

Privacy Notice – NIGALA for Service Users

1. Introduction

The Northern Ireland Ad Litem Agency (NIGALA) has been established to act as a voice for Children and young people who are subjects of public law and adoption proceedings before the courts in Northern Ireland. A Guardian ad litem (social worker) is appointed by the court to represent the child or young person.

Our role is to:

- safeguard and promote the welfare of children;
- give advice to the family courts;
- make provision for children to be represented;
- provide information, advice and other support for children and their families.

2. Your Information

NIGALA uses personal information. This Privacy Notice provides a summary of how we use your information in line with the General Data Protection Regulation and to ensure that we process your personal data fairly and lawfully we are required to inform you of:

- What personal information we collect
- Why do we collect data
- How it will be used
- Who it will be shared with
- How long it will be kept for

2.1 What types of personal data do we collect?

NIGALA process personal information in relation to Children and Young people. We collect and process personal information about you where it is relevant to the family court proceedings. We do this to fulfil our statutory role in providing advice to the court when we are appointed.

The information we collect can include personal information such as your name, date of birth, family details, criminal record information, Trust information and health information.

2.2 Why do we collect data?

Our legal basis for processing this information is our statutory role which is set out in The Children (Northern Ireland) order 1995.

2.3 Where do we collect this information from?

We collect this information from court application documents, from you in phone or face-to-face interviews, from other parties on the case and also any other person the Guardian considers it necessary to speak to.

2.4 How will we use information about you?

We use this information to advise the court and may make written recommendations to the court in a letter or a report. Sometimes information is shared as part of research to do with family court proceedings. We will only publish this in a way which means you cannot be identified.

2.5 Sharing your information

We share your information with the court and with other parties involved in the case such as Solicitors. We have a data sharing agreement in place with Solicitors.

2.6 How long do we keep information for?

NIGALA will only retain information for as long as necessary, in line with its retention schedule outlined in the Department of Health (DoH) Good Management, Good Records (GMGR).

Records in specified proceedings under the Children (NI) Order 1995 are kept 75 years from date of birth or if the child dies before age 18 then retain for 15 years from his/her death.

Records in proceedings under the Adoption (NI) Order 1989 are kept 75 years from date of final court decision (whether freeing/adoption order granted or not)

For further information, please refer to the following DoH link:

<https://www.health-ni.gov.uk/topics/good-management-good-records>

2.7 Can I see what Information you hold about me?

You have the right to access personal information NIGALA holds about you, this is called a Subject Access Request. You can use this email address information@nigala.hscni.net for such requests.

3. How do we keep your information secure?

We understand that, due to the nature of the work we carry out with children and families, we often deal with personal information that is sensitive. It is our duty to handle this information correctly and protect it from falling into the wrong hands. We protect it by holding new information on our secure electronic case management system and old information in archives on secure premises. We also send sensitive information by secure methods, either by secure postal services or electronically via CJSM secure email. This ensures that only those with the right to view the information can access it.

4. Can you correct my information if I tell you it is wrong?

You have a right to ask us to correct any inaccuracies in the information we hold about you. Please contact your Guardian if any of the information we have recorded about you is not correct or is out of date. We will either amend the information, or add a note to show that it is contested.

5. What to do if you think there is a problem with the way we handle your information?

Please contact us if you have any questions about our privacy notice, the information we hold about you, or how we handle this information:

- by email: information@nigala.hscni.net
- post: Records Management Officer, NIGALA, Centre House, 79 Chichester Street, Belfast, BT14JE

If you have any further concerns about how we handle your information, you have a right to complain to the Information Commissioner's Office (ICO) who regulate compliance with data protection legislation: ICO.org.uk

5. Changes to our privacy notice

We keep our Privacy Notice under regular review and we will place any updates on this document.