



## **SEND PARTNERSHIP SERVICE (SPS) CONFIDENTIALITY AND PRIVACY POLICY**

The role of the SEND Partnership Service is to ensure children and young people with Special educational Needs and Disabilities (SEND) and their parents/carers have access to confidential and impartial information, advice and support so they can make informed decisions. SPS achieves this by working in partnership with children, young people and their parents/carers, providing information, services and training, working with relevant agencies and ensuring their views influence local policy and practice.

This confidentiality policy sets out the way in which the SEND Partnership Service operates with respect to the confidentiality of the information shared by its service users, taking into consideration current legislation, whilst complying with local government policies and procedures.

### **Confidentiality**

The SEND Partnership Service works with children, young people and their parents/carers through a self-referral process. In exceptional circumstances, SPS may agree to contact children, young people or their parents/carers who have been referred to the service by other professionals only where it is evident that the referrer has obtained prior consent to contact details being passed to SPS.

SPS upholds the trust and confidence that children, young people and their parents/carers place in the service, by maintaining confidentiality about all aspects of case work and contact. Personal information will only be provided exceptionally to other professionals and only if appropriate consent has been obtained.

SPS will only disclose personal information without consent if required by law, for example, in relation to Child Protection and Safeguarding issues. In these circumstances, confidentiality obligations may be over-ridden if it is believed that a child or young person is at risk.

SPS operates at 'arm's length' from the Local Authority, but as a service provided 'in-house' it remains subject to the laws that regulate the use and sharing of personal information by public bodies with respect to personal data

Anonymised statistical data is publicised annually in the SPS Annual Report and provided for the Local Authority and Clinical Commissioning Group's (CCG) Commissioner to monitor performance for funding. No data is provided that would identify children, young people or their families.

### **Training**

All of SPS staff and volunteers receive specific training in the obligations of providing a confidential service. Volunteers are required to sign a Volunteer Agreement,



confirming their compliance with this legislation and the working practices associated with their role. Staff and volunteers are periodically reminded of procedures for handling data confidentially and undergo regular up-dating training.

Volunteers do not store personal data relating to any service users on their home computers, tablets or mobile phones. All personal data files are kept securely in the office

For children over the age of 12, where appropriate, confirmation of consent may be sought when a parent is making a subject access request on their behalf'

Case work and contact information held by the Service is subject to the Records Retention Policy of Bath & North East Somerset Council, as follows:

SEND Partnership Service – Children, Young People and Parent/carer Support	Destroy 3 years from closure of case
--	--------------------------------------

Electronic case work and contact information is stored on SPS own secure database which is hosted externally by a company which is compliant with appropriate GDPR policies. Access to this information is regulated and controlled.

## **Consent**

All contact information with children, young people and their parents/carers will only be retained following informed consent with the service user and will only be shared where a safeguarding concern has been identified. Exceptionally the service user may want SPS to share information with a third party: this will only happen with the service user's consent and their full knowledge of the third party.

Regularly, the issue of consent will be reviewed with children, young people and their parents/carers during on-going case work. This is done in recognition of the fact that circumstances can change.

## **Data Protection and Freedom of Information**

Requests to the SEND Partnership Service for information under the Freedom of Information Act (2000) will be actioned by the Strategic Manager, in accordance with the obligations set out under the Act, guidelines issued by the National Information, Advice and Support Network and the Local Authority's Freedom of Information Act Policy.

If you request a copy of your records from us, then they may be shared with our data protection team who will handle them in confidence and only process them as far as necessary to meet your request.