

INTERNATIONAL CHILD ABDUCTION AND CONTACT UNIT

PRIVACY NOTICE

Privacy policy

This privacy policy explains what the International Child Abduction and Contact Unit (ICACU) means when we talk about personal data, why we ask for this information about you and what we do with it. It also explains how we store your data, how you can get a copy of the information we have collected about you and how you can complain if you think we've done something wrong.

ICACU sits in the Offices of the Official Solicitor and Public Trustee (OSPT). OSPT is an Arm's Length Body of the Ministry of Justice (MoJ). MoJ is the data controller for the personal information we collect.

About personal data

Personal data includes your name, address or e-mail address, telephone number, or date of birth. For ICACU cases, it can also include personal data about your child.

Why we collect personal data

ICACU collects and uses personal data where it is relevant as part of the work we do in carrying out the day to day work of the Central Authority for England and Wales to progress incoming and outgoing applications and requests under the 1980 Hague Child Abduction Convention, the 1980 Luxembourg Custody Convention, the 1996 Hague Protection of Children Convention (for England only) and the Council Regulation 2201/2003 known as Brussels IIa. (In formal terms the Lord Chancellor is the Central Authority, with MoJ as the data controller, while ICACU/OSPT is the data processor on his behalf.)

Applications and requests can be in connection with current or future court proceedings or for the purposes of the preparation of reports in connection with the welfare of the child.

When we ask for personal data

Whenever we ask for information about you, we promise to:

- always let you know why we need it
- ask for relevant personal information only
- make sure we don't keep it longer than needed
- keep your information safe and make sure nobody can access it unless authorised
- only share your data with other organisations for legitimate purposes
- consider any request you make to correct, stop storing or delete your personal data

We also promise to make it easy for you to:

- tell us at any time if you want us to stop storing your personal data
- make a complaint with the supervisory authority

The personal data we collect

We only collect the personal data we need to process your case. This can involve sensitive information about court proceedings here or abroad and details relating to vulnerable

children. This can include personal information about your family history, including criminal record information, local authority information, health information, and also documents from the court, subject to the court's permission. We may also collect information about other family members where it is relevant to the welfare of the child.

Why we collect your personal data

The international treaties which are listed above require certain information to be provided to enable your outgoing application or request to be processed by the Central Authority and other competent authorities in the country to which it is sent. For an incoming application or request which affects you we are required to obtain relevant information to enable the court or competent authority here to deal with the matter.

Where we collect your personal data from

We collect your information:

- from the parties in a court case, by way of completed application forms (incoming and outgoing), letters, e-mails and telephone calls;
- from an individual or local authority (or a foreign social welfare authority) making a request for information, by way of completed application forms, letters, e-mails and telephone calls;
- from legal advisers to individuals or local authorities;
- from Central Authorities designated under the international treaties;
- from you if you are an involved family member, but not a party, by way of letters, e-mails and telephone calls;
- from court documents.

Sharing your personal data

We sometimes need to share your personal information with other organisations. We will only do this when the law says we can. We will never share your information with other organisations for marketing, market research or commercial purposes.

The organisations we share your personal information with are, where relevant in connection with your application or request:

- courts in England and Wales, through staff of Her Majesty's Courts and Tribunals Service;
- Central Authorities designated under the international treaties, here and abroad;
- local authorities in England and Wales;
- Other parts of the Ministry of Justice and its agencies, including the Legal Aid Agency;
- Other Government Departments and Agencies, including the National Crime Agency in matters concerning vulnerable children;
- Legal advisers.

Sharing your personal data abroad

As ICACU deals specifically with international matters, we will transfer personal data overseas in order to progress your application or request. When we do this, we will only share your information with countries with which the UK operates an international treaty.

Keeping your personal data

Your information will be kept for three years after the case has been closed.

Rejected or void cases are kept for six months prior to destruction

Accessing your personal information

You can find out what personal data we have about you by making a subject access request. To do this, please contact:

Disclosure Team
Post point 10.38
102 Petty France
London SW1H 9AJ

Getting more information

You can get more details on:

- agreements we have with other organisations for sharing information
- when we can pass on personal information without telling you, for example, to help with the prevention or detection of crime or to produce anonymised statistics
- instructions we give to staff on how to collect, use or delete your personal information
- how we check that the information we have is accurate and up-to-date
- how to make a complaint

For more information, please contact the MoJ data protection officer at:

Digital and Technology
Albany House
94-98 Petty France
London SW1H 9EA

Email: data.compliance@justice.gov.uk

Making a complaint

When we ask you for information, we will keep to the law. If you think that your information has been not been handled correctly, you can contact the Information Commissioner for independent advice about data protection on the address below.

Information Commissioner's Office
Wycliffe House, Water Lane
Wilmslow
Cheshire, SK9 5AF

Tel: 0303 123 1113
www.ico.org.uk