

## Information about how Birmingham Forward Steps handles your data

This is an important leaflet which sets out how Birmingham Forward Steps (BFS) will use and process your personal data in order to be able to provide you and your child with a service from BFS which meets and exceeds your expectations.

As you may be aware, BFS is made of a cohort of organisations which have joined together to form a partnership to deliver a 0-5 early years service to families across Birmingham. Each BFS organisation has affirmed the principles of accountability and transparency set out in this document which are underpinned by national data protection legislation and are committed to ensuring that your data is processed lawfully and securely.

The organisations which make up Birmingham Forward Steps are:

- Birmingham Community Healthcare NHS Foundation Trust (“BCHC”)
- Barnardo’s
- Spurgeons
- The Springfield Project (“Springfield”)
- St Paul’s Community Trust (“St Pauls”)

### 1. How we will use your information

The types of information we will hold about you and your child will include (the following is not a fully inclusive list):

- Personal identifiers, contacts and characteristics (such as name, unique identifier, contact details and address, NHS number etc)
- Demographic and characteristics information (eg. ethnicity, language, gender, religion)
- Health and administrative information (eg. name of any associated healthcare professional, relevant healthcare details, including medical or dental health, allergies, medication and dietary requirements);
- Any special educational needs (including the nature of such needs);
- Attendance (such as nursery or school attended, childrens’ centres attended, number of sessions attended);
- Behavioural information (such as any developmental challenges and any programmes put in place to address these);
- Any identified safeguarding information (this is a new statutory requirement)

## 2. Why we collect and use your information

The personal data collected is essential in order for BFS to provide you with a service and to fulfil its official function and meet legal requirements.

We collect and use this information for the following purposes:

- a) To support your child's development and to meet your child's health and social care needs;
- b) To provide appropriate care and support to you and your child;
- c) To assess the quality of the services we are providing;
- d) To keep your child safe (eg. in respect to food allergies or emergency contact details);
- e) To meet the legal duties placed upon us to provide a full child health and family support service.

Under the data protection legislation, we have to have a legal reason as to why we are able to process your data. The legal reasons we rely on for processing yours and your child's information are:

- (i) For the purposes of a), b) and c) listed above we are *undertaking a public task in the public interest* – collecting the data is necessary in order to enable BFS to perform tasks that we are required to perform as part of our legal role to offer the service. This applies equally to the non-public bodies in the partnership (Barnardo's, Spurgeon's, Springfield and St Pauls) as to BCHC, which is a public organisation;
- (ii) For the purpose of d) in accordance with the legal basis of *vital interests* – to keep your child safe (food allergies, or medical conditions);
- (iii) For the purpose of e) because we have a *legal obligation* to do so – data is collected in accordance with our duty under the NHS Act 2006 and the Health and Social Care Act 2015 and other relevant legislation.

In addition, as we will be processing health – related information, under the data protection legislation this is data which is more sensitive, and we have therefore set out the additional bases on which we are processing this data, which is that it is:

- (i) For the protection of your vital interests;
- (ii) Because there are reasons of substantial public interest for us to do so;
- (iii) For the provision of health and social care.<sup>1</sup>

## 3. How we will collect yours and your child's information

Where you are offered a service, BFS will use personal information which is contained within a secure electronic patient record system held by BCHC, known as "Rio". Other types

<sup>1</sup> Conditions (c), (g) and (h) of Article 9 GDPR

of personal data may be held on other systems hosted by BFS organisations, for example, where a file has not been opened on Rio but we need to retain other personal data, such as a referral form received by BFS prior to assessment; a record of advice provided to other healthcare professionals where we are not offering you a specific BFS service; or waiting lists held by partners.

Referrals to BFS can be from both healthcare professionals (eg. a health visitor, social worker, school staff etc) or organisations (eg. Local Authority) and directly from individuals (yourself or a carer for you) either in written form or electronically. Other organisations will only share information with us if they have a lawful reason to do so.

#### **4. Storing yours and your child's information**

The electronic patient record system "Rio" will only be accessed by staff providing BFS services across the partnership, and access to staff will be restricted to information which is necessary for the delivery of the Services.

Any information extracted and shared between BFS organisations will be fully encrypted in transit and at rest, and exchanged via secure information transfer methods. BFS organisations will all be working to the same high standards and will be taking appropriate action to satisfy legal requirements and hold information securely.

It may be necessary to hold on to your data for a period of time after BFS has ceased providing you with a service. Depending on the nature of the service you have received and our legal obligations this will be for a minimum of 6 years but can extend up to as long as your 75<sup>th</sup> birthday. Please contact the lead provider at Birmingham Community Healthcare should you require further information about this.

#### **5. Who we will be sharing yours and your child's information with**

As well as holding the data on our systems so that it is available to all the organisations within BFS, we may need to share your data with:

- Birmingham City Council – this is the organisation which commissions the Birmingham Forward Steps service and under our contract with them we will be providing them with anonymised data - this means that you can't be identified from the information that we will provide to the Council;
- Other external regulators – eg. Care Quality Commission. Organisations like this have a right to review the BFS records (including those of service users) to check that we are providing a quality

service and meeting our legal requirements;

- Other safeguarding organisations where it would be appropriate and necessary to do so to protect any service user from harm or the risk of harm.

## 6. Requesting access to your personal data

Under data protection legislation you have the right to request access to information about you or your child that we hold. This is called a “subject access request”. To make a request for your personal information or be given access to your child’s records, please see the list of contact details for each partner organisation below.

You also have the right to:

- Object to processing of personal data that is likely to cause, or is causing damage or distress;
- Prevent processing for the purpose of direct marketing;
- Object to decisions being taken by automated means;
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- A right to seek redress, either through the Information Commissioners’ Office (ICO), or through the courts.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the ICO at <https://ico.org.uk/concerns/>

### **Contact**

If you would like to make a request to access yours or your child’s records, or to discuss anything in this privacy notice, please contact the Data Protection Officer for BFS, these contact details are set out below:

Ben Pumphrey, Head of Legal Services and Interim Data Protection Officer

Tel – 0121 466 7033

Email – [bchc.dpo@nhs.net](mailto:bchc.dpo@nhs.net)

Address – Birmingham Community Healthcare  
3 Priestley Wharf  
Holt St  
Birmingham  
B7 4BN