

Privacy Notice for Birth Family Matters Services

Birth Family Matters (BFM) is part of PACT's adoption services, offering independent, confidential support for birth relatives affected by adoption. Parents And Children Together ('PACT') provides this service on behalf of Aspire and therefore, for the purposes of data protection legislation, Aspire acts as the data controller and PACT acts as the data processor. This means Aspire decides how your personal data is processed and for what purposes and PACT undertakes this processing on their behalf.

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.

The data we gather is held in accordance with Data Protection Law, including the UK and 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.
- storing and destroying it securely.
- not collecting or retaining excessive data
- protecting personal data from loss, misuse, unauthorised access, and disclosure.
- ensuring that appropriate technical measures are in place to protect personal data.

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. We may collect:

- **Contact information**, (e.g. including full name, postal address, email address, phone number, mobile number).
- **Profile information** (e.g. your name, date of birth, preferred pronouns, ethnicity, languages spoken, nationality, learning difficulties)
- **Health data**, (e.g. whether you have a disability to ensure support is accessible to you)
- **Referral information** (e.g. why you were referred to the BFM service, the legal status of your children)
- **Risk Assessment data** (e.g. information regarding potential risk to yourself or others).

Data Protection legislation recognises that some categories of personal information are more sensitive and defines this as special category data. This can include information about a person's health, race, ethnic origin, political opinions, sexual orientation, or religious beliefs or information which may be provided by the service user or a local authority relating to criminal offences.

How we collect and store your data

The data that we record about you may come from yourself, social services or other professional working with you such as third-party agencies.

The data that we record about you may be gathered from our contact with you, from you completing a referral form or via Aspire

How we hold your data

- Your personal data will be stored on a secure database or in locked cabinets and only accessible by appropriate members of staff
- We will not store your personal data on cloud-based systems located outside of the European Union.
- When we are required to transfer your personal data to a third party outside of PACT we will do so by using our encrypted email system (Egress).

How long we keep your data for

Data will not be kept longer than necessary and according to our retention periods outlined below.

- If you chose not to take up a service from Birth Family Matters we will retain your data for one year. Once the retention date is reached, files will be securely destroyed.
- If you receive a service from Birth Family Matters then we will retain your record whilst we remain actively involved with you. Once our service to you has ended we will retain your record for one year after which your record will be sent to Aspire for storage.

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

Why we need your personal data

1. To respond to you if you make an enquiry or contact us via post, email or phone.
2. To ensure we offer you appropriate support.
3. To keep you informed of services and events that might be of assistance or of interest to you.
4. To be able to request and share information with other professionals working with you, where appropriate or necessary.
5. To assess how successful the BFM support is and report this to Aspire (without identifying you or your personal information).

6. To record how we worked with you.

The legal basis for processing your data

Under UK data protection legislation, we must always have a lawful basis for using personal data (Article 6 of the General Data Protection Regulations). At PACT we will rely on:

- Consent, for example to keep you informed about upcoming events that may be of interest to you, or to share your personal data with external partners.
- Performance of a contract, for example when assessing and delivering the most appropriate support package for you.
- Performance of a task carried out in the public interest, for example in cases where a safeguarding issue occurs, information will be shared with appropriate third parties, such as Social Services,
- Vital interests, in the case of an emergency where information about you would need to be shared with medical professionals, such as the Ambulance Service.
- In our legitimate interests, such as assessing how well we have helped you and providing insight and feedback on our services to Aspire...

Sharing your personal data

- Your personal data will be treated as strictly confidential and will only be accessible by appropriate members of staff. 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 reasons, or if there is a safeguarding concern.
- Where it is appropriate and with your express permission, we will share relevant details with other professionals and organisations when we feel it will enhance the support that you can receive.
- In exceptional circumstances such as reporting serious self-harm, posing a threat to others, or sharing serious issues such as abuse or exploitation we may share your information without express consent.
- To provide monitoring, and statistical reporting and benchmarking we will share anonymized data with third parties (e.g. commissioners) to comply with contracts.
- If we want to share your data with anyone who is not included in this list, we will inform you and, unless we have the legal grounds to share the data, we will seek your consent.

Your rights and your personal data

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 how we process your personal data, as set out in this privacy notice.
- 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 we no longer have your consent or are required to retain your personal data.
- The right to data 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.

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.

Contact details

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