

Ealing Council

Children's Services – Youth Justice Service Privacy Notice

Ealing Youth Justice Services (YJS) work with children and young people aged 10 to 17 years who have offended and help prevent them getting into further trouble.

This Service is made up of representatives from the Ealing local authority, police, national probation service, health authorities and other local organisations.

This multi-agency approach is designed to address the risk factors associated with offending and to meet the individual needs of young people.

We are committed to protecting your privacy when you use our services.

This Privacy Notice explains how we use personal information about you and how we protect your privacy in compliance with our requirements of the Data Protection Act (DPA) 2018 and the General Data Protection Regulation (GDPR). We are required to give you this information under data protection law. Under data protection legislation, Ealing YJS is the data controller for the personal data that we process when exercising our statutory functions.

Personal data is data which identifies a living individual directly or indirectly, in particular by reference to an identifier such as their name, address or date of birth. It does not include information relating to dead people, groups or communities of people, organisations or businesses.

This notice applies to any activity involving our use of your personal data, for example, collecting, storing, sharing, and destroying it. It also provides information that relates specifically to our service and should be read together with the Council's Corporate Privacy Notice available at www.ealing.gov.uk/privacy that provides information about how the Council uses your information and your data rights.

What information we collect

We collect a range of information including some or all of the following:

- your personal information (name, DOB, address, telephone, email, NHS number, proof of identity, unique pupil number);
- characteristics such as ethnicity, gender, disability, home circumstances, language;
- parents/carers personal information;
- personal information about other members of your household;
- personal information about close relatives;
- details of family relationships in and outside of your household;
- you and your family's immigration status;
- details about your physical and emotional well-being and parenting;
- youth offending information: offences (including alleged offences), criminal proceedings, convictions and sentences;
- your medical history;
- health, social care or other services you are getting;
- information about your situation given to us by your family/carers and/or other organisations (e.g. GP, school nurse, Police);
- reports relating to your situation (e.g. safeguarding and other assessments, Child Protection Plans, Children in Need Plans and Looked After Children reviews);
- any documents sent to us relating to you (e.g. referrals received from other agencies and professionals);
- educational progress and attainment information;
- school attendance, exclusions and behavioural information;
- as part of the process of supporting children, young people and their families, personal information will be collected from face-to-face meetings, over the telephone, by letter and email; and
- information from court orders and professionals involved with a child or young person where appropriate.

Why we collect your information

We use your data to:

- enable us to carry out our statutory functions and duties (e.g. prevent and reduce offending, increase victim and public confidence);
- support children and young people and prevent them from offending;

- reduce the risk of further offending by young people and help them face up to the consequences;
- work with and support victims of youth crime;
- support young people who are bailed by the courts during sentence and on release;
- supervise young people on court orders;
- assist with arrangements for a young person remanded by the courts to the care of Ealing Local Authority;
- assist parents/carers through voluntary support;
- produce statistics and reports to research and plan new services. Statistics are used so that individual children/young people or family members cannot be identified from them;
- develop policies and strategies;
- comply with government department research and statistical returns (e.g. Home Office, Public Health Ealing, , NHS);
- account for our decisions and investigate complaints; and
- inform targeted support and services to families, children and young people who are most in need and at risk of harm.

Who we share your information with

- Other Ealing Council teams (e.g. Anti-Social Behaviour team, Gangs team, Housing, Education, SEN Service, Children/Adult Social Care, Complaints, Legal) so they can carry out their statutory roles and support our service;
- Other Youth Justice Services;
- Ealing Police;
- Metropolitan Police Service;
- National Probation Service;
- Youth Justice Board for England and Wales;
- HM Courts and Tribunals Service;
- Crown Prosecution Service;
- Lawyers and advocates (if you have instructed one);
- Children and Family Court Advisory and Support Service (Cafcass);
- Children and Adolescent Mental Health Services (CAMHS);
- Education providers;
- Drug and alcohol services;
- Ealing multi-agency safeguarding hub (MASH);
- Ealing multi-agency risk assessment conference (MARAC); and
- Other local organisations working in close partnership to deliver this Service.

To safeguard your rights, we will only ever use and share the minimum amount of personal data as is possible. We will share personal information with law enforcement and/or other statutory authorities as listed above if required by law.

The lawful basis on which we use this information

The legal basis for processing your personal and special category of data are:

- Compliance with our legal obligations;
- The processing is necessary for the performance of tasks carried out in the public interest or in the exercise of official authority vested in the controller;
- Contract for the supply of services entered into with our delivery partners; and
- The data subject has given explicit consent to the processing of their personal data for one or more specific purposes (e.g. referral to Early Help Services, or to a housing provider for accommodation) unless we are legally required to do so. Whenever your consent to share your information is required, we will always ask you and clearly explain why we are asking.

Where YJS has a statutory responsibility to process your personal data, your consent is not required as part of our core role to prevent and reduce offending and increase victim and public confidence, or if your behaviour constitutes a serious risk of harm to yourself or others. This also applies where the processing is necessary for legal proceedings, legal advice, or otherwise for establishing, exercising or defending legal rights.

Storing this information

Personal data will not be retained for longer than necessary in relation to the purposes for which they were collected. There is usually a legal reason for keeping your personal information for a set period of time – this ranges from months for some records to years for more sensitive records. If you require more information about our retention schedule, please contact us on datprotection@ealing.gov.uk

We make sure we hold records about you (on paper and electronically) in a secure way, and we will only make them available to those who have a right to see them.

Requesting access to your personal data

Under GDPR and the Data Protection Act 2018, parents/carers and young people have the right to request access to information that we hold about them. To make a request for your (or your child's) personal information, contact the Council's Information Management Team at www.ealing.gov.uk/subjectaccessrequest

The parent/carer is responsible for their child's consent up to age 16. From age 16 onwards the young person can provide their own consent.

Further information

The GDPR and the Data Protection Act 2018 give you a number of rights to control what personal information is used by us and how it is used by us. Information about your data rights is listed in the Council's Corporate Privacy Notice on the Council's website www.ealing.gov.uk/privacy

For independent advice about data protection issues, you can contact the Information Commissioner's Office (ICO) at www.ico.org.uk .

We reserve the right to amend this Privacy Notice at any time and will keep it under review. If we do make any changes, we will post the current version to our website at this address.

Last updated: April 2019