

1. Introduction and who are we?

Fostering First Ireland (“the company”) provides fostering services. The company collects and processes personal information relating to young people over 18 who remain in aftercare placements with their Foster Carers. This personal information may be held by the company on paper or in electronic format.

The company is committed to being transparent about how it handles your personal information as data controller, to protecting the privacy and security of your personal information and to meeting its data protection obligations under the General Data Protection Regulation (“GDPR”) and any data protection legislation. The purpose of this privacy notice is to make you aware of how and why we will collect and use your personal information both during and after your placement with the Company.

This privacy notice applies to all young people over 18 years of age who remain in placement with a Fostering First Ireland carer. It is non-contractual.

If you have any questions about this privacy notice or about how we handle your personal information, please email us at contactus@ffi.ie or phone on 01 4171944.

The company has appointed a data protection officer to oversee compliance with this privacy notice. If you feel that there are any problems in connection with how we collect or use your personal information, please contact our data protection officer at 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). We would, however, appreciate the chance to deal with your concerns before you approach the Commissioner so please contact us in the first instance.

2. What types of personal information do we collect about you?

Personal information is any information about an individual from which that person can be directly or indirectly identified. It doesn’t include anonymised data, i.e. where all identifying particulars have been removed.

The Company collects, uses and processes a range of personal information about you. This includes (as applicable):

- first name and surname
- short name (initials)
- title (e.g. Mrs/Mrs etc)
- your gender
- home address and contact numbers
- personal email address
- your date of birth
- your birth certificate
- your passport details
- your Personal Public Service number
- photographs
- Garda Vetting reference number
- other personal information included in the records pertaining to your placement

The company may also collect, use and process the following special categories of your personal information during your placement (as applicable):

- whether or not you have a disability
- information about your racial or ethnic origin, religious or philosophical beliefs and sexual orientation
- information about criminal convictions and offences
- other types of personal information relevant to your placement

We will also collect additional personal information throughout the period of your placement with us. This may be collected in the course of your placement activities. Whilst some of the personal information provided to us is mandatory and/or is a statutory or contractual requirement, some of it you may be asked to provide to us on a voluntary basis. We will inform you whether you are required to provide certain personal information to us or if you have a choice in this.

3. How do we collect your personal information?

The Company may collect personal information about you in a variety of ways. We collect personal information from other external third parties, such as:

- Your Tusla Social worker and other Tusla staff members
- Your GAL
- Your Foster Carer
- Other professionals that work with you throughout your placement
- Criminal record checks (from government bodies)
- Your medical/health information from your GP

Your personal information may be stored in different places, including our secure database, and in other IT systems, such as the email system.

4. Why and how do we use your personal information?

We will only use your personal information when the law allows us to. These are known as the legal bases for processing. We will use your personal information in one or more of the following circumstances:

- where we need produce reports as requested by the statutory authorities
- where we need to comply with a legal obligation
- where it is necessary for our legitimate interests (or those of a third party), and your interests or your fundamental rights and freedoms do not override our interests.

Our legitimate interests include: performing or exercising our obligations or rights under the direct relationship that exists between the Company and you; performing effective internal administration and ensuring the smooth running of the business; ensuring the security and effective operation of our systems and network; protecting our confidential information; and conducting due diligence.

We believe that you have a reasonable expectation, as a young person in placement with FFI, that we will process your personal information.

We may also occasionally use your personal information where we need to protect your vital interests (or someone else's vital interests). An example of a vital interest might be a medical emergency which requires the disclosure of a medical condition to a qualified first aider.

The purposes for which we are processing, or will process, your personal information are to:

- enable us to maintain accurate and up-to-date records and contact details (including details of whom to contact in the event of an emergency)
- comply with statutory and/or regulatory requirements and obligations, e.g. safeguarding or inspection by regulatory authorities

- maintain an accurate record of your placement with FFI
- visit you for welfare visits
- ensure compliance with your statutory rights
- record and assess your education, training and development activities and needs
- meet our obligations under health and safety laws
- make decisions about your continued placement
- operate and maintain a record of critical incidents
- ensure network and information security and prevent unauthorised access and modifications to systems
- ensure effective business administration, including auditing
- ensure adherence to Company rules, policies and procedures

Please note that we may process your personal information without your consent, in compliance with these rules, where this is required or permitted by law or under statutory requirements.

Your personal information may be stored in different places, including in our fostering database and in other IT systems, such as the e-mail system.

Certain personal information may need to be renewed on a regular basis during the course of your placement with us.

5. What types of sensitive personal information do we collect about you?

There are also “special categories” of personal information, and personal information on criminal convictions and offences and on your health, which requires a higher level of protection because it is of a more sensitive nature. The special categories of personal information comprise information about an individual’s racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sexual orientation and genetic and biometric data.

We may collect sensitive personal information throughout the period of your placement with us. This may be collected in the course of your placement activities as a result of statutory requirements, some of it you may be asked to provide to us on a voluntary basis. We will inform you whether you are required to provide certain sensitive personal information to us or if you have a choice in this.

The Company may also collect, use and process the following special categories of your personal information (as applicable):

- information about your health, including any medical condition, whether you have a disability medical reports and related correspondence
- information about your racial or ethnic origin, religious or philosophical beliefs and sexual orientation
- information about criminal convictions and offences.

6. Why and how do we use your sensitive personal information?

We will only collect and use your sensitive personal information, which includes information about criminal convictions and offences, when the law allows us to.

Some special categories of personal information, i.e. information about your health or medical conditions, and information about criminal convictions and offences, is processed so that we can perform or exercise our obligations or rights under safeguarding law, statutory requirements and in line with our data protection policy.

The purposes for which we are processing, or will process, these special categories of your personal information, and information about any criminal convictions and offences, are to:

- comply with statutory and/or regulatory requirements and obligations (including safeguarding)
- ensure compliance with your statutory and contractual rights
- operate and maintain accurate records
- manage, plan and organise different aspects of your placement
- meet our obligations under health and safety laws
- make decisions about continued placement
- ensure effective business administration and statutory requirement
- ensure adherence to Company rules, policies and procedures

We may also occasionally use your special categories of personal information, and information about any criminal convictions and offences, where it is needed for the establishment, exercise or defence of legal claims.

Your sensitive personal information may be stored in different places, including in our fostering database and in other IT systems, such as the e-mail system.

Certain sensitive personal information may need to be renewed on a regular basis during the course of your placement with us.

From now on in this privacy notice, “your information” includes both your personal information and your sensitive personal information.

7. What if you fail to provide your information?

If you fail to provide certain information when requested or required (or prohibit the company from accessing such information), we may be prevented from complying with our legal obligations. You may also be unable to exercise your statutory rights.

8. Change of purpose

We will only use your information for the purposes for which we collected it. If we need to use your information for a purpose other than that for which it was collected, we will provide you, prior to that further processing, with information about the new purpose, we will explain the legal basis which allows us to process your information for the new purpose and we will provide you with any relevant further information. We may also issue a new privacy notice to you.

9. Who has access to your personal information?

Your personal information may be shared internally within the Company, including with members of the management team, senior managers/Directors and IT staff if access to your personal information is necessary for the performance of their roles.

The Company may also share your personal information with third-party external bodies (including service providers and their designated agents), including:

- Tusla, the Child and Family Agency
- Government bodies for the purposes of conducting criminal and offence checks
- benefits providers and benefits administration, including insurers
- your GP
- professional bodies (such as HIQA)
- external IT services
- external auditors
- professional advisers, such as lawyers, accountants and brokers
- other statutory bodies

- associated companies
- shredding company (in paper form, although they do not catch sight of the content of this paperwork)
- archiving company (in paper form, although they do not catch sight of the content of this paperwork)

We may also need to share your personal information with a regulator or to otherwise comply with the law.

We may share your personal information with third parties where it is necessary to administer the contract we have entered into with Tusla, where we need to comply with a legal obligation, or where it is necessary for our legitimate interests (or those of a third party).

We may on occasion anonymise your personal information without your knowledge and share this with trusted third parties to help us develop our services through the analysis and modelling of statistics/data. Anonymised information falls outside the scope of any relevant data protection laws and anonymisation of your data prevents you from being personally identified by those third parties.

10. Who has access to your sensitive personal information?

Your sensitive personal information may be shared internally within the Company, including with members of the management team, senior managers/Directors and IT staff if access to your personal information is necessary for the performance of their roles.

The Company may also share your sensitive personal information with third-party external bodies (including service providers and their designated agents), including:

- Tusla, the Child and Family Agency
- your GP
- professional advisers, such as lawyers
- other statutory bodies
- shredding company (in paper form, although they do not catch sight of the content of this paperwork)
- archiving company (in paper form, although they do not catch sight of the content of this paperwork)

We may also need to share your sensitive personal information with a regulator.

We may share your sensitive personal information with third parties where it is necessary to administer the contract we have entered into with Tusla, where we need to comply with a legal obligation, or where it is necessary for our legitimate interests (or those of a third party).

We may on occasion anonymise your sensitive personal information without your knowledge and share this with trusted third parties to help us develop our services (such as improving foster carer retention and placement matching) through the analysis and modelling of statistics/data. Anonymised information falls outside the scope of any relevant data protection laws and anonymisation of your data prevents you from being personally identified by those third parties.

11. How does the Company protect your information?

The Company has put in place measures to protect the security of your information. It has internal policies, procedures and controls in place to try and prevent your information from being accidentally lost or destroyed, altered, disclosed or used or accessed in an unauthorised way. In addition, we limit access to your information to those employees, workers, agents, contractors and other third parties who have a business need to know in order to perform their job duties and responsibilities.

Where your information is shared with external bodies (including third-party service providers), we require them to take appropriate technical and organisational security measures to protect your information and to treat it subject to a duty of confidentiality and in accordance with data protection law. We only allow them to process your information for specified purposes and in accordance with our written instructions and we do not allow them to use your information for their own purposes.

The Company also has in place procedures to deal with a suspected data security breach and we will notify the Data Protection Commissioner (or any other applicable supervisory authority or regulator) and you of a suspected breach where we are legally required to do so.

12. For how long does the Company keep your information?

The Company will only retain your information for as long as is necessary to fulfil the purposes for which it was collected and processed, and to protect the Company's legitimate interests including:

- (a) the purposes of satisfying any legal, health and safety, reporting requirements for particular data or records, and
- (b) the retention of some types of information for the establishment, exercise or defence of legal claims.

The Company will generally hold your information for the duration of your placement with FFI. The exceptions are:

- it will only be recorded whether a criminal record check has yielded a satisfactory or unsatisfactory result, unless, in exceptional circumstances, the sensitive personal information in the criminal record check has been risk assessed by the Company as relevant to the ongoing placement

We will also require third parties to destroy or erase your information where applicable in accordance with the above conditions.

In some circumstances we may anonymise your information so that it no longer permits your identification. In this case, we may retain such information for a longer period.

13. Your rights in connection with your information

It is important that the information we hold about you is accurate and up to date.

As a data subject, you have a number of statutory rights. Subject to certain conditions, and in certain circumstances, you have the right to:

- request access to your information - this is usually known as making a data subject access request and it enables you to receive a copy of the information we hold about you and to check that we are lawfully processing it
- request rectification of your information - this enables you to have any inaccurate or incomplete information we hold about you corrected
- request the erasure of your information - this enables you to ask us to delete or remove your information where there's no compelling reason for its continued processing, e.g. it is no longer necessary in relation to the purpose for which it was originally collected.
- restrict the processing of your information - this enables you to ask us to suspend the processing of your information, e.g. if you contest its accuracy and so want us to verify its accuracy.
- object to the processing of your information - this enables you to ask us to stop processing your information where we are relying on the legitimate interests of the business as our legal basis for processing and there is something relating to your particular situation which makes you decide to object to processing on this ground

- data portability - this gives you the right to request the transfer of your information to another party so that you can reuse it across different services for your own purposes.

If you wish to exercise any of these rights, please email dpo@keyassets.org. We may need to request specific information from you in order to verify your identity and check your right to access the information or to exercise any of your other rights. This is a security measure to ensure that your information is not disclosed to any person who has no right to receive it.

Please note that some of these rights are not absolute (i.e. they depend on the circumstances). We will let you know which of these rights do not apply at the time you make a request to exercise them.

If you believe that the Company has not complied with your data protection rights, you have the right to make a complaint to the Data Protection Commissioner. We would, however, appreciate the chance to deal with your concerns before you approach the Commissioner so please contact us in the first instance.

14. Transferring your information outside the European Economic Area

The Company will not transfer your information to countries outside the European Economic Area.

15. Automated decision making

Automated decision making occurs when an electronic system uses your information to make a decision without human intervention.

We do not envisage that any decisions will be taken about you based solely on automated decision making, including profiling. However, we will notify you in writing if this position changes.

16. 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.

17. 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.