

Privacy Notice for Early Years Special Educational Needs and Disability



**Nottingham City Council
Information Compliance**

**Service Area: Vulnerable Children & SEND
Directorate: People
PN - 242**

May 2022

The **Early Years Special Educational Needs and Disability Team** are part of Nottingham City Council, who are the data controllers for the personal data (or personal information) that we process about you. When this notice refers to 'you' it also means the child or young person whose data we are processing and that you have parental responsibility or guardianship for or have the legal right to provide parental consent for.

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.

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:

- Supporting children who have special educational needs and disabilities (SEND) by working in the following teams:
 - Educational Psychology Service
 - Early Years SEND Home Visiting Team
 - Learning Support Team
 - Autism Team
 - Sensory Team
- Working in partnership with parents and carers so that they can support their child's development;

- Undertake assessments, support and interventions; offering support, advice and strategies for parents and carers to use at home;
- Work on aims and suggest or model ways of encouraging positive behaviours;
- Supporting children as they transition from home to nursery and school;
- Working closely with other teams and professions to support families and children.

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, or your child's:

- Name
- Contact details
- Health information
- Education Details
- Training
- Employment details
- Language spoken by the family

The information provided 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.

These public tasks are a result of the powers contained in:

- Children and Families Act 2014;
- Children Act 1989
- Equalities Act 2010

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.

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:

- Health, social care, education and childcare providers

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 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 **35 years from the date of birth of the child. However, if the child has been looked after by the local authority, the information will be retained for a period of 75 years.**

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> .