

FAIR PROCESSING NOTICE FOR REFERRAL AGENTS REFERRING TO CHICKS

Chicks collect data and information about children referred to CHICKS and the professional who referred them so that we can run effectively as a service provider. We need this information to help meet our purpose of ensuring an effective, compassionate, high-quality care service and to meet our legal and contractual obligations with our service users. This Fair Processing Notice explains what data we process, why we process it, our legal basis, how long we keep it and the rights of parents/guardians.

We will always make sure that children and their referrers information is protected and treated securely. Any information that we process will be held in accordance with the General Data Protection Regulation (GDPR), the Data Protection Act 2018 and other UK or EU data protection legislation

Our contact details

CHICKS is the trading name of CHICKS Ltd

Company number: 3440794 | Charity registration number: 1090457

Registered address:

CHICKS Moorland Retreat
Brentor
Tavistock
Devon
PL19 0LX

Phone: 01822 811020

Email: info@chicks.org.uk

Our Data Protection Officer is Joanna Foster and she can be contacted at
DPO@chicks.org.uk

What data do we process?

In order to provide a service, we are required to process the following personal data for you (the professional) and the child you are referring:

For you:

1. Name
2. Organisation Name, address
3. Position within organisation and relationship to child
4. Phone numbers, email address

For the child:

1. Name, date of birth, address, gender
2. Referral reasons
3. Behavioural/SEMH needs, safeguarding requirements
4. Health and medical needs
5. Pupil premium status
6. Child Protection Information

We collect information about children when a referral is submitted by a professional Referral Agent and any subsequent communication between them and CHICKS and we process it on an on-going basis.

Why do we need to process personal data on children and their Referral Agent?

CHICKS need to process personal data about children and their Referral Agent in order to contact the Referral Agent about the referral and future Referral Opportunities. We use the information to assess the child's suitability for a respite break and to ensure CHICKS are able to meet the needs and protect the welfare of each child whilst attending a break at CHICKS. To send post-respite break communication eg. Birthday card, Christmas cards/presents, letters (if consent given).

We also use the Referral Agent's information to send information about fundraising if consent has been given to do so.

Our legal basis for processing personal data

By law, we need a legal basis for processing the personal data of children and their Referral Agent. Your submission of a Referral Form is with your consent. We will then process the data on these forms in order to proceed with the child's respite break and support them safely.

By law, we need a legal basis for processing the personal data of a child or Referral Agent. We will process yours and your child's data using the legal basis of consent, contract, legal obligation, legitimate interests.

Consent:

Consent is given where we ask you for permission to use your information in a specific way and you agree to this. Where we use your information for a purpose based on consent, you have the right to withdraw consent for this purpose at any time. For example, taking photographs of your child for a collage memento to send home with the child.

Contract:

We have a basis for processing your information when necessary for the performance of a contractual obligation to your child.

Legal obligation:

We have a basis to use your personal information where we need to do so to comply with one of our legal or regulatory obligations. For example, we need to.

Legitimate interests:

We have a basis to use your personal information if it is reasonably necessary for us to do so and in our "legitimate interests" (provided that what the information is used for is fair and does not unduly impact your rights).

For example, CHICKS have a legitimate interest to keep your personal data on our systems in order to keep it secure, process it and to provide you with a service.

We only rely on legitimate interests where we have considered any potential impact on you, whether or not our processing is excessive and that our processing does not override your right

Special categories of personal data are data revealing health, ethnicity and religious beliefs. We will process this type of information about the children you refer only if we are required to do so and if we have a specific exemption under the GDPR, which are: your explicit consent or if we are required to do so for legal purposes.

*We process the following personal data with the **consent** of the Referral Agent:*

- Name
- Organisation name, address
- Position within organisation, relationship to child
- Phone numbers, email address

We process the following data because we have a **contractual obligation** to do so. We cannot confirm eligibility and suitability for a respite break for a child without this information:

- Referral reasons
- Behavioural/Social Emotional Mental Health Needs
- Safeguarding requirements

We process the following data because we have a **legal obligation** to do so. We cannot provide a respite break for a child without this information.

- Name, DOB, address, gender
- Child Protection Information

How long do we hold the personal data of children and their Referral Agent?

- We hold information on children for children who come on a respite break and their Referral Agent for 50 years following their respite break with us.
- We hold information for children who have not been on a respite break with CHICKS for no more than 13 months.
- We hold information of Referral Agents of children who have not been for CHICKS for 4 years.

Who do we share children and their Referral Agents data with?

We share data, where required, with:

- Contractors for providing extra activities;
- Local authority for the purpose of safeguarding;
- External health providers;
- To third parties to send birthday cards, Christmas cards/presents and letters e.g. Hermes, Royal Mail, DPD etc.
- Our software and cloud service providers.

Data transfers out of the EU or EEA

We do not transfer any personal data of Referral Agents out of the EU or EEA.

Rights of Referral Agents

Your rights

You have rights in respect of our processing of your personal data which are:

- To access to your personal data and information about our processing of it. You also have the right to request a copy of your personal data (but we will need to remove information about other people).
- To rectify incorrect personal data that we are processing.
- To request that we erase your personal data if:
 - we no longer need it;
 - if we are processing your personal data by consent and you withdraw that consent;
 - if we no longer have a legitimate ground to process your personal data; or
 - we are processing your personal data unlawfully
- To object to our processing if it is by legitimate interest.
- To restrict our processing if it was by legitimate interest.
- To request that your personal data be transferred from us to another company if we were processing your data under a contract or with your consent and the processing is carried out automated means.

If you want to exercise any of these rights, please contact us.

If you have a concern about the way we are collecting or using your personal data, please raise your concern with us in the first instance. You may also contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>.