

Foster Carer Data Protection Notice

This notice was last reviewed in June 2024.



Introduction

Fostering involves the caring and providing a family life for a child or young person, who cannot live with his or her own parents.

The processes relevant to foster care is summarised below, describing the purpose, types of personal data, and to whom information may be shared with, where there is a required purpose and reason to do so.

Process Name	Personal Data	Purpose*	Information may be shared with
Foster Care Enquiry	<ul style="list-style-type: none"> – Contact information – Identification information – Location information 	Phone, online or information event queries from interested and prospective foster carers for further information on the suitability requirements for fostering.	<ul style="list-style-type: none"> – Area/Regional Tusla foster care teams – National Enquiry Line
Fostering Assessment (includes garda vetting, medical assessment, and nominated references, social work checks, relevant professional/ service reports on foster carers and/ or their family)	<ul style="list-style-type: none"> – Identification Information – Physical characteristics – Contact and location information – Family, lifestyle, and social circumstances including hobbies and interests, marital status, and homeowner status – Name and details of other family members – Previous working history and education/training – Health, welfare, medical and other special categories of information – Religious belief – Medical and health Assessment – Criminal information – References from nominated individuals – School reports on foster carers own children – Reports from other services/professionals on foster carers and/or their own children 	Assessment of potential foster carers to ensure suitability as governed under legislation. Once the robust assessment of the foster carer is performed, Tusla share a report with the Foster Care Committee to make a final decision.	<ul style="list-style-type: none"> – Tusla Foster Care Committee – Medical Advisors or Area Medical Officer e.g. Medmark, Cognate – Health Information and Quality Authority (HIQA)- (for monitoring and inspection) – Contracted Social Work Services – for contracted fostering assessments

Vetting	<ul style="list-style-type: none"> - Valid photographic identification information to include name and date of birth - Evidence of current address - Details on previous address history and any names/alias previously known as - Conviction history - Particulars of any criminal record and any statement of the specified information - Application ID and e-vetting portal credentials 	<p>The Tusla Central Vetting Bureau facilitates the vetting of foster carers, prior to placement.</p> <p>The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 provide a statutory basis for the vetting of persons conducting relevant work with children or vulnerable persons.</p> <p>For further information see National Vetting Bureau (garda.ie)</p>	<ul style="list-style-type: none"> - An Garda Síochána (AGS)- National Vetting Bureau - HIQA (for monitoring and inspection) - Tusla Foster Care Committee - Contracted Social Work Services
Medical Assessment	<ul style="list-style-type: none"> - Name and contact information - Medical health assessment - Invoice for reimbursement - GP / Consultant report 	<p>An independent assessment is carried out by a medical practitioner on the applicant's fit to foster. The medical assessment is attached to the assessment recommendation report. A consultant report may be requested if relevant.</p>	<ul style="list-style-type: none"> - Tusla Foster Care Committee - Medical Advisors or Area Medical Doctors e.g. Medmark, Cognate - HIQA (for monitoring and inspection) - Contracted Social Work Services - Solicitors
Assessment Recommendation Report for Foster Care Committee Decision	<ul style="list-style-type: none"> - Identification information - Physical characteristics and location information - Family, lifestyle, and social circumstances - Health, welfare, medical and other special categories of information - Criminal information - Personal and special category contained within the forms submitted as part of the foster carer application - Name and details of other family members 	<p>The Foster Care Committee is a group of people, including appointed foster carers, who recommend approval of foster carers onto a Foster Care Panel.</p>	<ul style="list-style-type: none"> - HIQA (for monitoring and inspection) - <u>Tusla Foster Care Committee</u> includes: <ul style="list-style-type: none"> ▪ Representative from voluntary sector ▪ Director of Nursing/Area Medical Officer ▪ Medical advisers from HSE ▪ Clinical psychologist/Mental health professional ▪ Tusla staff ▪ Care leavers / foster carers including former foster carers ▪ Independent representative with relevant professional background ▪ Independent Chair ▪ Professionals from private fostering agencies ▪ Professionals from other State Agencies e.g. teachers, An Garda Síochána

Appeals process	<ul style="list-style-type: none"> – Identification information – Physical characteristics and location information – Family, lifestyle, and social circumstances – Health, welfare, medical and other special categories of information – Criminal information – Personal and special category contained within the forms submitted as part of the foster carer application – Name and details of other family members 	<p>Where the applicants wish to appeal the Foster Care Committee decision, an independent Fostering Appeals Committee conducts a fresh review.</p>	<ul style="list-style-type: none"> – Appeals Committee – Foster Care Committee – Tusla social worker – HIQA (for monitoring and inspection)
Foster Family Journey	<ul style="list-style-type: none"> – Identification information – Location information – Health and welfare information – Financial and banking information (with finance only for the purpose of administering the fostering allowance and / or other financial payments) – Special category information including ethnic information – Personal and special category data belonging to the foster child under the care and placement plan – Name and details of other family members 	<p>Tusla provides additional services once a child has been placed, such as:</p> <ul style="list-style-type: none"> – Foster care reviews and updated assessments as mandated by the National Standards for Foster Care – Foster care allowance – Support and social worker supervision – Training – Drafting, implementing, and reviewing both the care and placement plan. 	<ul style="list-style-type: none"> – Birth parents of child – Guardian ad litem, where appropriate – Personal and special category data belonging to the foster carer may be shared with professionals. – Court (as required) – HIQA (for monitoring and inspection) – Internal Tusla Services e.g. CASP (Child Abuse Substantiation Procedure), Children in Care, Child Protection and Welfare – An Garda Síochána – National Review Panel – State Claims Agency – Solicitors – Professional services that foster carers require to support them
Foster Care Reviews	<ul style="list-style-type: none"> – Identification information – Physical characteristics – Contact and location information – Family, lifestyle, and social circumstances – Name and details of family members – Previous working history and education/training – Health, welfare, medical and other special category of information – Religious belief – Medical Assessment – Criminal information 	<p>The National Standards for Foster Care makes it mandatory for foster carers to participate in regular reviews, to assist with identifying gaps in the fostering service. The first review is held twelve months after the first placement and subsequent reviews occur at three yearly intervals.</p>	<ul style="list-style-type: none"> – Tusla Foster Care Committee – Contracted Social Work Services – HIQA (for monitoring and inspection)

***Purpose and Legal Basis**

Our purpose for processing personal data is to provide prospective children access to foster care services under the following legal basis:

- Compliance with a legal obligation to which Tusla is subject, namely:
 - Section 3 of the Child Care Act 1991
 - The Child and Family Agency Act 2013
 - [S.I. No. 260/1995](#)- Child Care (Placement of Children in Foster Care) Regulations, 1995
 - [S.I. No. 261/1995](#)- Child Care (Placement of Children with Relatives) Regulations, 1995
 - [S.I. No. 9/2015](#)- Children and Family Relationships Act, 2015
- Necessary for the performance of tasks carried out in the public interest or in the exercise of official authority vested in Tusla.

The processing of special category data is necessary:

- For carrying out the obligations and exercising specific rights in the field of social protection law.
- To protect the vital interests of a data subject and for reasons of substantial public interest, based on the Foster Care Regulations and associated legislation.
- For the purposes of the provision and management of social care systems and services.

Data Protection Rights

All individuals have legal rights in relation to their personal data. For further data protection information or to exercise these data rights please see the main [Tusla Data Protection Notice](#)