



Somerset SENDIAS
Special Educational Needs and Disability
Information, Advice and Support (0-25)

**A free impartial service for children and young people with SEND (aged 0 – 25),
and their parent carers**

Confidentiality Policy

Introduction

Somerset SENDIAS is a free impartial and confidential service providing information, advice and support about SEND. Any information shared with the service is treated in confidence and regulated in accordance of the General Data Protection Act (GDPR) 2020.

Service users are informed of the service's Confidentiality Code when making a formal request for support.

Section 1 – Sharing information

Somerset SENDIAS will conform to the requirements of the GDPR 2020.

Referrals for information, advice and support must be made by young people and parent and carers, however; schools, support services, other agencies and voluntary organisations can support children, young people and their parent and carers to complete the form.

Any information shared with Somerset SENDIAS staff and volunteers will be treated confidentially and will only be shared:

- when a young person or a parent and carer has given their consent for information to be shared or
- if required to by law, regarding safeguarding issues which do not require consent

Somerset SENDIAS will keep information related to service users, including personal contact details on a secure database.

Somerset SENDIAS seeks consent from service users (including young people 14+) before informing the child or young person's educational setting of SENDIAS involvement.

When data is supplied for reporting purposes, it will be provided in a format that ensures that individuals cannot be identified.

Confidential papers being sent by post must be addressed 'Private and Confidential'.



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Section 2 – Case records

Paper records relating to service users must be kept to an absolute minimum and must be kept in a locked cupboard in a local authority secure location where there is no access by unauthorised persons.

Electronic data is stored on Capita 1 v4 which can only be accessed by designated SENDIAS staff.

Confidential papers must be disposed of correctly: either by shredding or returning them to the Somerset SENDIAS office for secure disposal.

When travelling by car, staff and volunteers must keep any confidential papers secure within the car.

Section 3 - Exceptional circumstances

Exceptional circumstances when Somerset SENDIAS has a duty to share information are:

- i. when a child, young person or adult is at risk of significant harm;
- ii. prevention of a serious criminal act.

In such circumstances, Somerset SENDIAS will strive to ensure that the service user is aware of any exceptional circumstances when it is necessary to share information.

Section 4 – Training and awareness

All Somerset SENDIAS staff and volunteers will be given a copy of the Confidentiality Policy and will be trained within their induction training and on-going monitoring through supervision, to ensure they understand the Policy and principles of data protection.

General Data Protection Regulations 2020

Under the GDPR (2020), service users have the right to request personal information held by Somerset SENDIAS about them or their child.
Proof of legal guardianship must be provided.

For children over the age of twelve their consent must be given, provided they have the capacity to do so.



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Young people over the age of 16 years are able to request copies of their own records.

Any such request must be made in writing to:
SENDIAS Manager
SomersetSENDIAS@somerset.gov.uk

The SENDIAS Manager must respond within 40 calendar days.

Freedom of Information Act (2000)

A request for information other than personal information will be handled in accordance with the Freedom for Information Act (2000).

Such requests must also be made in writing to:
The Data Protection Representative
Somerset Council
County Hall
Taunton
Somerset TA1 4DY

The Data Protection Representative must respond within 20 working days.

Section 5 – Contact details

Somerset SENDIAS
The Hollies Children's Centre
South Street
Taunton
TA1 3AG

01823 355578
somersetsendias@somerset.gov.uk
www.somersetsend.org.uk

Section 6 - Administration

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To request this Policy in Easy Read, Braille, Large print or Translated into other languages, please contact Somerset SENDIAS on 01823 355578 or email somersetsendias@somerset.gov.uk



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Section 7 – References

GDPR (2020)
Freedom of Information Act (2000)

END.