



North Yorkshire Police and Crime Commissioner Children's Consent Statement – May 2018

The North Yorkshire Police and Crime Commissioner is committed to ensuring that all Staff adhere to the data protection principles when handling personal data.

Anyone collecting and processing personal data must have a legal basis for doing so. When relying on consent for the legal basis in processing the personal data of children, the age of the child is important. This is applicable to such processes as Subject Access, Safeguarding Referrals etc.

Before seeking consent, it is important to consider whether the subject's data may be collected and processed under another, more appropriate, legal basis.

For any child under 13, a parent or appropriate adult may give consent on their behalf - this person must be able to prove parental responsibility. Any child who is 13 and over, and competent, can give consent themselves, however the following must apply when seeking consent to process the personal data of anyone under the age of 18:

- When collecting and processing the personal data of children, it is important that they are informed of, and fully understand, the risks involved.
- An explanation must be given to the child of why the data is required and what will happen to it.
- Any data processed must be done so fairly – considerations must be made around whether the information being collected and processed is justified, proportionate and necessary.
- Data protection principles must be adhered to when processing personal data.
- Children have the same rights as adults over their personal data. These include (but are not limited) to the following:
 - The right to access their personal data
 - The right to rectification
 - The right to object to processing
 - The right to erasure
- Consent, once obtained, must be recorded. This record must include the Force's name, the name of any third party controllers who will rely on the consent, why the data is needed, what will happen to the data, and that the individual was informed of their right to withdraw consent.
- The child, or their parent/appropriate adult, must be informed of their right to withdraw consent at any time.

For any queries or advice around this, please contact the Civil Disclosure Team on CivilDisclosure@northyorkshire.pnn.police.uk.