Confidentiality and Data Protection Policy

Wokingham SENDIASS runs a self-referral service for children, young people and parents/carers, offering independent information, advice and support about all aspects of a child's/young person's special educational needs.

SENDIASS offer a confidential service to children and young people with Special Educational Needs and Disabilities and their parents/carers and in doing so have responsibilities under Common Law, the Data Protection Act 1998 and the General Data Protection Regulations.

Summary

The SENDIASS service is a statutory service which is run at 'arm's length' from the Special Educational Needs decision makers and aims to provide free, confidential, impartial advice, guidance and support to parents/carers of and children and young people with special educational needs and disability.

Any information you give is used to provide you with the service you have requested. It will be stored securely and will not be shared with anyone outside SENDIASS without your permission, unless such information would lead us to believe that a child might be at risk, when there would be a legal obligation to pass on such concerns in line with the local safeguarding procedures.

How we use your data

Data is collected in order for us to provide the support services that have been requested.

The lawful basis for processing your information is for the performance of a public task: processing is necessary for the controller to perform a specific task in the public interest or in the exercise of their official functions, and the task or function has a clear basis in law.

The lawful basis for processing any data relating to health information is for a statutory and government purpose: the processing is necessary for the exercise of a function conferred on a person by an enactment and is necessary for reasons of substantial public interest

SENDIASS provides the information, advice and support which local authorities are required to arrange under Section 32 of the Children and Families Act 2014.

Anonymised data is used for the purpose of statistical analysis to inform service development.

The lawful basis for processing data for this purpose is legitimate interests: processing is necessary for the purposes of the legitimate interests pursued by the controller.

What personal data do we collect?

- Child or young person: name, date of birth, contact details, details of special educational needs and disabilities, ethnic group, current level of support (eg SEN support, EHC Plan) case notes
- Parent/carer: name, contact details, ethnic group, any additional needs, case notes

Sharing information

- Any information about a child or young person or parent/carer, including whether or not they have been in contact with SENDIASS, must not be shared with anyone outside of SENDIASS unless:
    - The child or young person or parent/carer has given express permission for information to be shared.
      OR
    - There is a legal obligation to do so, such as concerns for a child or young person's welfare (Safeguarding)
- The child or young person or parent/carer refer themselves to our service. Referrals to the service by anyone other than the child/young person or parent/carer can only be accepted with the consent of the child/young person or parent/carer.
- We collect information from children, young people and parents/carers. We may also gather information from other people or agencies who are involved with the child/young person, but we always ensure that we have consent to do so from the parents and/or the child/young person. At times it may be helpful to pass on information from SENDIASS files, e.g. if we are involved in disagreement resolution work or negotiating on behalf of a child/young person or parent/carer. However, this will only be done with child/young person or parental permission.

Storage and processing of your data

- SENDIASS maintains concise and factual records of contacts. All records containing confidential information are kept in a safe and secure place. Computerised records are password protected and only accessed by SENDIASS staff and volunteers and are not linked to any Local Authority database.
- If we receive a request for information from Local Authority Officers for legal reasons, e.g. judicial review, the request will go to the head of service, or if absent, to their line manager, who will consider the request and, where necessary, the relevant information be extracted from the file, and sent to the relevant officer, with a copy to the child/young person or parents/carers.
- Anyone who uses the service is entitled to view any records email your request to Send us a request for personal information | Wokingham
- You are entitled to have any personal data rectified if it is either incorrect or incomplete. You can also ask for your data to be erased.
- You have the right to request that your data is given directly to another organisation.
- Once a case has been closed paper files will be retained for 6 months and then securely shredded. Database files will be archived until the young person is 25. This prevents children, young people and parents having to repeat information to us if they use the service again at a later date.

Ensuring the effectiveness of this policy:

- This policy is reviewed annually by our steering group and amended if necessary.
- All SENDIASS staff and volunteers receive a copy of this policy, and it is explained to them.
- The policy is published on the Local Offer and our website and is shared with the Local Authority and other agencies.
- This policy should be read in conjunction with Wokingham Borough Council's Data Protection Policy, which we are also bound by.
- All children, young people, parents and carers are made aware of how and why we store information about them when they contact us.

September 2026

www.sendiasswokingham.org.uk

Telephone: 0118 908 8233 **E-mail: Sendiass@wokingham.gov.uk**