



PRIVACY NOTICE

FOR THOSE UNDER PBNI SUPERVISION

INTRODUCTION

We are giving you this notice because you are subject to a court order or licence which requires PBNI supervision.

You may be on one of the following Orders or Licences.

- Probation Order
- Community Service Order
- Combination Order
- Supervised Activity Order
- Custody Probation Order
- Determinate Custodial Sentence
- Extended Custodial Sentence for Public Protection
- Indeterminate Custodial Sentence for Public Protection
- Juvenile Justice Centre Order
- Article 26 Licence
- Life Sentence Licence
- Other Orders (e.g. Enhanced Combination Orders)

The law which sets out PBNI's role and functions is the Probation Board (Northern Ireland) Order 1982. In addition, other legislation relating to probation activities is in the Criminal Justice (Northern Ireland) Order 1991, Criminal Justice (Northern Ireland) Order 1996, Criminal Justice (Northern Ireland) Order 2008 and the Criminal Justice (Children) (Northern Ireland) Order 1998.

PRIVACY NOTICE

WHAT INFORMATION WILL PBNI HOLD ABOUT YOU?

PBNI will hold information in both paper and electronic format which will include:

- Details of the offence(s) with which you have been charged.
- Conditions of supervision.
- Referral forms.
- Information about programmes you have undertaken.
- Your personal circumstances, for example, your family, employment, any addiction issues, health complaints or other difficulties you may have.
- Other offences for which you have been convicted of previously.
- An assessment of risk and likelihood of your re-offending.
- Risk management plan
- Reports including Pre-Sentence Reports, Breach Reports, Reports for the Parole Commissioners.
- Next of kin details

WHO MAY YOUR INFORMATION BE SHARED WITH?

Your information may be shared with

- Your solicitor
- The Court Service
- The Public Prosecution Service
- The Prison Service
- Parole Commissioners
- Other probation services
- The Department of Justice
- Staff in PBNI
- Social Services
- The Youth Justice Agency
- The Housing Executive
- The Safeguarding Board
- Health Trusts
- Approved premises/Hostels
- Agencies involved in multiagency partnerships including The Public Protection Arrangements Northern Ireland; and Multi-Agency Risk Assessment Committee.
- The NI Statistics and Research Agency (NISRA)
- If they have been assessed and registered with PBNI's Victim Information Scheme, the victim in your case may have information shared although only information about your sentence and NOT any personal information about you will be provided to them.

- If you are on a Community Service Order some information including your offences, relevant medical history and your name will be shared with the community service placement.
- If you are referred to undertake programme work with another organisation which provides, for example, mentoring, counselling, drug and alcohol work, or employment/training information about your offence, issues to be addressed, and relevant medical history will be shared.

Your information may be shared with others if you agree, or the law requires us to do so, or the law allows it and we believe it is important to do so, for example, for protecting people, investigating or prosecuting crime.

WHAT RIGHTS DO I HAVE?

You have a series of rights around access to your personal information. Those rights are also subject to certain limits where, for example, sharing the information would obstruct a criminal process, investigation or sentence, or cause a public threat or danger. Subject to those conditions, you have a right:

- to obtain confirmation that your personal information is being processed, and have access to it;
- to have your personal information rectified if it is inaccurate or incomplete;
- to have your personal information erased and to prevent processing, in specific circumstances;
- to object to processing, halt or suspend the processing of your personal information while it is being checked; and
- In specific and limited circumstances, a right to “data portability” which means a right to receive or transfer certain personal information in a machine-readable way.

RETAINING AND HOLDING YOUR INFORMATION

We will only retain your information for as long as necessary and for the purposes we have described. Anything factually incorrect in your personal information will be amended.

Your information will be held in line with our Retention and Disposal Schedule which is available on our website at www.pbni.gov.uk. It will be retained securely and confidentially on our electronic case management system and in paper records. Your record will be securely destroyed after the relevant retention period unless further work is anticipated. Thereafter, information limited to your name, date of birth, commencement and termination dates of supervision will be retained to ensure we have a record of disposal of your case file.



HOW DO I COMPLAIN IF I AM NOT HAPPY?

If you are unhappy with how any aspect of this privacy notice, or how your personal information is being processed, please contact the Data Protection Officer at:

Telephone: 028 90 522522
Email: DPO@probation-ni.gov.uk

If you are still not happy, you have the right to lodge a complaint with the Information Commissioner's Office (ICO):

Information Commissioner's Office

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113
Email: casework@ico.org.uk

<https://ico.org.uk/global/contact-us/>

CHANGING LIVES

Putting Justice, Mental Health,
Addiction and Victim support
services at your fingertips.

