

## **Privacy Notice**

### **Children's Services:**

### **Information held by DFMH (The Derbyshire Federation for Mental Health)**

#### **Data Protection Act 2018 and the General Data Protection Regulation (GDPR)**

The DFMH is committed to protecting your personal data, and ensuring it is processed fairly and lawfully. Information you provide to DFMH will be processed in accordance with the General Data Protection Regulation, Data Protection Act 2018 and subsequent legislation.

DFMH is a Data Controller for the purposes of the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

#### **Why we may use your information?**

The information you provide helps us to support you and your family and meet our legal responsibilities, for example as part of an assessment of mental health support needs.

The data we hold may include personal information such as your name, contact details, gender and age, along with data used to support early help, social care and education related assessments. It may also include special categories of data such as your ethnicity, religious beliefs and health information. We use the information to:

- Provide appropriate support and care to children and families
- Assess whether our services are making a difference
- Develop and improve services

Our legal basis for using the above data will be 'legal obligation' and the condition for using special categories of data will be 'necessary for reasons of substantial public interest' unless stated otherwise when we deliver a service to you.

Definitions of legal basis and conditions for using special categories of data can be found on the Information Commissioner's website at: [www.ico.org.uk](http://www.ico.org.uk)

The statutes that underpin the above legal basis and condition are:

Education Act 1996  
Children and Families Act 2014  
Children Act 1989  
Education and Inspection Act 2011  
Education and Skills Act 2008  
Working together to Safeguard Children 2015 – Statutory Guidance  
Children and Social Work Act 2017

Adoption and Childrens Act 2002  
Foster Services Regulations 2011 – Statutory Guidance  
Care Standards Act 2000  
Securing Sufficient Accommodation for Looked Children – Statutory Guidance  
Crime and Disorder Act 1998  
Equalities Act 2010

### **Who we share data with?**

Your information will always be held, used and shared in accordance with Data Protection Act 2018 and the General Data Protection Regulation (GDPR), and any subsequent legislation.

We are required by law to pass on personal data relating to children to various other Government departments and our partner organisations who use it to help with policy development, service delivery, performance management, funding and to assist with the development of good practice.

Wherever possible we will discuss with you the reasons for sharing information and ask for your consent. However, in some circumstances, when we feel that you or others are at risk of harm, we may share information without your consent. When sharing information we do so in line with data protection legislation and agreed information sharing protocols.

### **How long will we keep your information?**

Your information will only be held for as long as necessary to achieve the relevant purpose unless we are legally required to retain it for a specific period of time. It will only be held for the periods stated in our Record Retention Schedule, after which it will be destroyed.

Our Record Retention Schedule can be issued on request.

### **How do we keep your information secure?**

To ensure you or your child's information is kept safe we have the following controls in place:

- a) the information will not be used for any purpose other than those stated in this notice
- b) the information will be held within secure systems/locations, with appropriate levels of security, that comply with relevant data protection legislation
- c) the information will only be shared for lawful purposes and with an appropriate level of security that complies with relevant data protection legislation

For further information on how we keep your information secure visit our website at: [www.dfmh.co.uk](http://www.dfmh.co.uk) or contact our main office.

### **What are your rights?**

You have the following rights subject to lawful exemptions, to:

- access copies of any records we hold about you or your child
- have any information we hold about you or your child corrected
- have any information we hold about you or your child erased
- restrict how information we hold about you or your child can be used or shared

- object to information about you or your child being held
- have any information we hold about you or your child transferred to a third party
- challenge decisions relating to you or your child made using automated decision making and profiling

We will not give information we hold about you or your child to anyone without your consent unless the law and our policies state we are required to do so. When you give your consent for you or your child's information to be held and/or shared for any purpose you can withdraw that consent at any time.

For further information on your rights, and how to make requests under those rights, contact our main office.

For more detailed advice on your rights visit the Information Commissioner's Office website at: <https://ico.org.uk/>

If you have any queries about the information we may hold about you or your child contact:

Data Protection Officer / Main Office  
Unit 7 Lime Tree Business Park  
Lime Tree Road  
Matlock  
Derbyshire  
DE4 3EJ  
Tel: 01629 733915

If you have any concerns or complaints about the information we hold about you or your child or how we, as an organisation, obtain, process, store or share personal data relating to you or your child; first speak, or write, to your named contact in whichever of our services that is currently providing you or your child with support, alternatively contact at us at the address above.

If you are not satisfied with the response you can request that your concern or complaint is dealt with under the more formal process set out in the DFMH's Complaints Procedure which can be issued upon request.

If however, you are dissatisfied with the DFMH's response to your complaint you can of course contact the:

Information Commissioners Office \*  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

\* The Information Commissioner's Office deals with concerns and complaints relating to data protection and freedom of information legislation.