

## Looked After Children (LAC)

<b>Purpose</b>	The ICB has a statutory responsibility to support children looked after (CLA) under the Children's Act 1989, 2004 and 'Promoting the Health and Wellbeing of Looked After Children 2015, both of which set out a duty to comply with requests from the Local Authority to provide support and services to children looked after, including the statutory requirement for the completion and quality assurance of health assessments.
<b>Type of Information</b>	Personal Data (such as name, placement address, date of birth) and Special Category (health information including any relevant safeguarding concerns) Payment information.
<b>How we will collect and use the Information</b>	To meet the needs of looked after children - Looked after Advice and Escalations. For ICB oversight for children placed out of area- we inform the relevant ICB finance department via secure ICB email when payment is required to an external health provider (ICB). We don't use patient identifiable information but a unique identifying code.  Where there are discussions/escalations around specific looked after children the information is always recorded on an advice template. It depends on the nature of the discussions as to what information is recorded. This information is stored securely on the ICB shared drive with limited access.
<b>Who we will share the information with</b>	<ul style="list-style-type: none"> <li>• Child Health Teams – Nottingham City this is Nottingham City Care Partnership, for Nottinghamshire County this is Nottinghamshire Healthcare NHS Foundation Trust.</li> <li>• External health providers.</li> <li>• External ICBs.</li> <li>• External Designated and Named health professionals.</li> <li>• Local authorities.</li> <li>• Within the Nottingham and Nottinghamshire ICB organisation as required where staff have a legitimate need to access the information.</li> </ul>

<b>Legal Basis for Processing Personal Data</b>	<p><b>6(1)(c)</b> processing is necessary for compliance with a legal obligation to which the controller is subject.</p> <p>Children Act 1989/2004 and guidance Promoting the health and wellbeing of Looked After Children: statutory guidance for Local Authorities, Clinical Commissioning Groups and NHSE 2015</p> <p><b>6(1)(e)</b> 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 controller.</p> <p><b>Processing of Special Categories of Data</b></p> <p><b>9(2)(h)</b> processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in <a href="#">paragraph 3</a></p> <p>Schedule 1 part 1 (2) of the DPA 2018 'Health or Social Care purposes'.</p>
<b>Common Law Duty of Confidentiality</b>	<p>Consent will not be sought as the ICB has a duty to share information as set out in legislation.</p>
<b>Data Processors</b>	<p>The ICB does not use any Data processors.</p>
<b>Your Rights</b>	<ul style="list-style-type: none"> <li>• To be informed about the processing of your information (this notice)</li> <li>• Of access to information held about you</li> <li>• Have the information corrected in the event that it is inaccurate</li> <li>• To restrict or stop processing</li> <li>• Object to it being processed or used (where we are relying on public task as the legal basis)</li> <li>• Not to be subject automated decision-taking or profiling</li> </ul>
<b>How long we will keep the information</b>	<p>Your personal data will be deleted from our systems and files in line with the Records Management Code of Practice 2021.</p> <p><a href="#">Records Management Code of Practice - NHS Transformation Directorate (nhsx.nhs.uk)</a></p> <ul style="list-style-type: none"> <li>• Information received from other areas is only retained whilst the child is in our area.</li> </ul>

	<ul style="list-style-type: none"><li>• Once a child turns 18 or leaves care their details are deleted from our databases as they are no longer a looked after child.</li></ul>
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