

Service Area: Education Access

**Directorate: People
PN-229**

April 2022

Nottingham City Behaviour Support Team are Specialist Support Services who provide support, intervention and training to support the inclusion of children and young people in school settings; who have Special Educational Needs and Disabilities (SEND) around social emotional and mental health (SEMH) needs and present with behavioural difficulties.

Nottingham City Council is the data controller for the information that we process. When we process personal information relating to you, we will only do so when it is necessary and where we have a lawful reason to do so.

This privacy notice uses the term 'your information'. This should be read to mean the child to which you have parental responsibility for if we are processing their data.

We will use the information provided by you for a number of reasons, depending on the service or reasons for interacting with you. This includes:

- Using the information you provide to support planning around the way we work with children and young people (CYP), families, schools and settings;
- Undertaking observations of the CYP and writing a report which provides support strategies to help meet the CYP's needs;
- Providing 1:1 sessions or small group sessions with the CYP to support their SEMH needs;

- Providing parental support sessions;
- Attending meetings to support the inclusion of the CYP;
- Delivering training to build capacity and confidence around supporting the CYP and meeting their needs.

When we process your personal information, we will comply with data protection legislation and enable you to exercise your rights contained within the legislation.

What personal information will the Council process?

The information that we collect about you to fulfil the purposes, objectives, or to deliver the services outlined above may relate to your:

- Name
- Address
- Contact details
- Education details
- Training requirements
- Family details
- Health or medical information
- Criminal convictions or anti-social behaviour incidents
- Ethnicity

The information provided by you may include the following ‘special categories of personal data’:

- Race or Ethnic origin
- Religious beliefs
- Physical or mental health

Lawful basis for processing

The basis under which we use your personal information for these purposes is that this is

- Necessary for the performance of a task carried out in the public interest by the Council or in the exercise of official authority vested in the Council and
- Necessary for compliance with a legal obligation to which the Council is subject.

These public tasks and legal obligations are a result of the powers and duties contained in:

- Children and Families Act 2014
- SEND Code of Practice 2015
- Equalities Act 2010
- Health and Safety at Work Act 1974

The condition under which we process 'special categories of personal data' is that such use is **necessary for reasons of substantial public interest** and in accordance with the provisions of the UK General Data Protection Regulation and the Data Protection Act 2018.

The information provided by you may also include personal data relating to criminal offences. The condition under which this information is processed is for **statutory reasons of substantial public interest and for safeguarding children and individuals at risk**.

Will my information be shared with other organisations or used for other purposes?

The Council will only share your personal information with other departments within the Council, and with other organisations when it is necessary to provide the services to you, and when we have a lawful reason to do so. The Council may also share your information when we are obliged to by law.

In relation to this service, the Council will share your personal information with:

- Schools
- Parents and Guardians
- Community Panel
- General Practitioner and other relevant healthcare providers
- Police and law enforcement

The information provided by you may also be used for the purpose of any other function carried out by the Council. This may include sharing your information across the Council, or with external organisations. Information about these functions and the legal basis on which information is used for them can be found at <http://www.nottinghamcity.gov.uk/privacy-statement/>

The information will only be used for another purpose where it is lawful to do so.

Do I have to provide the information?

You **are not** obliged by statute or contract to provide some of the information that is specified here.

How long will the Council retain the data for?

The information that you have provided will be kept for:

- One month for Theraplay session recordings
- Six years for restrictive intervention training evaluations and medical consent forms
- Seven years for casework and training evaluations
- 25 years for Child protection work
- 35 years for pupil records
- 75 years for CYP who have been looked after by the local authority.

The Council publish an Information Asset Register (IAR), this will outline the retention periods for the personal data we process. You can find this IAR on our website <https://geoserver.nottinghamcity.gov.uk/information-asset-register/>

Information Rights

The UK General Data Protection Regulation provides for the following rights as prescribed by the legislation:

- A right to request a copy of your information
- A right to request rectification of inaccurate personal data
- A right to request erasure of your data known as 'the right to be forgotten'
- A right to in certain circumstances to request restriction of processing
- A right in certain circumstances to request portability of your data to another provider
- A right to object to processing of data in certain circumstances
- A right regarding automated decision making including profiling

However, Nottingham City Council can restrict the above rights in certain circumstances for example to avoid obstructing an investigation, avoid prejudicing the prevention, detection, investigation or prosecution of criminal penalties or to protect the rights and freedoms of others.

Data Protection Officer

You can contact the data protection officer at:

Loxley House,
Station Street,
Nottingham,
NG2 3NG

or at data.protectionofficer@nottinghamcity.gov.uk .

Information Commissioner's Office

The Information Commissioner's Office (ICO) website provides guidance on data protection and privacy matters, you can visit the website at www.ico.org.uk. You also have the right to complain to the ICO if you consider that the Council have processed your personal data incorrectly or that we have breached our obligations to you. You can contact the ICO at:

Wycliffe House,
Water Lane
Wilmslow,
Cheshire
SK95AF

www.ico.org.uk

Further Information

For more information about these rights please refer to our detailed privacy statement at <https://www.nottinghamcity.gov.uk/privacy-statement> .