

Clayfields House Secure Unit Privacy Notice

Introduction

Clayfields House is operated by Nottinghamshire County Council to provide secure accommodation, education, and vocational training for young people who are on remand, serving sentences, or placed because they are vulnerable and need to be secured for their own safety. To provide this service it is necessary for the council to process personal information about the young people and adults representing the young people.

This is a service specific privacy notice to explain how the council collects and uses your personal information in relation to services at Clayfields House Secure Childrens Home, including who your information may be shared with, how long it is kept for, your information rights, and the lawful basis which allows the council to use your personal information to be able to operate the service.

For further information about how the council uses personal data, please refer to the council's general privacy notice [Privacy Statement | Nottinghamshire County Council](#)

Who will be using your data?

Nottinghamshire County Council is a data controller for the personal data used in managing and operating this service.

We may collect this information directly from you or receive it from a third party such as a school, healthcare provider, courts, or another council.

In some circumstances, we may contract third party organisations to process your data on our behalf, such as suppliers of business/computer systems. In these circumstances we complete robust checks to ensure that appropriate organisational, ICT, and Cyber Security measures are in place to ensure that the information is transferred, processed, and stored securely.

What personal data do we use?

- Your basic details (name, address, age, date of birth, contact details, NHS number, NI number, social care ID number, gender, emergency contacts, personal appearance and behaviour)
- Images of you (including CCTV footage)
- Audio recordings
- Your education/training information

- Your parent/carer/family details (including lifestyle, social and housing circumstances)
- Case file information (including social care)
- Information you place on social media (e.g. Facebook, Instagram, X)
- Information from other involved professionals (such as Youth Justice Service, Police, education/training providers, other placements, other councils)

What types of special category personal data do we use?

- Racial or ethnic origin
- Physical and mental health details (including CAMHS and reports from health professionals)
- Data concerning sex life or sexual orientation
- Religious, philosophical, or other beliefs of a similar nature

We also process data about criminal convictions, criminal offences, allegations, radicalisation and appropriate security measures.

Why do we use your data?

We use personal information to make decisions about the service we provide to ensure we can deliver the best possible care, specialist assessments, interventions and support, and to ensure that we comply with the law and are accountable for what we do. This means that your personal data is used for the following functions:

- For service delivery
- For service planning, training, reviewing, monitoring and improvement
- To prevent and detect crime or fraud
- To provide information to other organisations under our statutory duty as your carer, including the submission of statutory returns
- To comply with legal requirements or Court Orders

What legal reasons allow us to use your data in this way?

Our legal basis for processing your personal data is that it is necessary to perform our public tasks as a local authority. This means the law requires us to deliver certain services known as statutory functions. Where we need to process personal information to achieve our statutory function, the public task lawful basis is what allows us to do so.

Our legal basis for processing your special category personal data is that it is necessary for the provision and management of health or social care services, and/or there is substantial public interest and/or it is necessary to protect the vital interests of you or another person and/or it is necessary for the administration of justice.

Our legal basis for processing data about criminal convictions, criminal offences or related security measures is to protect you from harm and provide necessary support. This is necessitated as part of a task carried out in the public interest under the official authority of the Council.

The legal basis is also supported by (but not limited to) the following legislation:

- Children Act 1989
- Children Act 2004
- Children and Families Act 2014
- Children and Social Work Act 2008
- Care Planning Regulations 2010
- Care Planning, Placement and Case Review (England) Regulations 2010
- Young People's Act 2008
- Education Act 2002
- The Education (Information about individual pupils) (England) Regulations 2013
- Children and Social Work Act 2017
- Digital Economy Act 2017
- Safeguarding Vulnerable Groups Act 2006
- Working Together to Safeguard Children 2018
- National Health Service Act 2006
- Health and Social Care Act 2012
- Equality Act 2010

The Council's "appropriate policy document" describes how we will protect special category and criminal convictions data [Special category and criminal conviction personal data | Nottinghamshire County Council](#)

Who may we share your data with or receive it from?

We work with other agencies and organisations in delivering our services to you and this means that we will need to share your information with and receive information from these third parties. Sometimes we are required by law to share information with agencies such as the Police, Courts or the Government. When it is necessary to share your information, the lawful basis is usually Public Task.

It is good practice to ask for your agreement to us sharing or receiving your data from third parties. However, there will be occasions when the County Council will need to exercise its powers and duties to share information regardless of whether you have given your agreement to the sharing.

Our legal basis for processing or sharing your personal and special category data when is that it is necessary for the provision and management of health or social care services, and/or there is substantial public interest and/or it is necessary to protect the vital interests of you or another person and/or it is necessary for the administration of justice.

Your data may be shared with or received from third parties including, but not limited to the following:

- Health organisations (including NHS, Healthcare Trusts, GPs, hospitals, dentists, psychiatric units, specialist practitioners/clinics, drug and alcohol services)
- Nottingham and Nottinghamshire Integrated Care Board's GP Repository for Clinical Care
- Welfare organisations
- Care providers (including residential, respite, children's homes and foster carers)
- Service providers
- Schools, academies, colleges and education/training providers
- Government organisations (local and national)
- The Police and British Transport Police
- Prisons, young offenders' institutions and probation services
- Youth Justice Teams
- Courts
- Housing services
- Fire & Rescue services
- Family members (including carers and guardians)
- Regulators
- Public Health England
- Adult social care services
- UK Visas and Immigration, Immigration Enforcement and the Border Force
- Children and Family Court Advisory and Support Service
- Multi-Agency Public Protection Arrangements
- Voluntary or charitable organisations
- Sports clubs/organisations

May personal data be transferred overseas?

The Council may for operational purposes transfer personal data overseas. In these cases, we will ensure that your personal data is protected and there are safeguards for the protection of your rights. Please refer to the [County Council's privacy statement](#) for further details about this.

How long is your data kept for?

Nottinghamshire County Council's [records retention and disposal schedule](#) explains how long we normally retain different categories and types of information, including

personal data. The law may also specify a minimum amount of time we have to retain certain information.

Does the service make decisions using fully automated processes?

No.

What rights do you have over this use of your data?

Under UK GDPR, you have a range of rights in relation to your personal data and these are known as your Information Rights. These rights are:

- To be informed about how we use your data
- To access a copy of your data that we process
- To have us rectify or correct your data that we process
- To restrict or suppress our processing of your personal data
- To object to the use of your data
- To have your personal data erased
- To request that we transfer your information to you or another organisation
- To object to fully automated decision making
- To withdraw your consent (only if it is the legal reason why we use your data).

Some of the rights are subject to exceptions. Please refer to the [County Council's privacy statement](#) part 9 for further details.

Contact the Data Protection Officer:

If you have any concerns about how the Council is using your data, you can contact the Council's Data Protection Officer by writing to:

DPO@nottsc.gov.uk

Or

Data Protection Officer
Nottinghamshire County Council
County Hall
West Bridgford
Nottingham
NG2 7QP

Contact details of the Information Commissioner's Office:

If you are unhappy with how your data has been processed by the Council or you feel your data protection rights have been breached, you have the right to complain to the Information Commissioner's Office at:

www.ico.org.uk

Or

Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Last updated: 03/12/2024