

Service Area: Special Educational Needs (SEN) Service Directorate: Children and Adults PN-0394

05/2025

The **SEND Team** is part of Nottingham City Council, who are the data controllers for the personal data (or personal information) that we process about you. 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:

- The primary purpose of processing data related to Children and Young People (CYP) and adults with Special Educational Needs and Disabilities (SEND) (ages 0-25) is to improve the collection, analysis, and utilisation of SEND data across Nottinghamshire. This is achieved through sharing limited data with the GP Repository for Clinical Care (GPRCC). The key objectives of this initiative are:
- Enhance Data Quality and Availability: Address existing gaps in data collection and intelligence sharing across the local area SEND partnership, ensuring a more comprehensive understanding of the needs of CYP with SEND.
- Support Strategic Decision-Making: Provide accurate, shared data to enable SEND executive and strategic leaders to identify, assess and plan for the needs of CYP with SEND, ensuring that services and provisions are effectively commissioned to meet these needs. To this end, we are working with the NHS

Nottingham and Nottinghamshire Integrated Care Board (ICB) to create a SEND data sharing dashboard. This will display aggregated data enabling strategic leaders to identify the SEND cohort and how it is constituted in terms of health pathways, assessments, services and outcomes.

- **Improve Inspection Readiness:** Respond to concerns raised in the recent Ofsted and Care Quality Commission (CQC) SEND inspection of Nottinghamshire County Council (NCC), ensuring that proactive measures are taken to enhance SEND outcomes and address identified weaknesses.
- **Strengthen Accountability:** Establish clear oversight and accountability mechanisms for SEND leaders within NCC and the Integrated Care Board (ICB), fostering a coordinated approach to service delivery and outcome improvement.
- **Foster a System-Wide Approach:** Promote a collaborative system-wide response across Nottingham and Nottinghamshire, leveraging the support of the ICB to ensure consistent and effective SEND support across the region. 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 will relate to your: (this may include all, or some of the following, depending on the service).

- **NHS number, date of birth, address, gender**

The information we process about you may include the following 'special categories of personal data':

- Race or Ethnic origin
- Sex life or sexual orientation

- Genetic and biometric data

Lawful basis for processing

The basis under which we use your personal information for these purposes is public interest / exercise of Authority a result of the powers or duties contained in:

- The Children Act 2004 (the Act), as amended by the Children and Social Work Act 2017.
- Localism Act 2011, s.1
- Children and families Act (2014) Part 3
- SEND regulations 2014
- The Special Educational Needs (Personal Budgets) Regulations 2014.
- The Special Educational Needs and Disability (First-tier Tribunal Recommendations Power) Regulations 2017.
- SEND Code of practice (2015) (guidance)
- Mental Capacity Act (2005)
- The Equality Act (2010)
- The Education Act (2011)
- Health and Care Act (2022)
- NICE Guidance (NG213)

The condition under which we process 'special categories of personal data' is that such use necessary for reasons of substantial public interest.

We process all personal information in accordance with the provisions of the UK General Data Protection Regulation and the Data Protection Act 2018.

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, as well as NHS Nottingham and Nottingham ICB. Nottingham City Council

will only share 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 may share your personal information with:

The information 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 the information that is specified here. However, provision of information will help improve SEND services in the City local authority.

How long will the Council retain the data for?

The information you provide will be retained in accordance with the NHS record retention policy. Generally, records are kept for eight years plus an additional 12 months (for auditing purposes) from the date of the last treatment. However, for children, records are typically retained until their 25th or 26th birthday. In practice, this means your records will be maintained in GPRCC as long as you (or your child) remain registered with a practice.

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> .