



Department
for Education

Privacy Notice: Intercountry Adoption

Who we are

The Department for Education (DfE) is the Central Adoption Authority for England and is responsible for checking and processing your intercountry adoption application in line with the legislative requirements. For the purpose of data protection legislation, the DfE is the data controller for the personal data processed as part of checking and processing your intercountry adoption application.

For adoptions effected under the Hague Convention on protection of children and co-operation in respect of intercountry adoption 1993 (the Hague Convention), the DfE only processes applications for England.

The DfE also issues Certificates of Eligibility to Adopt in respect of all non-Hague Convention adoption applications made by prospective adopters habitually resident in the UK, excluding Scotland.

How we will use your information

The DfE receives your intercountry adoption application from a UK Adoption Agency (UKAA) and process it in compliance with the relevant legal framework. Having checked and processed your application, we will forward a copy of your application including supporting documents and your Certificate of Eligibility to Adopt to the relevant Central Authority or the relevant overseas authority in the country from which you wish to adopt, using a courier service.

The nature of your personal data we will be using

Your intercountry adoption application (along with any other supporting documentation you have provided) which is forwarded to the Central Authority or relevant overseas authority of the country from which you wish to adopt contains the information provided by you to your UKAA during the adoption assessment process. This will include information relating to:

- personal identity
- family background information for you, your parents and siblings and any other significant persons in your family;
- significant events that impacted on your life;

- your health history and that of family members, if deemed relevant;
- your employment history and the occupation of your parents and siblings;
- your marital status and the marital status of family members;
- your nationality and religion;
- your social interests and lifestyle;
- your education history, financial status, income and financial commitments including information relating to your home; and
- a copy of your birth and marriage certificates and Disclosure & Barring Service Enhanced Disclosure Certificate(s).

The dossier may also contain your medical assessment provided by medical professionals and references provided by your nominated referees, as well as the minutes of the meeting of the Adoption Panel, which approved your adoption application.

It may also include information provided by your current partner relating to their relationship with you, childhood information – including their family background, date of birth, marital status, employment status, social interests and if relevant, information relating to their children.

Why our use of your personal data is lawful

In order for our use of your personal data to be lawful, we need to meet one (or more) conditions in the data protection legislation.

We process your information in accordance with Article 6 (1)(e) of the General Data Protection Regulation 2018 (GDPR) as applied by the Data Protection Act 2018. This processing is necessary for the performance of a task carried out in the exercise of official authority vested in the controller i.e. to enable DfE to process your intercountry adoption application in compliance with relevant legislation.

The processing of your sensitive or ‘special category’ personal data, such as information about your ethnicity or health information, 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 GDPR. This processing is necessary for reasons of substantial public interest and is in exercise of a function conferred on the DfE as regards 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.

Who we will make your personal data available to

To enable the processing of intercountry adoptions we need to share your personal data available with other organisations both in the UK and overseas.

To enable the processing of your intercountry adoption application we may need to share your personal data with the following organisations:

- UK Adoption Agencies
- Local Authorities
- Notary publics
- Central Authorities
- Relevant overseas authorities
- Legal representatives
- Accredited agencies
- Other Government Departments
- Domestic and International embassies
- Overseas agencies/lawyers
- Translators

The data sharing is lawful under Article 6(1)(e) of the GDPR as applied by the Data Protection Act 2018; the processing is necessary for the performance of a task carried out in the exercise of official authority vested in the controller. The processing of your sensitive or 'special category' personal data, such as information about ethnicity or health information, is considered lawful in accordance with section 10(1) of and Schedule 1 to the Data Protection Act 2018 and Article 9(2)(g) of the GDPR; the processing is necessary for reasons of substantial public interest.

Transferring data to 3rd countries

When applying to adopt a child from a country or territory outside of the EEA, the process of making an intercountry adoption application requires that personal data in relation to your application is then transferred outside the European Economic Area (EEA) in order to complete your adoption process. The data sharing is lawful under Article 49(1)(d) of the GDPR as applied by the Data Protection Act 2018; 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.

In these circumstances in order to comply with the GDPR, we must ensure that you appreciate that the approach to the security of personal data may differ in countries outside the EEA and, and that they may not offer protection to a standard equivalent to that within the EEA.

How long we will keep your personal data

We will only keep your personal data for as long as it is necessary, after which point it will be securely destroyed.

Your data protection rights

You have the right:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you need to contact us regarding any of the above, please do so via the DfE site at: <https://www.gov.uk/contact-dfe>.

Further information about your data protection rights appears on the Information Commissioner's website at:

<https://ico.org.uk/for-organisations/guide-to-data-protection/principle-6-rights/>.

Right to lodge a complaint

If you are unhappy with our use of your personal data, please let us know by contacting the Intercountry Adoption Team ica.darlington@education.gov.uk .

Alternatively, you have the right to raise any concerns with the Information Commissioner's Office (ICO) via their website at <https://ico.org.uk/concerns/>.

Last updated

This version was last updated on 15 June 2018.

Contact Info:

If you have any questions about how your personal information will be processed, please contact us at ica.darlington@education.gov.uk