

Privacy Notice for Divert Plus



**Service Area: Youth Justice
Service
Peoples**

**Nottingham City Council
Information Compliance**

PN- 0287

April 2022

Divert Plus project evaluation

Nottingham City Council is involved in the Divert Plus project which aims to turn 10 to 17 year olds away from the Criminal Justice System before court action is taken, ensuring they do not become involved in crime or violence in the future.

Following a violent incident when a young person enters the custody suite, a Divert Plus Youth Justice Service worker will engage with them. This is a 'learning moment' where the young person is in an alien setting and considering the consequences that may follow. If the young person agrees, they will be recruited onto the project and go through an assessment and planning discussion that focuses on their needs.

Divert Plus is funded by the Youth Endowment Fund (YEF) and they have hired Cordis Bright to evaluate the effectiveness of the project. With the consent of the individuals involved, the Council will provide Cordis Bright with personal information about individuals on the project. The information the Council will disclose includes the young person's name, gender, date of birth, ethnicity, postcode, SEND type, EET status and data on their offending (and potentially victimisation) history.

In addition, the Council will provide similar information for a 'Control Group' of young people who are not involved with Divert Plus but have agreed to take part in the evaluation.

In a separate development which does not involve the Council, YEF also requires Cordis Bright to provide data to the Department for Education (DfE) in order that it can be pseudonymised and returned to the YEF to be held in a research archive. In a completely separate initiative, the Department for Education (DfE) and Ministry of Justice (MoJ) are linking together the National Pupil Database (NPD) and Police National Computer (PNC). This linked data will be made available via the Secure Research System (SRS). It will be possible to link this data to the pseudonymised data on children held in the YEF archive.

NCC's involvement in the Divert Plus project evaluation is limited to providing data for the evaluation of Divert Plus. The council's Youth Justice Service will process and disclose personal data for this project under the Data Protection Act 2018 part 3 meeting the following conditions for fair and lawful processing:

- DPA S35(2) the processing is necessary for the performance of a task carried out for that purpose by a competent Authority
- DPA S35(5) the processing meets at least one condition in schedule 8 and at the time the controller has an appropriate policy document in place
- Schedule 8 conditions are protecting vital interests and safeguarding of children and of individuals at risk

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?

Lawful basis for processing

The basis under which we process your personal information for these purposes is that you consent to be involved in the Divert Plus initiative and the related and necessary data processing involved.

The condition under which we process 'special categories of personal data' is that you provide you explicit consent to be involved in the Divert Plus initiative and related and necessary data processing involved.

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

In relation to the Divert Plus initiative, the Council will share information with Cordis Bright who will evaluate the effectiveness of the Divert Plus initiative.

The information about other functions carried out by the Council 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.

How long will the Council retain the data for?

NCC will retain information about you in line with its retention schedule contained in its Information Asset Register (IAR).

The Council publish an Information Asset Register, this outlines 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>