

## PRIVACY NOTICE

### 1. The purpose of this document

We are a 'data controller'. This means that we are responsible for deciding the purposes for which we hold and use personal information about you. You are being sent a copy of this privacy notice because you are applying to us, for the role of a foster carer. This privacy notice makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for.

### 2. The type of information we hold about you

In connection with your application for the role, we will collect, store, and use the following categories of personal information about you:

- The information you have provided on our application form, including your contact details, employment history and various other data.
- Any information you provide to us during the home visit, fostering assessment and for the foster care committee ("FCC").

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs and sexual orientation.
- Information about your health, including any medical condition, health records and medical report.
- Genetic information and biometric data.
- Information about criminal convictions and offences.

We have set out a summary of the information about you which we would collect, store and use during the recruitment process:

- **Personal and contact details** such as title; full name; address; date of birth; age; personality; sex; nationality; PPS number; carer profile; telephone and mobile numbers; email address; sexual orientation; place of birth; passport (including passport number); birth certificate (including birth certificate number); driving licence (including driving licence number); next of kin and emergency contact details.
- **Health information** such as details of health (supported by a medical report); disability information; doctor's details; medical advisor's report.
- **Relationship information** such as marital status; current relationship; details of current and any previous marriage, civil partnership or similar relationship; type of marriage; former partners and previous relationships.
- **Information about family and household members** such as details of any other adult members of the household (including their relationship to you); details of children in the family, whether or not members of the household, and any other children in the household

(including their relationship to you); information from school, nursery and public health nurse checks.

- **Race, ethnicity and culture details** such as ethnicity; primary language; religion; religious persuasion, racial origin, cultural and linguistic background; capacity to care for a child from any particular religious persuasion, racial origin or cultural or linguistic background.
- **Information about accommodation and local area** such as details of accommodation (including landlord details); statutory authority check.
- **Information about lifestyle and social circumstances** such as family background and childhood; adult life information; standard of living; leisure activities; personal and social interests.
- **Employment information** such as past and present employment or occupation; previous employment history involving children; voluntary work.
- **Information about previous experience and relevant skills** such as previous experience (if any) of caring for your own and other children; skills, competence and potential relevant to your capacity to care effectively for a child placed with you.
- **Information about previous applications** such as the outcome of any request or application to foster or adopt children, including particulars of any previous approval or refusal of approval; the outcome of any request or application for registration as an early years provider or later years provider, including particulars of any previous approval or refusal of approval.
- **Information within reference** such as referee's details; referee's relationship to you.
- **Information about criminal offences, convictions and any information on court proceedings** (such a Garda Vetting checks).
- **Other information** such as income and expenditure information; social media and internet checks; other checks; your relationship with the other applicant (if you are making a joint application); information obtained in connection with the assessment; report presented to FCC (and any associated documents); recommendation of FCC; outcome of application (and the circumstances surrounding this); date of decision; preferences for type of placement; enquiry source (how you contacted us and heard about us).

We may collect, hold and use additional personal information in the course of the recruitment process.

### 3. How your personal information is collected

We collect personal information about you from the following sources:

- You, the applicant.
- Information from the checks and enquiries which we undertake as part of the recruitment process. There are several background checks. Examples include checks with your family members and individuals associated with your household, current and previous partners, current and former employers, voluntary agency, landlord, statutory authority and child's school/nursery where applicable. Depending on the circumstances, there may be other checks and enquiries.
- Information from your doctor, hospital and/or other relevant health professional. This includes obtaining a medical report about your health.

- Any fostering provider to whom you have previously applied, or fostered for, and/or any individual or authority in connection with any previous private fostering arrangement which you have been involved with.
- Any adoption agency to whom you have previously applied or adopted for, and/or any individual or authority in connection with any previous private adoption arrangement which you have been involved with.
- Any statutory authority, other public body or voluntary agency who may hold information pertinent to your prior involvement in child minding or day/play care provision for children, work in any children’s residential care setting, or work or other activities in connection with services to vulnerable adults or children.
- Information from the other applicant (if you are making a joint application).
- Garda Vetting in respect of criminal convictions, with or without the use of an intermediary external government-accredited agency.
- Your named referees, from whom we collect information about you which may be relevant for us to consider your application.
- Information from other parties as part of the recruitment process, such as an independent assessor and regulator.
- We may also obtain information about you from publicly accessible sources such as through internet and social media checks.

#### **4. How we will use information about you**

We will use the personal information we collect about you to:

- Assess your skills, experience, suitability and capacity for the role.
- Carry out background and reference checks.
- Communicate with you about the recruitment process.
- Keep records related to our recruitment processes.
- Comply with legal or regulatory requirements.

It is in our legitimate interests to decide whether to approve you for the role given the child safeguarding context.

We also need to process your personal information to decide whether to enter into a contract with you.

#### **5. If you fail to provide personal information**

If you fail to provide information when requested, which is necessary for us to consider your application, we will not be able to process your application successfully. For example, we require references for this role but if you fail to provide us with relevant details, we will not be able to take your application further.

## **6. Change of purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **7. How we use particularly sensitive personal information**

We will use your particularly sensitive personal information in order to comply with our legal and regulatory obligations throughout the recruitment process.

We also require your sensitive personal information to assess your fitness and suitability as a prospective foster carer as well as your ability to meet the needs of a child which may be placed with you if you are approved as a foster carer by us.

In particular, the collection of such sensitive personal information about you is necessary for the following reasons:

- To adhere to our obligations under social protection law.
- To establish, exercise or defend any legal claims.
- To provide social care services.

## **8. Information about criminal convictions**

We will collect information about your criminal convictions history if we would like to offer you the role (subject to checks and any other conditions, such as references, being satisfactory).

We are legally required to carry out criminal record checks for those carrying out this role. This requirement enables us to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role.

As part of the criminal record check which we undertake, the Garda Vetting unit will issue FFI with relevant documentation. In the instance when a disclosure contains information, a risk assessment of the offences/cautions will take place.

We have in place appropriate safeguards to protect your privacy when processing such data.

## **9. Automated decision-making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

## 10. Data sharing

We will share your personal information with third parties where required by law, where it is necessary to administer the relationship with you or where we have another legitimate interest in doing so. We have outlined below various third parties with whom we may share your personal information:

- Various third parties such as your doctor, medical advisor and/or other health professional, statutory authority, FCC and independent assessor.
- Named referees as well as any other individuals or organisations with which we need to carry out checks and enquiries (such as your family members and employer). In order to perform these checks and enquiries, the relevant third parties would be informed that you have made an application for fostering to us and they will receive basic details about you in order for us to undertake the requisite checks and obtain the relevant information.
- Garda Vetting in order to obtain the outcome of the check in respect of criminal convictions, with or without the use of an intermediary external government-accredited agency.
- The other applicant (if you are making a joint application).
- A third party provider of support services in order to register you with them as a potential foster carer and enable you to gain access to independent support (where applicable).
- Associated companies for various reasons, including as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.
- Our legal and other professional advisors, including our auditors and insurers.
- Subcontractors, partnering organisations or associated companies which assist us to provide or improve our services (for example, by analysing and modelling statistics/data).
- Other organisations who provide services to us such as back up and server hosting providers, IT software and maintenance providers, document storage providers and suppliers of other back office functions.
- Other third parties, for example, in the context of the possible sale or restructuring of the business.
- Regulators, government bodies, statutory agencies, An Garda Síochána, courts or to otherwise comply with legal or regulatory obligations.

## 11. Arrangements with third party service providers and our associated companies

All our third party service providers and associated companies are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 12. Data security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit

access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

### **13. Communications preferences**

We may use your home address, telephone numbers, email address and social media or digital channels to communicate with you according to your preferences. You can amend your preferences in respect of such communications, at any time, by contacting.

### **14. Data retention**

Unless we notify you otherwise in writing, we will hold your personal information based on the following criteria:

- During the recruitment process and for as long as we have reasonable business needs to deal with your queries (for example, if your application is unsuccessful);
- For as long as someone could bring a claim against us; and
- Retention periods in line with legal and regulatory requirements or guidance.

After this period, we will securely destroy your personal information in accordance with our data retention policy.

### **15. Your duty to inform us of changes**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during the recruitment process.

### **16. Consent**

Where we are relying upon your consent to process personal data, you can withdraw this at any time by contacting us using the details below.

### **17. Your rights in connection with personal information**

We have detailed below a list of the rights that all individuals have under data protection laws. They do not apply in all circumstances and we will explain in writing whether or not they do, at the time you wish to exercise any of these rights.

- The right **to be informed** about the processing of your personal information.
- The right to have your personal information **corrected if it is inaccurate** and to have **incomplete personal information completed**.
- The right **to object** to processing of your personal information.
- The right **to restrict processing** of your personal information.
- The right **to have your personal information erased** (the “right to be forgotten”).
- The right to **request access** to your personal information and to obtain information about how we process it.
- The right to **request the transfer of your personal information to another party** (“data portability”).

If you wish to exercise any of these rights, please contact our Data Protection Officer (please see below).

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](http://www.dataprotection.ie)).

#### **18. Changes to this privacy notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

#### **19. 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](mailto:dpo@keyassets.org).