

PRIVACY NOTICE

Introduction to Children's Law Centre

Children's Law Centre (CLC) is a company limited by guarantee, registered in Northern Ireland, with our registered office at Rights House, 127 – 131 Ormeau Road, Belfast, BT7 1SH (Company No. NI33998). We are also a charity, registered with the Northern Ireland Charity Commission (Charity No. NIC 101148)

CLC is an independent charitable organisation which works towards a society where all children can participate, are valued, have their rights respected and guaranteed without discrimination and where every child can achieve their full potential.

Our organisation is founded on the principles enshrined in the United Nations Convention on the Rights of the Child (UNCRC) and in particular:

- Children shall not be discriminated against and shall have equal access to protection.
- All decisions taken which affect children's lives should be taken in the child's best interests.
- Children have the right to have their voices heard in all matters concerning them.

Services provided by Children's Law Centre

CLC offers training and research on children's rights and the law as it relates to children. We make submissions on law, policy and practice affecting children and young people and we provide a unique legal advice, information and representation service specialising in children's legal issues. We run CHALKY, a dedicated free phone legal advice line for children and young people, their parents and carers and other adults working with children **and provide online information for children and young people through our chatbot REE Rights Responder**. We provide legal representation in tribunal and court proceedings affecting children and young people in line with our strategic case work objectives. We also have a youth advisory group called youth@clc, who engage in independent research, campaigning and peer advocacy projects on the issues that they feel impact most on children and young people's lives in Northern Ireland.

You can find information about the Services offered by CLC on our website at our ['What We Do'](#) page.

What is a Privacy Notice?

This Privacy Notice explains how we will use the personal data which we hold about you or others. The purpose of this Notice is to explain clearly to our service users and stakeholders how we use your personal information.

Children's Law Centre is committed to protecting the privacy and personal data of all of our service users. We are registered with the Information Commissioners Office and all personal data that we hold is held in accordance with the EU General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018 (DPA).

For CLC to provide our services, we may need to hold and process personal data, which is identifiable personal information about you or someone else. In compliance with GDPR, personal data may only be held and processed where there is a lawful basis for doing so. The lawful basis adopted by CLC will vary depending on the purpose for which you access our services (or in the case of a child, a parent, carer or someone else acting on your behalf accesses our services).

In carrying out our services, there are circumstances where CLC may process or transfer personal data to other people in the best interests of a child or for other lawful purposes. The notice explains how CLC will store, handle and make decisions relating to the sharing of personal data. This Notice only deals with CLC's use of personal data. Any recipients of the personal data which we process are not bound by this Notice.

Changes to this Privacy Notice

We keep this Privacy Notice under regular review and shall update as necessary. If we decide to retain or use personal data that we hold in a different way or for a new purpose, we will update this Privacy Notice to reflect the changes and communicate with individuals who may be affected.

This Privacy Notice was last reviewed and updated on **21st June 2021**.

What types of data do we hold?

In order for CLC to carry out our work and deliver our services we collect and process personal data, which may include but is not limited to:

Personal data we may collect from you

- ❖ Full Name
- ❖ Date of birth

- ❖ Address and postcode
- ❖ Telephone, mobile, email and other contact details
- ❖ National Insurance Number
- ❖ Financial information, including bank details
- ❖ Information relating to your special educational needs and/or disability
- ❖ Interview notes and statements relating to your case
- ❖ Documents received from you relating to advice and/or casework
- ❖ Client testimonials and feedback relating to services provided

Personal data we may collect from other sources

- ❖ Medical notes and records
- ❖ Health & Social care professional records
- ❖ Education records (e.g. from schools, Education Authority and Department of Education)
- ❖ Third party correspondence relating to you
- ❖ Statements/ reports from third parties relating to your case
- ❖ Independent reports
- ❖ Records of legal information and advice provided to you by CLC and others
- ❖ Case files detailing legal representation services provided to you
- ❖ Court and Tribunal Orders
- ❖ Criminal records and convictions
- ❖ Information from the Home Office regarding your immigration case / asylum claim

Personal data we may collect for recruitment purposes

- ❖ Employment records, references, proof of qualifications, Access NI checks
- ❖ Equality Monitoring Information including gender, race, ethnicity, religion, trade union membership

You will see from this list that some of the personal data which we collect and hold in relation to individuals may include **Special Categories of Personal Data and personal data about Criminal Convictions and Offences.**

Special Categories of Personal Data includes details about a person's race or ethnicity, religious or philosophical beliefs, sexual orientation, political opinions, trade union membership, information about health and genetic and biometric data. We collect these types of data only where it is necessary and in line with specific conditions under the GDPR and the UK data Protection Act 2018 (DPA).

We may also from time to time collect, use and share **Aggregated Data** such as statistical or demographic data with our funders; in our training programmes to

illustrate systemic issues or trends identified through our legal services, **including our chatbot REE** and their impacts on children and young people and also in our policy submissions. This data will usually be collected from interactions with our child and client contacts through our legal advice and casework, the data stored on our CHALKY database **and data collected from our chatbot platform; Google Dialogflow which is stored securely in Wordpress.**

Whose data do we hold?

CLC holds data about the following groups of people (“Data Subjects”):

Data Subjects	Description
Client contacts (adults on behalf of children)	Any adult who has engaged CLC to provide legal advice, information or representation services on behalf of a child
Client contacts (Child or young person)	Any child or young person who has engaged CLC to provide legal advice, information or representation services to them
CLC Members	Any individual or person from an organisation who has registered to be a member of CLC
Stakeholders and Service-user organisations	People from non-government organisations, children’s and youth sector, human rights and equality commissions, NICCY, statutory bodies, advice sector, children’s advocates and other individuals who have contacted us, engaged our services, made a referral or otherwise supported us
Professionals	Any professional who works with children and young people who has contacted us, made a referral, engaged our services or otherwise supported us, including legal professionals
Networking Contacts	People who support our work, have attended training or events organised by CLC or signposted others to our services
CLC staff and volunteers	Includes current staff and volunteers, past staff and volunteers in accordance with legal requirements
Youth@clc	Current members of youth@clc, CLC’s youth advisory and peer advocacy group for young people aged 14 – 17 years

How do we collect personal data?

CLC collects data from a variety of sources. The following table provides a detailed summary of the types of personal data we hold to provide our services and is not an exhaustive list of all of the data we retain:

Source	Types of data
Direct interaction with clients on CHALKY Advice Line and face-to-face (adults and children)	Contact and identity data: name, address, children’s names and dates of birth, gender, contact details. Personal data relevant to legal issue(s) when requesting legal advice or representation by telephone. Often documentation containing personal data is received from clients for review by advisers after the initial contact.
Engagement with clients (young people) through our chatbot REE for information on children’s rights	Mainly anonymous queries on children’s rights. Some personal data may also be captured by our chatbot where users choose to give it: REE will never request personal data as a condition of using this online legal information service. Personal data held by the chatbot will only be shared with relevant agencies where there is a safeguarding concern and it is in the best interests of a child or young person to do so and only for as long as is necessary.
CLC’s website	CLC’s website uses Google Analytics, a service which transmits website traffic data to Google servers in the United States of America. Google Analytics does not identify individual users or associate your IP address with any other data held by Google. We use reports provided by Google Analytics to help us understand website traffic and webpage usage.
CLC Membership	Name, organisation, professional role, business address and contact details, email address. (Some individual

	members have provided personal contact details).
Networking Contacts(e.g. for invitation to CLC training and events)	Name, organisation, professional role, business address and contact details, email address
Staff interaction with Stakeholders and Service-user organisations	Name, organisation, professional role and business contact details, email. Personal data relating to child/client contact where referring into CLC services
Staff interaction with professionals working with children and young people	Name, organisation, professional role and business contact details, email address.
Donations and sponsorship	Name, address, business contact details (where relevant), amount donated (for accounting purposes)
Staff and volunteers at CLC	Personnel files, including name, address, personal contact details (telephone /mobile/email), employment history, qualifications, references. Employees only - bank details, salary, National Insurance Number, pension details, information required to meet statutory requirements. Staff supervision and appraisal records are retained by line managers.
Youth@clc members	Name, address, date of birth, phone/mobile number, email address, parent/guardian's phone/mobile number, other youth groups attended; information provided on youth@clc Parental Consent Forms (e.g. medical conditions and/or disabilities)
Applications for recruitment at CLC	Name, address, personal contact details, employment history, qualifications, references, equality monitoring information

How do we use your data?

CLC routinely holds and processes personal data, which means that we must have a 'lawful basis' for doing so.

In some cases CLC will rely on our **legitimate interest** to function as a service provider as the lawful basis for holding and processing your personal data. In such circumstances, CLC considers that the use of personal data goes no further than you would reasonably expect; is likely to align with your interests (by enabling us to provide an effective and sustainable service to you) and should not be detrimental to your individual rights and freedoms.

CLC's main services and operations which may require the use of your personal data are as follows:

Provision of Legal Information

When you (young person) contact REE for legal information, Dialogflow will record and store all details of your conversation with REE. Your conversation with REE is stored securely within an encrypted website (Wordpress). Whilst REE is anonymous and confidential, if you submit identity details the chatbot will record and store these details. Personal data held by the chatbot will only be retained and shared with relevant agencies where there is evidence of a potential safeguarding concern (where you disclose that you or someone else is suffering harm or at risk of suffering harm), and it may be in your/their best interests to do so. Decisions about sharing any personal data recorded by the chatbot will be taken by CLC's Designated Safeguarding Officer in full compliance with CLC's Safeguarding Children and Young People's Policy and Data Privacy Policy.

Provision of Legal Services

When you contact CLC to seek legal advice and assistance, we will record personal information such as your name, address, children's names and dates of birth, gender, and your contact details from the point when you make initial contact with our service. You may also provide us with additional information relevant to legal issue(s) when requesting legal advice or representation by telephone. Very often documentation containing personal data is forwarded by callers after an initial advice contact for review by our legal advisers. Any documentation that you provide for the purpose of receiving legal advice is retained by CLC with your initial contact records. This may include records, reports and documentation specific to a child or family and the content may be sensitive and confidential in nature (See the list above for the types of data that we hold). The personal data which we hold will only be collected where it is necessary and deemed to be in the legitimate interest of enabling us to progress your legal enquiry, to provide you with legal advice and assistance or to consider your case for legal representation. Your personal information will usually be held on paper and computer records.

In cases where CLC is providing representation in Court and Tribunal proceedings, we will use your data to represent you or your child's legal interests in the proceedings. We may also need to process your personal data to others during the course of your legal proceedings such as officers of the Court or Tribunal, other parties to proceedings and their legal representatives, your barrister, an independent expert or the Legal Services Agency, where you are eligible to apply for legal aid. Sharing of personal information with third parties will normally be done with your consent, unless CLC is legally obliged or compelled to do so (i.e. under legislation, contract, vital interest, child or vulnerable adult safeguarding reasons). If you have any concerns about disclosure of any particular sensitive personal data please raise this with us at the earliest stage when engaging our legal services.

Development of Training and Information Resources

CLC will sometimes develop case scenarios informed by REE and our legal advice and casework to share learning amongst our stakeholder organisations and to develop training, research and awareness raising materials to promote children's rights. Such information is shared on the basis of legitimate interest will only be used for training and information purposes provided that all sensitive details are removed which could identify a child. Personal data from completed cases may only be used with the written consent of the client, where appropriate, and the written consent of the child's parent/carer where the child is under 16.

Membership

CLC is a membership organisation. Data is collected from members by way of an application form. Membership is renewed on an annual basis and member's data is maintained and updated annually. Members' data is held on the basis of legitimate interest. The data collected (Name, organisation, professional role, business address and contact details, email address. Some individual members have provided personal contact details) will be processed for the purpose of maintaining your membership. This may include issuing you with updates on the work we are carrying out and to notify you of any training or events that we are running which may be of interest. Your data is stored on an internal database and your details will not be shared with any third parties.

Information and communications on CLC Training and Events

Where you access our services to attend training or events we will store the following details: your name, address, telephone number, email and invoicing details. Your data will be held and processed for the purpose of contacting you to confirm arrangements for training sessions booked and forwarding any training resources or materials relating to training. As a user of our service we may also use this information to contact you about any future training, events and ongoing work at CLC which may be of interest to you. Your data is stored on an internal database and your details will not be shared with any third parties unless a third party is contracted by CLC e.g. for the

administration of a service. If you do not wish to receive any future information or communications from CLC please contact us by emailing reception@childrenslawcentre.org and we will update our records.

Recruitment and volunteering

The data we collect from applicants during a recruitment process will be the information that is included in your application form. The data provided will be held and processed to take steps at your request prior to entering into a contract, and for the purpose of recruitment only. The information you provide throughout the recruitment process will be held securely and confidentially by us. We will use the contact details you provide, where appropriate, to contact you to progress your application for shortlisting and interview. We will use all the information provided on your application form to assess your suitability for the position you have applied for. If we are seeking references for appointment to a post we will notify you in advance and obtain your consent to contact referees.

Employee Personnel Records

CLC processes personal data of its employees in accordance with the law and for the legitimate interest of carrying out its functions as an employer, and to fulfil your contract of employment. CLC's Head of Administration and Finance keeps a central personnel file in respect of each employee. The employee's line manager keeps separate personnel records relating to staff supervision, appraisal, and other information relevant to their ongoing work. Information held on personnel files will only be used for purposes directly relevant to that person's employment.

Youth@clc

The data that we collect from members of youth@clc are usually provided by you on our Youth@CLC Expression of Interest Form and our Youth@CLC Parental Consent Form. The data that we hold is held on the basis of legitimate interest and includes your name, address, date of birth, phone/mobile number, email address, parent/guardian's phone/mobile number, other youth groups attended. We may also hold information relating to any medical conditions and/or disabilities that you have. We use this information to consider how we may take steps to safeguard your interests by keeping you safe and providing you with any support that you may need when you are attending CLC workshops or events. We will discuss any safety measures or reasonable adjustments that we intend to make fully with you in advance. We will use the contact details that you have provided to keep you informed of any workshops, events or future activities that you may be interested in getting involved in.

How do we store your data?

CLC holds personal data in respect of callers seeking advice on our free phone legal advice and information line. This data is held in hard copy on advice contact sheets by individual members of the legal team for the duration of the advice enquiry and then

returned to the Advice Manager for secure storage in locked filing cabinets. Personal data in relation to our advice service users is also held on a computer database managed and maintained by our Advice Manager, is treated confidentially and is password protected. We also hold personal data relating to clients for whom we are providing legal representation on legal case files. Client's information is subject to strict confidentiality and legal client privilege. Open case files are stored securely by individual caseworkers in locked filing cabinets and when closed, are stored in our legal archive which is security protected. **Data collected from REE is stored in a secure encrypted site within Wordpress.**

Staff personnel files, recruitment records, volunteers details, CLC members and youth@clc membership information is all treated confidentially. Where your personal data is held in hard copies it is stored in secure and locked filing cabinets and no unauthorised personnel will have access to the data.

CLC has in place comprehensive IT security measures to protect your personal data which we hold electronically (see section below). Electronic data is stored securely on our internal server with external back up provided by our UK-based IT consultants.

What measures do we have in place to protect your data?

It is CLC's policy to ensure that all personal data held by us is handled sensitively and appropriately according to the nature of the information, any risk associated with mishandling the data which we hold, including the damage that could be caused to an individual as a result of loss, corruption and/or accidental disclosure of any such data, and in accordance with any applicable legal requirements.

The following measures are taken to ensure safe storage and protection of data:

- **CLC Policies and Procedures** - CLC has in place a Privacy Notice, a Confidentiality Policy and a Serious Adverse Incidents Policy which covers data protection breaches. All staff members are familiar with and have access to these policies on a shared computer drive. These policies are reviewed annually by the Senior Management Team at CLC, updated as necessary and all staff members are notified of any changes made.
- **Staff training** – CLC Staff receive data protection training on a bi-annual basis. All staff have received training on the General Data Protection Regulation (GDPR).
- **Lexcel approved quality standard** - case management and file storage procedures are well embedded in practice within the legal team at CLC and are

subject to annual monitoring visits by an external auditor to renew Lexcel accreditation.

- Paper files, records and documentation containing personal data is required to be stored in secure and locked filing cabinets and no unauthorised personnel will have access to data.
- The legal case management system we use is Alpha Law, which is accessed only by our Head of Administration and Finance Unit and is password protected and backed up on a daily basis.
- The CHALKY (Advice and Information Line) database is password protected and backed up on a daily basis.
- **REE Rights Responder data is stored in a password protected encrypted database within Wordpress.**
- All CLC staff member's computers are password protected and the passwords are changed at regular intervals as a security measure.
- **IT back up procedures** - Staff computers are networked and data is backed up on a daily basis. CLC has a contractual agreement with external IT Support Consultants, who conduct daily checks in relation to our IT back up facilities. They also conduct monthly restore data verification tests and report to us. We have a Confidentiality Agreement with our IT Consultants which is reviewed annually.
- **IT security measures** – CLC reviews our IT security with our Consultants on an annual basis. We have a range of services in place including:
 - ❖ Anti-virus software
 - ❖ Email filtering and spam protection
 - ❖ Internet firewall protection
 - ❖ Encryption software
 - ❖ Backup recovery and replication software
 - ❖ Cloud storage
 - ❖ Two-step security authentication installed on all staff work mobiles and laptops

For how long will we keep your data?

We only keep your data for as long as is necessary for the purpose(s) for which it is being processed and to comply with any legal requirements.

We operate the following retention policies in relation to the data which we hold:

- We will store data related to organisational funding and financial transactions (e.g. in the processing of training and membership fees) for up to 7 years to comply with accountancy auditing requirements and HMRC regulations
- We will store records of Legal Advice and Information provided for 6 years after the advice has concluded in accordance with Law Society advice and best practice **(including information provided by REE)**. Destruction of hard copy records is carried out by a certified shredding company to ensure client confidentiality and compliance with data protection.
- We securely store legal case files (where legal representation has been agreed and/or a Lexcel case file has been opened) until the end of the year when the client has reached their 21st birthday. Files will only be destroyed after the client's 21st birthday. In some immigration and asylum cases, legal representation may continue post 18. In such cases, the file will be retained for 3 years after the case matter is closed. Destruction of hard copy records is carried out by a certified shredding company to ensure client confidentiality and compliance with data protection. CLC holds a database in relation to all archived case files, including a record of the dates of destruction for archived case files.
- Recruitment and personnel records - We will store personnel records relating to former employees (including disciplinary records) for a period of 6 years after employment ceases as a recommended (non-statutory) retention period. We may store records for up to 3 years to comply with equality monitoring requirements.
- We may retain data which is held for marketing purposes (e.g. for inviting stakeholders and networking contacts to organisational training and events) for up to 5 years.
- We may store aggregated data without limitation (on the basis that no individual can be identified from the data).

Who do we share your personal data with?

We sometimes share your personal data with trusted third parties. We only do this where there is a legitimate interest to do so or to comply with legal requirements.

For example, where it is necessary for providing you with legal services, we may share your data with officers of the Court or Tribunal, other parties to proceedings and their legal representatives; experts; health care professionals; education professionals; schools, Health and Social Care Trusts, the Education Authority, Legal Services Agency (where you are applying for legal aid); our legal costs drawer; the Home Office (in asylum / immigration matters only).

Sharing of personal information with third parties will normally be done with your consent, unless CLC is otherwise required to do so (i.e. under legislation, contract, vital interest, child or vulnerable adult safeguarding reasons). Your data will only be shared where there is a lawful basis to do so.

We also outsource some of our functions, including IT support and external data storage, Access NI checks, legal standards auditors, funding and accountancy auditors. Where we engage with other organisations, we will always ensure that:

- We will only provide the information they need to perform their specific services;
- They may only use your data for the exact purposes we specify with them;
- We work closely with them to ensure that your privacy is respected and protected at all times;
- If we stop using their services, any of your data held by them will either be deleted or rendered anonymous.

Legal Services Standards Audits

CLC is registered under the Lexcel Quality Standard of the Law Society. As part of our legal services quality control checks CLC has an annual audit by an external assessor whose company is recognised by the Law Society for Northern Ireland. As part of this annual audit process the assessor is given access to a small number of client case files for the purposes of assessing the quality of our legal service provision. The lawful basis for sharing the personal data is legitimate interest. Annual audits are conducted in confidence and the assessor is Access NI checked. If you or your child's file is selected prior to the assessment date for auditing purposes we will seek your consent for inspection by the external assessor.

Reporting to current and prospective funders

CLC is a registered charity and much of our work, including REE and our free phone legal advice service is funded through a variety of sources such as government departments, statutory bodies, children's charities and other charitable foundations. Some of the organisations that fund our services require us to provide regular feedback on how their money has been spent. We generate statistical reports and provide qualitative feedback on a periodic basis to our funders using data collected from people who have accessed our information and legal services. The data is shared on the basis of legitimate interest. These organisational

reports contain the demographics of the legal needs of children and young people in Northern Ireland to whom we are providing legal services but no child or family should be identifiable from the reports. We may also use statistical reports generated from this data to support applications to prospective new funders, to illustrate our policy submissions or to train others on children's rights. This data is stored securely and confidentially and we only use it for these purposes. Casework and strategic legal outcomes are also reported on an anonymised basis to current and potential funders. Sensitive personal data is not reported to funders by CLC to protect the child and their family from being identified, nor will any information be provided if it is deemed not to be in child's best interests.

Where is your data processed?

We will usually only process your data within the European Economic Area (EEA). If we have to share your personal data with third parties outside the European Economic Area (EEA) we will ensure that appropriate safeguards are in place.

Your right to withdraw consent for processing of your personal data

Where you have given us your consent to process or disclose to a third party your personal data, you have the right to change your mind at any time and to withdraw your consent. If you decide to withdraw your consent you must notify us immediately in writing.

What are your rights in relation to your personal data?

The General Data Protection Regulation provides you with the following rights in respect of your personal data:

- (a) You have the right to be informed** about what personal data is being collected and held about you and how it is used.
- (b) You have the right to access personal data being held about you** and confirmation of the purpose for processing your personal data
- (c) You have the right to have your personal data rectified** if it is inaccurate or incomplete.
- (d) You have the right to be forgotten** and in some circumstances, to have your personal data erased from our records.
- (e) You have the right to restrict processing of your personal data** in specific circumstances.

(f) You have the right to data portability and in some circumstances, to request transfer of your data to a third party.

(g) You have the right to object to the processing of your personal data for specific purposes including direct marketing, automated decision making and profiling, or where the processing is in our legitimate interests.

For more detailed information on your rights under GDPR, we refer you to the Information Commissioner's Office website:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If we are not the Controller of your personal data, we will need to transfer your request to the Controller – but we will only do so with your consent. If you do contact us with a request, we will also need evidence that you are who you say you are to ensure compliance with data protection legislation. Requests will normally be dealt with **one month** of the date of receipt and we will provide you with a written response. If we choose not to action your request, we will explain to you the reasons for our decision.

Contacting CLC's Data Protection Officer

If you have an enquiry relating to this Privacy Notice or wish to seek confirmation about the personal data which we hold about you, you may contact **CLC's Data Protection Officer who is Paddy Kelly, Director**. She may be contacted at CLC's Offices:

Ms Paddy Kelly
Data Protection Officer
Children's Law Centre
Rights House
127-131 Ormeau Road
Belfast
BT7 1SH

Tel: 028 9024 5704

Email: reception@childrenslawcentre.org

How do I make a complaint if I am unhappy with your response?

If you feel that your data has not been handled correctly by us, or you are unhappy with our response to any requests you have made to us regarding the use of your personal data, you may wish to lodge a complaint with the Information Commissioner's Office.

You can contact them by calling **0303 123 1113**

You may also register a complaint online at www.ico.org.uk/concerns

Please note we are not responsible for the content of external websites or any external complaints process.

Glossary of Terms

We are aware that some of the terms used in this Privacy Notice may be unfamiliar to you. We have tried to explain the terms, where relevant, within the body of the Notice but have also included a glossary for easy reference:

Data Subject means the individual who can be identified from the Personal Data;

Personal Data means data which can be used to identify a living individual. This could be a name and address or it could be a number of details which when taken together make it possible to work out who the information is about. It also includes information about the identifiable individual;

Controller is a legal term set out in the General Data Protection Regulation (**GDPR**) and means the party responsible for deciding what Personal Data to collect and how to use it

Processor is another legal term set out in the GDPR, it means the party who has agreed to process Personal Data on behalf of the Controller; and

Special Categories of Personal Data means details about an individual's race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about health and genetic and biometric data.