Service Name: Special Education Needs

This notice provides additional privacy information for:

- Parents and Young People who use the Special Educational Needs Team - The Special Educational Needs Team is committed to using and storing your data appropriately and transparently. You trust us with your personal information and we work hard to ensure it is used for the purposes for which it was agreed.

Purpose

The SEN Team provide a statutory service on behalf of the Local Authority to management and administer the statutory assessment of Children and Young People with Special Educational Needs as outlined in the Department of Education Special Educational Needs Code Of Practice January 2015 and the Children’s and Families Act 2014.

We collect and hold information as part of the Statutory Assessment of Children and Young People’s Special Educational Needs (SEN) in order to support schools, colleges and nursery’s to support children and young people with their SEN.

We collect / obtain your personal information for the following purpose(s):

- In order to collect information relating to the SEN of Children and Young People this includes assessment advice from various agencies and other Professionals such as Health and Social Care.
- To support the Authority to make decisions on whether the Child/Young Person requires a statutory assessment.
- To support the Authority to make decisions on whether the Child/Young Person requires an Education Health and Care Plan.
- To support schools and setting to meet you or your child’s SEN

Categories of Personal Data

In order to carry out these purposes we collect and obtain:

- Name
- Address
- Date of birth
- Ethnicity
- Schools attended
- Phone number
- Email address of parents/guardian
- Medical and SEND needs
- Unique Pupil Number
- Behaviour & attendance data
- Social care status
- Home language
- Views of parents and carers
- Views of child or young person
- Views of teachers
- Assessment information
Legal Basis for Processing
The legal basis for processing your personal information is:

- Arrangements for meeting the needs of children and young people with Special Educational Needs.
- The Department for Education’s Special Educational needs Code of Practice published in 2014 and the Children's and Families Act 2014 underpins the statutory process for assessment for an EHC Plan. Within the Code, Education, Health and Care needs assessments and plans (Chapter 9 of the DfE Code of Practice January 2015 Sections 9.1 to 9.217) details the responsibility of the Local Authority in considering whether to complete a Statutory Assessment, issue an Educational Health Care Plan and review and monitor the Educational Health Care Plan arrangements. The lawful basis for holding your personal data is ‘Public Task’ as we need the information to carry out our public functions as set out in law.

Purpose for Processing
Collection and collation of the statutory assessment advice for an Educational Health Care Plan, will be used by the Local Authority to determine whether a Child or young Person requires a statutory assessment of their SEN or an Educational Health Care Plan and will support schools and settings to support and deliver the SEN provision required to meet the Children and Young People’s SEN.

Information sharing/ recipients
We may share personal information about you with the following types of organisations:

- Other Education Teams (SEND Support Service, Statutory Assessment Team, Post 16 Team, Admissions, Exclusions, Fair Access & In Year Admissions)
- Other Council Teams (Children’s Services, Adult Social Care, Early Years, Youth Justice Service)
- Education providers (schools, children’s centres, private nurseries, Further Education Colleges, workbased learning providers, Independent Specialist Providers)
- Other local authorities (Educational Psychology, SEND Services)
- Department for Education
- Health teams (Paediatrics, Occupations Therapy, Speech and Language, Physiotherapy, CAMHS, school nurses, Clinical Commissioning Groups)

We will always ask you about your preferences for the sharing of information.

Categorise sources if not obtained from data subject
As well as information collected directly from you or your parents, we also obtain or receive information from:

- Other Education Teams (SEND Support Service, Statutory Assessment Team, Post 16 Team, Admissions, Exclusions, Fair Access & In Year Admissions)
- Other Council Teams (Children’s Services, Adult Social Care, Early Years, Youth Justice Service)
- Education providers (schools, children’s centres, private nurseries, Further Education Colleges, workbased learning providers, Independent Specialist Providers)
- Other local authorities (Educational Psychology, SEND Services)
- Department for Education
- Health teams (Paediatrics, Occupations Therapy, Speech and Language, Physiotherapy, CAMHS, school nurses, Clinical Commissioning Groups)

Automated Decisions
All the decisions we make about you involve human intervention.
Data retention/criteria
Your information will be securely stored on the SEN teams shared files within the Councils IT systems. Personal records are kept until the child or young person reaches their 30th birthday, unless they are Looked After Children in which case the records are retained much longer.

Categorise sources if not obtained from data subject
As well as information collected directly from you, we also obtain or receive information from:
- Not applicable

Data Transfers beyond EEA
- Your personal information will not be transferred outside the European Economic Area, other than the publication of your name and comments as described above.

Your rights
You can complain directly to the Council’s Data Protection Officer
Information about:
- exercising your rights
- contacting our DPO
- raising a concern with us, or
- making a complaint to the Information Commissioner

is accessible in our https://www.salford.gov.uk/your-council/have-your-say/complaints-comments-or-compliments/what-is-a-complaint/

- Right to be informed – through this Privacy Notice
- Right to rectification – you have the right to personal data rectified if it is inaccurate or incomplete – in certain circumstances timescales will apply due to statutory deadlines for EHC advice
- Rights to request your child’s records – you have the right to request the information that we hold on file regarding your child. (see below)
- Right of Access - You have the right under the Data Protection Act 1998 (General Data Protection Regulation 2018) to request a copy of your information and to know what it is used for and how it has been shared. This is called the right of subject access.

Updates
We may update or revise this Privacy Notice at any time so please refer to the version published on our website for the most up to date details https://www.salford.gov.uk/your-council/council-and-decision-making/general-data-protection-regulation-gdpr/

(NB Art 29WP and ICO indicate this method is not adequate for ensuring communication of updates) Routine: at top of web page for this notice, insert publication date and version number. [Ensure dated copies of all published versions are retained/recorded in case of future disputes]