the time.
- Information from the checks and enquiries which we undertake as part of the recruitment process. There are several background checks. Examples include checks with your family members and individuals associated with your household, current and previous partners, current and former employers, voluntary agency, landlord, statutory authority and child's

school/nursery where applicable. Depending on the circumstances, there may be other checks and enquiries.

- Information from your doctor, hospital and/or other relevant health professional. This includes obtaining a medical report about your health.
- Any fostering provider to whom you have previously applied, or fostered for, and/or any individual or authority in connection with any previous private fostering arrangement which you have been involved with.
- Any adoption agency to whom you have previously applied or adopted for, and/or any individual or authority in connection with any previous private adoption arrangement which you have been involved with.
- Any statutory authority, other public body or voluntary agency who may hold information pertinent to your prior involvement in child minding or day/play care provision for children, work in any children's residential care setting, or work or other activities in connection with services to vulnerable adults or children.
- Information from the other applicant at the time (if you were making a joint application).
- Garda Vetting unit and overseas policing units in respect of criminal convictions with or without the use of an intermediary external government-accredited agency.
- Your named referees, from whom we collect information about you which may be relevant for us to consider your application.
- Information from other parties as part of the recruitment process, such as an independent assessor and regulator.
- We may also obtain information about you from publicly accessible sources such as through internet and social media checks.

Certain enquiries and checks may need to be renewed on a regular basis during the course of your relationship with us as an approved foster carer.

Once you have been approved as a foster carer by us, we may also collect personal information about you from the following sources:

- You, the foster carer.
- Placing statutory authorities for tasks such as your annual review, case records and obtaining feedback on the fostering placement.
- FCC for purposes such as a review of your approval as a foster carer.
- Independent fostering reviewing officer for obtaining recommendations about your reapproval or ongoing suitability as a foster carer.
- Your family members and individuals associated with your household for tasks such as obtaining their comments for your annual reviews.
- Information from the other foster carer (if you are approved as a joint foster carer).
- Subcontractors, partnering organisations or other entities which assist us to provide or improve our services.

#### **4. Situations in which we will use your personal information**

We need all the categories of information listed above for the following reasons:

- To enable us to comply with our legal obligations.
- To allow us to perform our contract with you.
- In some cases, we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests.

The situations in which we will process your personal information may include:

- Making a decision about your recruitment or approval.
- Determining the terms on which you carry out a role with us.
- Checking you are legally entitled to reside in the Republic of Ireland.

- Reviewing your continued suitability as a foster carer.
- Ascertaining your ongoing fitness and capacity to carry out your role.
- Assessing your profile as a possible or actual foster carer for a child awaiting a fostering placement and matching you with a child in order to form a suitable placement for the child.
- Administering the placement with a foster child, including maintaining case records about the placement and making arrangements for the termination of the placement.
- Making payment of the fostering allowance to you.
- Providing benefits to you such as access to independent support.
- Administering the contract we have entered into with you.
- Updating, consolidating and improving the accuracy of our records.
- Business management and planning, including accounting and auditing.
- Conducting supervisions and annual reviews, managing performance and determining performance requirements.
- Making decisions about your continued engagement.
- Making arrangements for the termination of our relationship with you.
- Complying with safeguarding obligations.
- Recording and assessing your training, support and development activities and needs.
- Dealing with legal claims or disputes involving you, or a child in placement, or others such as our staff members.
- Managing any respite arrangements.
- Complying with health and safety obligations.
- Communicating with you.
- To prevent fraudulent and criminal activity (which includes actual and suspected incidents).
- To monitor any of your use of our information, software and communication systems (as per our IT policies).
- To analyse and model data to review and better understand foster carer retention and placement matching.
- Complying with legal or regulatory requirements.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

#### **5. If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as making payment of the fostering allowance to you), or we may be prevented from complying with our legal obligations (such as safeguarding and ensuring the welfare of potentially vulnerable children).

#### **6. Change of purpose**

We will only use your personal information 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 we need to use your personal information 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 information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

#### **7. How we use particularly sensitive personal information**

We will use your particularly sensitive personal information in order to comply with our legal and regulatory obligations. We also require your sensitive personal information to assess your fitness and suitability as a foster carer as well as your ability to meet the needs of a child in placement with you or to potentially be placed with you.

In particular, the collection of such sensitive personal information about you is necessary for the following reasons:

- To adhere to our obligations under social protection law.
- To establish, exercise or defend any legal claims.
- To provide social care services.

#### **8. Information about criminal convictions**

We will collect information about your criminal convictions history during the recruitment process. Following your approval as a foster carer with us, this check will be repeated periodically during your relationship with us.

We are legally required to carry out criminal record checks for those carrying out this role. This requirement enables us to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role.

As part of the criminal record check which we undertake, the Garda Vetting unit will issue FFI with relevant documentation. In the instance when a disclosure contains information, a risk assessment of the offences/cautions will take place.

We have in place appropriate safeguards to protect your privacy when processing such data.

#### **9. Automated decision-making**

We do not envisage that any decisions will be taken about you using automated means only. However, we will notify you in writing if this position changes.

#### **10. Data sharing**

We will share your personal information with third parties where required by law, where it is necessary to administer the relationship with you or where we have another legitimate interest in doing so. We have outlined below various third parties with whom we may share your personal information:

- Various third parties which we need to liaise with during the recruitment process:
  - Some examples of such third parties include your doctor, medical advisor and/or other health professional, statutory authority, FCC, independent assessor, named referees as well as any other individuals or organisations with which we need to carry out checks during the recruitment process (such as your associated family members and employer).
  - To perform these enquiries and checks, the relevant third parties would be informed that you have made an application for fostering to us and they will receive basic details about you in order for us to undertake the requisite checks and obtain the relevant information.
  - It is possible that such third parties may need to be contacted during the course of your relationship with us as an approved foster carer, in order to renew those enquiries and checks.
- Garda Vetting unit for various reasons including:
  - To obtain the outcome of the check in respect of criminal convictions (both during the recruitment process and at regular intervals during your relationship with us as an approved foster carer) with or without the use of an intermediary external government-accredited agency.
  - To make a referral to An Garda Síochána due to concerns which we may have about you.
- The other applicant/foster carer (if you made an application, or are approved, as a joint foster carer).
- Statutory authorities which are seeking to make a fostering placement for a child or in circumstances where a placement of the foster child has been made with you. We have detailed below some of the reasons for sharing information about you with such placing authorities:

- Assessing your profile as a possible or actual foster carer for a child awaiting a fostering placement and matching you with a child in order to form a suitable placement for the child.
- Administering the placement with a foster child, including maintaining case records about the placement, dealing with any complaints or allegations about you for the protection of children in placement, and making arrangements for the termination of the placement.
- The FCC for purposes such as a review of your ongoing approval as a foster carer.
- An independent fostering reviewing officer for tasks such as completing your review as a foster carer.
- An independent investigator or a complaint review panel, depending on the relevant stage of the complaints procedure if a complaint is made by you.
- A medical advisor and/or other health professional, for example, if there is an outbreak at your home of an infectious disease or to provide updated medical checks at regular intervals and as required.
- A third party provider of support services in order to register you with them as an approved foster carer and enable you to gain access to independent support.
- Subcontractors, partnering organisations or other entities which assist us to provide or improve our services.
- Your employer, for example, if a reference has been requested.
- Training providers, for example, if you are attending, or considering attending, a course.
- The Revenue Commissioners for tax purposes.
- The Independent Review Mechanism (or equivalent) for tasks such as withdrawing or altering the terms of your approval as a foster carer.
- Other fostering agencies should you transfer, or consider transferring, to another fostering service provider.
- Third parties for arranging external events such as functions and conferences. This may include booking hotel rooms if overnight stay is involved.
- Other entities in our group for purposes such as service delivery, as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.
- Our legal and other professional advisors, including our auditors and insurers.
- Application developers for improving communications and services.
- Partnering organisations who can help us develop our services such as improving foster carer retention and placement matching through the analysis and modelling of statistics/data.
- Other organisations who provide services to us such as back up and server hosting providers, IT software and maintenance providers, document storage providers and suppliers of other back office functions.
- Other third parties, for example, in the context of the possible sale or restructuring of the business.
- Public authorities or other agencies who may be legitimately discharging statutory functions in relation to the care and protection of children.
- Regulators, government bodies, statutory agencies, An Garda Síochána, courts or to otherwise comply with legal or regulatory obligations.

#### **11. Arrangements with third party service providers and other entities in the group**

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

We may on occasion anonymise your personal data without your knowledge and share this with trusted third parties who help us develop our services such as improving foster carer retention and

placement matching through the analysis and modelling of statistics/data. Anonymisation of your data prevents you from being personally identified by the third parties.

## **12. Data security**

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

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

## **13. Communications preferences**

We may use your home address, telephone numbers, email address and social media or digital channels to communicate with you according to your preferences. You can amend your preferences in respect of such communications, at any time, by contacting us.

## **14. Data retention**

Unless we notify you otherwise in writing, we will hold your personal information based on the following criteria:

- For as long as we have reasonable business needs, such as managing our relationship with you;
- For as long as someone could bring a claim against us; and
- Retention periods in line with legal and regulatory requirements or guidance.

After this period, we will securely destroy your personal information in accordance with our data retention policy.

## **15. Your duty to inform us of changes**

It is important that the personal information we hold about you is accurate and current. As a result, it is vital that we are informed of any significant changes in the membership of your household, in your circumstances and events that may be relevant to your continued capacity or suitability to foster. We have listed below some examples of changes which we would require you to provide full details of, to us, by submitting immediate written and prior notice to us:

- Any intended change of address.
- Any change or intended change in the membership of your household including any new relationships which result in a 'regular' visitor to the household not included in any previous assessment.
- Any significant change in your personal circumstances, such as separation/divorce, marriage/remarriage, and death of partner/close family member/significant other person.
- Any event affecting, or potentially affecting, your ability to care for children placed and, if necessary, to us seeking further information from your doctor and/or other health professionals.
- Any event which might result, or results, in you being interviewed, arrested or charged in connection with a criminal offence.
- Receipt of any endorsement or penalty points to your driving licence.
- Any application which you make in connection with fostering or special guardianship for another fostering agency, adopting a child or children, becoming a registered child-minder or day care provider, or acting as a 'private foster carer' for any child not placed by us.
- Any changes to your employment or any decision to seek employment outside the home, either of which might affect your availability to care for fostered children.

Please keep us informed if your personal information changes during your relationship with us. This includes changes or intended changes as mentioned in the above examples as well as any other personal information which we hold about you.

#### **16. Consent**

Where we are relying upon your consent to process personal data, you can withdraw this at any time by contacting us by email at [contactus@ffi.ie](mailto:contactus@ffi.ie).

#### **17. Your rights in connection with personal information**

We have detailed below a list of the rights that all individuals have under data protection laws. They do not apply in all circumstances and we will explain in writing whether or not they do, at the time you wish to exercise any of these rights.

- The right **to be informed** about the processing of your personal information.
- The right to have your personal information **corrected if it is inaccurate** and to have **incomplete personal information completed**.
- The right **to object** to processing of your personal information.
- The right **to restrict processing** of your personal information.
- The right **to have your personal information erased** (the “right to be forgotten”).
- The right to **request access** to your personal information and to obtain information about how we process it.
- The right to **request the transfer of your personal information to another party** (“data portability”).

If you wish to exercise any of these rights, please contact our Data Protection Officer at [dpo@keyassets.org](mailto:dpo@keyassets.org).

You also have the right to make a complaint at any time to the Data Protection Commissioner, the supervisory authority for data protection issues in the Republic of Ireland ([www.dataprotection.ie](http://www.dataprotection.ie)). We would, however, appreciate the chance to deal with your concerns before you approach the Commissioner so please contact us in the first instance.

#### **18. Changes to this privacy notice**

We reserve the right to make amendments and update this privacy notice at any time. The most up to date version of this notice is available on our website for review. We may also notify you in other ways from time to time about the processing of your personal information.

#### **19. Data Protection Officer**

We have appointed an external Data Protection Officer to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Protection Officer by email on [dpo@keyassets.org](mailto:dpo@keyassets.org).