

Privacy Notice for Adoption Services

PACT is a Voluntary Adoption Agency, registered with Ofsted to provide adoption services and adoption support services. PACT gathers information as part of this service and therefore acts as a data controller: this means it decides how your personal data is processed and for what purposes.

This privacy notice explains the types of personal data that we collect, how it is collected, how it is held, how we use it, and how it is processed. It also explains your rights under UK data protection legislation relating to your personal data. Further information about your rights can be obtained from the Information Commissioner's Officer or your local Citizens Advice Bureau.

Personal Data PACT collects:

Personal data is any information that can be used to identify you. PACT only collects personal data relevant to the involvement you have with us. For example, if you request a service, register to attend an information event, or contact us by telephone, email, social media, post, or text message, we may collect and process the personal information you have provided. When collecting your personal data, we will explain to you what data is needed and why we need it.

Data Protection Law recognises that some categories of personal information are more sensitive. Sensitive personal information can include information about a person's health, race, ethnic origin, political opinions, sexual orientation, or religious beliefs.

What PACT does with Your Personal Data:

The data we gather is held in accordance with Data Protection Law, including the EU General Data Protection Regulation (the 'GDPR') and the Privacy and Electronic Communications (EC Directive) 2003. PACT complies with its obligations under GDPR by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access, and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

In addition, PACT complies with the Adoption Agencies Regulations 2005 part 7, regulation 40 and keeps "the child's case record and the prospective adopter's case record for such period as it considers appropriate".

Why we need Your Personal Data:

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- To facilitate your adoption enquiry
- To inform the assessment process
- To assist in the family finding process (in partnership with Local Authorities)
- To support adoptive families pre and post adoption order
- To keep you informed about training and workshops, and other events that might be of assistance or of interest to you in relation to adoption and the services PACT offers.

We will not pass on your details to anyone else without your express permission except in exceptional circumstances such as reporting serious self-harm or posing a threat to others, safeguarding concerns or children contacting us and sharing serious issues such as abuse or exploitation.

For the purpose of monitoring, statistical reporting and benchmarking we will share anonymised data with third parties such as Consortium of Voluntary Adoption Agencies (CVAA), Adoption and Special Guardianship Leadership Board (ASGLB), Ofsted and Central Government bodies.

The Legal Basis for Processing Your Data:

PACT processes data in line with Article 6 of the General Data Protection Regulations:

- With the consent of the data subject;
- Where processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract;
- Where processing is necessary for compliance with a legal obligation under the Adoption Agencies Regulations 2005;
- Where processing is necessary to protect the vital interests of a data subject or another person;
- Where 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 data controller;
- Where processing is necessary for the legitimate interests of the data controller or a third party, except where such interests are overridden by interests, rights, or freedoms of the data subject. This means that information PACT obtains will be used in the assessment of a prospective adopter; information we obtain will contribute to the decision regarding whether the applicant is suitable to be approved as an adopter and to have a child placed with them;
- Where processing is necessary for the reasons of public interest in the area of the looked after children population.

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Sharing Your Personal Data:

- Your personal data will be treated as strictly confidential and will only be accessible by members (staff and contractors) of PACT. We will only share your data with parties outside of the organisation with your consent or where we are obliged to do so for legal or safeguarding reason;
- Your personal data will be stored on a secure database and only accessible by PACT staff and contractors;
- PACT works in partnership with Local Authorities, Regional Adoption Agencies, Health and Education Authorities and the information we collect will be shared with them (as appropriate, with consent) to provide the agreed services. This may be before or after an adoption order has been granted.

You are able to register with external websites of third parties associated with adoption, for example Link Maker and Adoption UK etc. PACT is not responsible for any data held by these organisations.

How long do we keep Your Data?

PACT keeps information given to us by enquirers (where there is no Registration Of Interest) for one year. This data is then anonymised and kept purely for market research purposes.

Where a Registration Of Interest has been received but the applicant has not been approved to adopt by PACT, the information is kept for 10 years.

Approved adopter's files are kept for 10 years following withdrawal, if no child is placed with the family.

Where a child is placed with an adoptive family, the adopter's and child's records will be kept for 100 years after the making of the adoption order, as required by the Disclosure of Adoption Information (Post-Commencement Adoptions) Regulations 2005.

In cases where an official complaint has been made or for safeguarding purposes, your data may be retained for longer.

Transfer outside of the UK and European Economic Area

We store all personal data we are responsible for within the UK and European Economic Area. We do not transfer your personal data to other countries where data protection laws may not be as strong.

Your rights and Your Personal Data

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According to data protection principles, individuals have a general right to be given a copy of all the information collected. However, under adoption legislation, there are certain exemptions from the requirements of data protection legislation and 'subject access rights' are limited. Further information is available in PACT's Access to Adoption Records procedure and Access to Birth Records procedure' (for adult adoptees requesting access to their adoption records)..

Unless subject to an exemption (under the GDPR), you will have the following rights with respect to your personal data:

- The right to be **informed** about the personal data which PACT holds about you, which is what this privacy notice is for
- The right to request that PACT **corrects** any personal data if it is found to be inaccurate or out of date
- The right to request your personal data is **erased** where it is no longer necessary or legally required for PACT to retain such data
- The right to data portability allows portability allows you to obtain and reuse your personal data for your own purposes across different services. It allows you to **move, copy or transfer** personal data easily from one IT environment to another in a safe and secure way, without affecting its usability.
- The right to **restrict** processing in certain circumstances, for example if you question the accuracy of the personal data, we are processing about you, or in cases where PACT does not have a legal basis has to process your personal data.
- The right to **withdraw** consent where we are relying on your consent to process your personal data.
- The right to **access** and be given a copy of your personal data which PACT holds about you.

In cases where we have applied an exemption to an individual right, we will explain the exemption in writing to you, and how it applies to the personal data that we are processing. If you have any questions about how we process your personal data, or in relation to this privacy notice, please contact the PACT data protection lead.

Contact Details

To exercise all relevant rights, queries or complaints please in the first instance contact the Data Protection Lead – IT Operations Manager either by sending an email to info@pactcharity.org, writing to us at PACT Head Office, 7 Southern Court, South Street, Reading RG1 4QS or phoning us on 0300 456 4800.

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The right to lodge a complaint with the Information Commissioners Office. You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

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