



HM Prison &
Probation Service

Her Majesty's Prison and Probation Service Privacy Notice

Prisoners - How We Use Your Information

PURPOSE

This privacy notice explains the standards that you can expect from the HM Prison and Probation Service

- when we request, obtain, use or hold personal information about you, a prisoner in our care;
- how you can get access to a copy of your personal data;
- how you can complain if you think we've done something wrong.

The way we deal with your information hasn't changed, but this notice is an update to the previous one to make clearer the information you need to know.

Her Majesty's Prison and Probation Service (HMPPS) is part of the Ministry of Justice (MoJ). The MoJ is the data controller for the personal information we hold in HMPPS. We need to collect your personal information to carry out functions such as delivering sentences given by the courts, in custody and the community, and rehabilitating people in our care through education and employment.

Types of personal information we collect:

We only collect personal information that is important for us when we are carrying out our function of holding you in custody as required by the Court and services such as education, employment etc to you whilst inside prison. This may include; addresses, email addresses, national insurance numbers, nationality and ethnicity, financial information, sexual orientation, information about offences or alleged offences, next of kin details.

Why do we collect information and what lawful basis do we have for the collection?

The information we collect is used to carry out sentences given by the courts, help rehabilitate people in our care and to ensure that processes in prisons can run safely and smoothly. We also have to prevent and detect crime. We have permission to do

this under the Prison Act 1952, the Prison Rules 1999, Offender Management Act 2007 and other legislation.

Who the information may be shared with

- We sometimes need to share your personal information with other organisations. When we have to share your information with other organisations we will always follow all aspects of data protection laws. The organisations we share your personal information with may include:
- Other government departments including the Department for Work and Pensions, Home Office, and Border Agency;
- Criminal justice organisations including the Police and prosecutors;
- Community Rehabilitation Companies (CRCs)
- National Probation Service
- Local authorities
- Private and voluntary sector organisations, who deliver services, such as part of education and rehabilitation and activities

Personal data is only shared outside the MoJ when the law allows. Your data may also be shared with other parts of the MOJ such as Her Majesty's Court Service.

Details of transfers to another country and safeguards

It may sometimes be necessary to send some personal information abroad. For example, when a prisoner is transferred to another country to complete their sentence, or, after ending their sentence, and are being returned. Information may be given to a foreign embassy in specific circumstances. Any transfers made to another country will comply with all aspects of the data protection law.

Retention period for information collected

We have a detailed policy as to how long we need to keep your personal information. If you have any questions about this please speak to a member of staff, who will discuss with the prison Information Access Representative/(IAR)/ Knowledge and Information Liaison Officer (KILO).

Access to personal information

You can find out if we hold any personal information about you by making a Subject Access Request. If you wish to make a Subject Access Request please Speak to a member of staff in your prison, who will discuss with the prison Information Access Representative (IAR)/ Knowledge and Information Liaison Officer (KILO).

When we ask you for personal data

We promise to let you know why we need your personal information. We will ask only for the personal information we need and will not collect information that is unnecessary.

- You can refuse to agree to share information at any time, but only where it is legal to do so;
- You can discuss with your landing or unit officer if you have any questions or concerns;
- You should protect your information and make sure no unauthorised person has access to it. If you have personal information in your possession and are concerned about keeping it safe, please speak to a member of staff;
- We will only, where relevant and necessary, share your personal information with other organisations;
- We will make sure we don't keep your personal information longer than is necessary;
- We will not make your personal information available for sale to others;
- We will consider your request to correct, stop collecting or delete your personal information if relevant and legal.
- Occasionally we may use your contact information to ask you if you would like to complete a survey, sometimes from the Measuring Quality of Prisons Life (MQPL) team. We use this information to see where and how we could improve our services to you.

You can get more details on:

- Agreements we have with other organisations for sharing information;
- How we produce statistics about different issues in prison;
- Our instructions to staff on how they have to collect, use or delete your personal information;
- How we check that the information we hold is accurate and up-to-date;
- How to make a complaint.

For more information on these points please speak to a member of staff in your prison, who will discuss with the prison Information Access Representative/(IAR)/ Knowledge and Information Liaison Officer (KILO).

Complaints

When we ask you for information, we will keep to the law. If you think that your information has been handled incorrectly, you can contact the Information Commissioner for independent advice about data protection. You can contact the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

On behalf of the MoJ Data Protection Officer.

102 Petty France
London
SW1H 9AJ