



CHILDREN'S DATA POLICY

call 01452 424344
email governance@gch.co.uk
visit www.gch.co.uk

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DOCUMENTATION MASTER SHEET

Amendments to this Document are Detailed Below.

Version Number	Date Amended	Comments	Date Approved	Author	Approved By
01	23/06/2023	New Policy written on advice of Data Protection People	30/06/2023	DPP/FH	SLT
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CHILDREN'S DATA POLICY

1. OVERALL AIM

This Children's Data Policy sets out Gloucester City Homes commitment and approach to the protection of children's data and provides a clear frame of reference for employees to determine the organisation's standards, aims, and ideals in respect of children's personal data. The policy's objective is to ensure that the personal data of children is treated with the diligence and care it commands.

Unless otherwise stated, this document applies to all personal data relating to children processed by the organisation. It applies to any person who processes children's personal data for or on behalf of the organisation including: employees, volunteers, casual and temporary employees, directors and officers, external organisations employed as processors and any external organisations or individuals with whom the organisation shares or discloses personal data. It also applies where the organisation acts as a processor for another controller or is a joint controller.

2. SCOPE OF POLICY

As part of the services the organisation offers, it is inevitable that we will regularly have to collect, store, use, share and otherwise process the personal data of children.

Recital 38 of the EU GDPR provides that children merit specific protection with regard to their personal data, as they may be less aware of the risks, consequences and safeguards concerned and their rights in relation to the processing of personal data. Such specific protection should, in particular, apply to the use of personal data of children for the purposes of marketing or creating personality or user profiles and the collection of personal data with regard to children when using services offered directly to a child.

3. RESPONSIBILITIES

This policy forms part of the organisation's suite of Data Protection Policies and Procedures. The roles and responsibilities of individuals handling the data of children mirror those established in the organisation's Data Protection Compliance Management Policy.

4. LEGAL AND REGULATORY EXPECTATIONS

General

We will comply with all the requirements of the UK-GDPR, not just those specifically relating to children and included in this policy.

We will design our processing with children in mind from the outset and use a data protection by design and by default approach.

We will make sure that our processing complies with the data protection principles.

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As a matter of good practice, we will use DPIAs to help us assess and mitigate the risks to children.

If our processing is likely to result in a high risk to the rights and freedom of children, then we will always do a DPIA.

As a matter of good practice, we must take children's views into account when designing our processing.

Bases for processing a child's personal data

When relying on consent, we will make sure the child understands what they are consenting to, and we do not exploit any imbalance of power between us.

When relying on 'performance of a contract', we must consider the child's competence to understand what they are agreeing to, and to enter into a contract.

When relying upon 'legitimate interests', we shall identify the risks and consequences of the processing and put age appropriate safeguards in place.

Offering an Information Society Service (ISS) directly to a child

Should we ever decide to offer an ISS directly to a child we will comply with the requirements of Article 8 of the UK GDPR and take into account any guidance from the Information Commissioner's Office on the matter including the statutory Age Appropriate Design Code of Conduct.

Marketing

If we ever consider targeting marketing at children, we shall consider their reduced ability to recognise and critically assess the purposes behind the processing and the potential consequences of providing their personal data.

We will take into account sector specific guidance on marketing, such as that issued by the Advertising Standards Authority, to make sure that children's personal data is not used in a way that might lead to their exploitation.

Privacy notices

We shall ensure that our privacy notices are clear, and presented in plain, age-appropriate language.

We will use child friendly ways of presenting privacy information, such as: diagrams, cartoons, graphics and videos, dashboards, layered and just-in-time notices, icons and symbols. We must explain to children why we require the personal data we have asked for, and what we will do with it, in a way which they can understand.



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As a matter of good practice, we shall explain the risks inherent in the processing, and how we intend to safeguard against them, in a child friendly way, so that children (and their parents) understand the implications of sharing their personal data.

We will tell children what rights they have over their personal data in language they can understand.

Data Protection Impact Assessments

Prior to commencing processing involving children's data we will undertake a data protection impact assessment which shall be kept under periodic review.

5. REVIEW

This policy will normally be reviewed triennially to ensure that it remains fit for purpose, unless an earlier review is required due to regulatory, statutory or other requirements.