



Northumberland County Council

This is Your Personal Data

The Special Educational Needs and/or Disabilities (SEND) Team

How we handle your information

Information for young people with SEND and the Parents/carers of children/young people with SEND

Everyone working for The SEND Team has a legal duty to keep and process information about you/your child in accordance with the law.

This document explains why we ask for personal information, how that information will be used and how you can access your records.

Why is information recorded about you/your child or young person?

We use information about you and your child/young person with SEND to enable us to provide you with a service.

We keep records about children/young people with SEND. These may be written down (manual records) or kept on a computer (electronic records).

These records may include:

- Relevant basic details about you or your child/young person, for example: name, address, date of birth, parent/carers names.
- Unique identifiers (such as your Unique Pupil Number (UPN), educational setting name, address and year group.
- Contact we have had with you, for example, appointments & letters of correspondence,
- Notes and reports about your relevant circumstances.
- Details and records about the service you have received.
- Relevant information from other people that we have been in contact with in relation to the service that you have received
- Applications for statutory assessment
- Information/advice/evidence submitted as part of the statutory assessment process (This may include information from Health and Social Care as well as educational professionals)
- Annual review meetings and documentation associated with this

What is the information used for?

You or your child/young person's records are used to help ensure that we provide you/them with the service that you/they need.

It is important that you or your child/young person's records are accurate and up-to-date as they will help make sure that our staff are able to provide you with the help, advice or support you/they need.

If you do not provide us with this information then we will not be able to assess your child's needs and determine the provision and placement required to meet those needs

How long for?

Section 19 of the Children and families Act 2014 sets out the principles underpinning the legislation and guidance in the SEND Code of Practice. Local Authorities must carry out their functions under the Act in relation to children and young people with SEND. These details will be kept until your child is 33 years of age. Processing is kept to a minimum and will only be processed in accordance with the law.

When other agencies are involved in your child's care, we may need to share details about you to enable us to work together to improve outcomes for your child or young person and better meet their special educational needs e.g. Health Services, CYPS, Primary Mental Health, Social Care Services, Education Services and schools.

Information will only be shared with third parties if they have genuine and lawful need for it.

Occasions when your information needs to be disclosed (shared) include:

- Information gathering as part of a statutory assessment
- SEND Panel meeting discussions
- Where the health and safety of others is at risk.
- When the law requires us to pass on information under special circumstances.

Anyone who receives information from us has a legal duty to keep it confidential

We are required by law to report certain information to appropriate authorities – for example:

- Where we encounter infectious diseases which may be a public health concern.
- Where a formal court order has been issued.
- Active police investigations.
- Safeguarding concerns
- When a young person is taken into custody

Partner organisations

When other agencies are involved in your or your child/young person's care, we may need to share details about you/them to enable us to work together for your/their benefit e.g. Health Services, CYPS, Primary Mental Health, Social Care Services, Education Services and schools.

Information will only be shared with third parties if they have genuine and lawful need for it.

Can I see my or my child/young person's records?

The General Data Protection Regulation allows you to find out what information is held about you or your child/young person on paper and computer records. This is known as 'right of subject access' and applies to SEND Team records along with all other personal records.

If you wish to see a copy of your child/young person's records you should submit a Subject Access Request which is available on the Northumberland County Council website or by contacting the Information Governance Office directly. You are entitled to receive a copy of your records free of charge, within a month.

In certain circumstances access to your records may be limited, for example, if the records you have asked for contain information relating to another person.

Do you have Other Rights?

Data Protection laws gives you the right:

1. To be informed why, where and how we use your information.
2. To ask for access to your information.
3. To ask for information to be corrected if inaccurate or incomplete.
4. To ask for your information to be deleted or removed where there is no need for us to continue processing it.
5. To ask us to restrict the use of your information.
6. To ask us to copy or transfer your information from one IT system to another in a safe and secure way, without impacting the quality of the information.
7. To object to how your information is used.
8. To challenge any decisions made without human intervention (automated decision making).
9. To lodge a complaint with the Information Commissioner's Office whose contact details are below.
10. If our processing is based upon your consent, to withdraw your consent.

Further information

If you would like to know more about how we use your information, or if for any reason you do not wish to have your information used in any of the ways described in this leaflet, please tell us. Please contact the SEND Senior Manager or email sen@northumberland.gov.uk

Data Protection Officer: informationgovernance@northumberland.gov.uk

You also have the right to complain to the Information Commissioner's Office if you are unhappy with the way we process your data. Details can be found on the ICO website, or you may write to the ICO at the following address:

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

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

Email: casework@ico.org.uk