

## **IAC Privacy Notice**

IAC – The Centre for Adoption is committed to ensuring that any personal data, for any person using our services, that we hold is respected, protected, and held securely, whether gathered through our website, at the early enquiry stage, or later in the adoption process for the purpose of an adoption application.

This privacy notice provides details about what information we collect and why; how we use the information; the conditions under which we disclose it and to whom and how we keep it secure. In addition, it gives information about how you can request that the information we hold about you is deleted from our systems.

## **Regulations**

Your personal data is protected by UK and EU legislation (GDPR) which is the General Data Protection Regulation 2016/679. We also adhere to the Privacy and Electronic Communications Directive 2003 and the Adoption and Children Act 2002.

IAC is registered as a [Data Controller](#) with the Information Commissioner's Office ([ICO](#)) for the UK, for the purposes of managing data. We aim to always exceed legal obligations and follow best practice when it comes to managing your data.

## **What is Personal Data?**

Personal data is any information that we hold from you which means that you could be directly or indirectly identified. This would include your name, your e-mail address, contact details etc. Certain data falls under special categories. This includes your racial and ethnic origin, your gender identity, your sexuality, your health, political beliefs, religious beliefs, and genetic / biometric data.

## **Processing Your Personal Data**

The processing of your sensitive or special category personal data, is lawful in accordance with section 10(3) of and Schedule 1 to the Data Protection Act 2018 and Article 9(2)(g) of the UK GDPR. This processing is necessary for reasons of substantial public interest and is in exercise of a function conferred on IAC by the [Department for Education](#), with regards to processing intercountry adoption applications. This is to ensure that intercountry adoptions are processed in compliance with the legislative framework with satisfactory child safeguarding procedures and that an intercountry adoption is in a child's best interest.

Adoption Agencies Regulations 2005 part 7, regulation 40 requires that 'an adoption agency must keep the child's case record and the prospective adopter's case record for such period as it considers appropriate'.

## **IAC Website**

When you make contact with IAC through our website, we will ask you for your:

- Name
- Contact details, including telephone number and e-mail address
- Home local authority
- Brief details of your enquiry

This is to ensure that IAC is the right organisation for your enquiry and that your query can be responded to appropriately by the IAC team. Our website relies on the use of Cookies, information about which is set out in a separate [Cookies Policy](#), also available on our website.

## **Information & Advice Services**

When you make contact with the Information & Advice Line, our team will ask you for further details, which will be recorded on our Case Record Management System, Charms, provided by [Social Care Network Solutions](#). These will include basic details such as your home address, your age and immigration status. We will also ask you for both personal and 'special category' information (your ethnicity, gender, religion, sexuality, and basic health history). This is to ensure that we have enough detail, required by law, to provide you with correct information about the countries from which you might be eligible to adopt and the options available to you. If you progress to attend an IAC Information Session, some of your personal information will be made available to IAC's team who run those events; again, this is to ensure that IAC can offer you the most appropriate advice taking account of your personal situation.

For enquiries that do not progress to application but have attended an Information Session, records are held securely on Charms for three years. After this they are deleted. At IAC we do find that prospective adopters may take some time to decide if or how they wish to progress their adoption journey and retaining records for these periods allows for enquirers to return to us for further advice without the need to repeat key information.

## **IAC Assessment Service**

When you request an Initial Interview Form and attend an Initial Interview you will be asked to provide further information about your health, background, employment, finance, family composition and reasons for wishing to adopt. This information is entered onto Charms. These records can be accessed by relevant Managers, Case Workers, Business Support Workers and Social Workers providing the service. Again, this enables the professional team to offer bespoke advice to you and to ascertain your eligibility to adopt and from which country overseas. We are also required by regulations to review this information as part of our decision-making processes when considering eligibility to adopt.

Once you have decided that you wish to apply to adopt and complete a Registration of Interest Form you will be asked for further personal information. This information is requested in accordance with The Adoption and Children Act 2000, the Adoption Agencies Regulations 2005 and the Adoption with a Foreign Element Regulations 2005 and enables IAC to undertake all the statutory checks required in relation to an adoption application and to undertake an assessment of suitability.

In order to legally assess your suitability these records will be accessed by the same teams as detailed earlier as well as an Assessing Social Worker. Our Adoption Panel and Agency Decision Maker will have access to some of this data when formally considering your application. These records are held securely on Charms.

As part of our legal assessment service obligations, we are required to undertake checks with Police in the UK and abroad, when relevant. This will be in the form of a [Disclosure and Barring Service](#) check in the UK and [International Police Check](#) abroad.

Any exchange of information and records, including with applicants, is on a needs basis and done securely through internal e-mails or secure encrypted e-mails via [Egress](#). Applicants can choose to opt-out of Egress if they wish.

Initial Interview enquiries and records are held for five years on Charms. Adoption Records (adoption application data and that associated with the assessment process) are held for ten years, where no child is placed. **If a child is placed for adoption the records are held for 100 years.**

Any information that ever needs to be printed and stored in paper form is treated as 'Strictly Confidential' and stored in locked filing cabinets or fireproof bunkers. Access to these is limited to authorised personnel.

### **Sharing the Information**

We do not share information collected from the website or during the process with any other individuals or organisations unless you request that we do so, in order, for example, to assist you in furthering your adoption enquiry elsewhere. We do not rent, sell or trade email lists with any other organisation.

In order for IAC to progress your application and assist you with your plans to adopt, it is necessary for IAC to share some of your data with other authorised organisations or individuals. This only happens with your written and authorised approval and would include, but not be limited to:

- The Local Authority where you currently live (or where you have lived in the past) for statutory checks
- Other Adoption Agencies and Child Protection Services
- Your General Practitioner and Health Service providers

- Your employer (and sometimes previous employer)
- The people you nominate to be provide personal references, those who might be your nominated testamentary guardian, and others we may need to seek personal references from
- Your Notary Public
- Your legal representatives
- The [Department for Education](#) (or in some circumstances other UK adoption central authorities e.g., [Scottish](#), [Welsh](#) or [Northern Irish](#) government) in order for you to receive your Certificate of Eligibility
- A named overseas agency if you are adopting through an IAC [Special Programme](#)
- Central Adoption Authorities in other countries.

Generally, IAC's prospective adopters are applying to adopt from countries outside the European Economic Area ([EEA](#)) which are not recognised as having equivalent data protection provisions to those required under UK and EU GDPR. When applying to adopt a child from a country or territory outside of the UK, the process of making an intercountry adoption application requires that personal data in relation to your application is then transferred outside the UK in order to complete your adoption process. This data sharing is lawful under Article 49(1)(d) of the EU GDPR as applied by the Data Protection Act 2018, and adopted by the UK, as the transfer is necessary for important reasons of public interest. This is because it is necessary to ensure that an intercountry adoption application is processed in compliance with the legislative framework with satisfactory child safeguarding procedures and that an intercountry adoption is in a child's best interest.

It is also necessary for the Central Authority of the country you are applying to adopt from to be able to assess your application and ensure that it complies with whatever criteria is applicable in their country.

All IAC intercountry adopters therefore will always be asked to agree for their personal data to be transmitted outside of the UK in the format required by the country you are adopting from. Where possible IAC will use Egress for this purpose, but it may not always be possible if it is not compatible with the technology in the receiving country. In such cases IAC cannot accept liability for any data breach that may occur as a result of this necessity. In most cases, this data is transferred by the Department for Education.

### **UK Special Programme**

Adopting in the UK via our [UK Special Programme](#) is an option open to all applicants being assessed by IAC already or returning adopters. The same regulations and guidance apply in all such cases, with the exception that your data will be shared with any UK Local Authority or [Regional Adoption Agency](#) who holds case responsibility for any child that you might be a possible link for. This is essential in order for the child's Social Worker to assess whether you might be a suitable match.

### **Mailing Lists**

IAC holds three mailing lists:

1. Applicants – this allows us to contact anyone being assessed by IAC with details of relevant training or events hosted by IAC or our partner agencies.
2. Approved Adopters – this allows us to contact you with details of forthcoming adoption support events and any social events.  
We will also ensure that you are kept in touch with updates via ‘Meridian’, our newsletter. This list is for all approved adopters in this category, pre and post placement of a child.
3. [Fundraising](#) – this allows us to contact you with information of events and activities where IAC is involved in fundraising. This work is essential to allow us to develop our lifelong support services for all our children and families.

IAC considers it to be our mission to all our adopters, and to the children you will adopt or have already adopted, to ensure that you are aware of the adoption support services that are available to you.

You may **Opt Out** of mailing lists 2 (after an Adoption Order is granted) and 3 (at any time) by emailing [info@icacentre.org.uk](mailto:info@icacentre.org.uk)

### **Post Adoption**

Some children need to be adopted in the UK after they arrive here with you. In these cases, your Local Authority may undertake the legal support and supervision required or they may ask IAC to do this on their behalf. If you become an IAC approved adopter, we consider it our obligation to know how you and your family are progressing, so in all cases we will add you to Mailing Lists 2 and 3 (as described above) and make contact with you periodically to check in and remind you of our support services. Many families enjoy being part of the IAC community and both adults and children continue to seek support and guidance from each other and well as members of the IAC team.

You can unsubscribe from this contact at any time by emailing [info@icacentre.org.uk](mailto:info@icacentre.org.uk)

### **How Do We Protect Your Information?**

Charms is a safe and secure private cloud-based recording system hosted in the UK, used by [Ofsted](#) approved and legally registered adoption and fostering agencies to record and store data. It can only be accessed by authorised users whose rights of access are set according to their need in relation to their role and their seniority within IAC.

All other programmes used by IAC (for example Microsoft Outlook and Microsoft Word) are web hosted and secure.

Aside from Egress, information may be transferred externally through:

- Encryption
- Password Protection
- Secure Sites managed by receiving countries and,
- Courier Services where hard copy documents are required.

## **Policies and Procedures**

IAC has both Data Protection Policies and Policies in relation to the retention of service users' records.

## **Safeguarding and Protecting Children**

IAC has a policy to ensure that Safeguarding and Protecting Children informs all of our work in line with [Working Together to Safeguard Children 2018](#). In cases where concerns are raised about any applicant or adopter, IAC is legally obligated to share your data with [Child Protection](#) Services. This will be in the area where you live. In domestic adoption matters this may include the Local Authority legally responsible for your child, and this may include the Police in the UK and abroad. Data may also need to be shared with other agencies involved in delivering child protection services.

## **Access to Personal Information**

Under UK GDPR you have the right to access and amend any of your personal data. This does not include data that IAC has obtained during the course of obtaining statutory checks / references or any other information provided by a "third party".

You can also request for your data to be deleted up until the point at which a Registration of Interest has been made.

Please note access to adoption records is **exempt** from UK and EU GDPR and Freedom of Information requests, and subject to regulations governed by the Adoption & Children Act 2002.

Please email [info@icacentre.org.uk](mailto:info@icacentre.org.uk) with any access requests.

## **Privacy Notice Review**

This policy is reviewed at least annually and disseminated to our workforce to ensure that the organisation remains compliant.

We hope that this information is clear and helpful to you. As an adoption agency, confidentiality and the protection of privacy are key tenets of the work we undertake, so we do understand your wish for and need for privacy in relation to the highly sensitive data you share with us as part of your adoption journey.

***Last reviewed: December 2021***