

## **Privacy Notice for SEND (Special Educational Needs and Disability) Assessment Service**

**DATE: May 2019  
V1.0**



# **SEND (Special Educational Needs and Disability) Assessment Service**

Our core data protection obligations and commitments are set out in the council's **primary privacy notice at [www.bolton.gov.uk](http://www.bolton.gov.uk)**

This notice provides additional privacy information for people accessing the SEND (Special Educational Needs and Disability) Assessment Service and partners working with Bolton Council.

It describes how we collect, use and share personal information about you

- In relation to the SEND (Special Educational Needs and Disability) Assessment Service
- the types of personal information we need to process, including information the law describes as 'special' because of its sensitivity

It is important that you read this notice, together with any other privacy information we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

The information collected and held will vary dependent on the service used.

## **Purpose(s)**

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

- to identify your child's SEND needs
- clarify the child or young person's needs
- identify the support they require which will help them to achieve their outcomes
- know who we need to speak to, so we can ask them to send us information and advice relating to your child
- make decisions about whether to conduct a statutory needs assessment or issue an Education, Health and Care (EHC) Plan
- make decisions about the content of an EHC Plan including outcomes, placement and provision
- support the ongoing monitoring of the provision specified in an EHC Plan where one is issued
- inform EHC Plan annual review and monitor your child's progress
- support disagreement resolution or mediation processes and processes relating to appeals to the Special Educational Need and Disability Tribunal (SENDT)
- make decisions about whether to provide additional funding to the setting where your child is educated (such as High Needs Funding and Early Years SEN Inclusion Funding)
- help to resolve any disagreements

- enable coordinated working with other teams and organisations
- evaluate and quality assure the services we provide
- assess for specialist equipment
- inform future commissioned services and educational placements requirements

## Categories of personal data

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

- personal information (such as name, address, contact details, date of birth, parent/carer name(s) and contact details, gender)
- NHS number
- unique pupil number
- details of special educational needs and disabilities
- ethnicity
- information about physical or mental health
- details of any health, social care or other services you are receiving
- details of any safeguarding or other issues
- school attendance, exclusions and behavioural information
- educational progress and attainment
- details of your physical and emotional well-being
- medical history

## Legal basis for processing

The legal basis for processing your personal information is:

We collect and use pupil information to comply with our legal obligations as outlined in the Children and Families Act 2014, and to carry out tasks in the public interest. If we need to collect special category (sensitive) personal information, we rely upon reasons of substantial public and for the establishment, exercise or defence of legal claims whenever courts are acting in their judicial capacity.

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you or we may be prevented from complying with our legal obligations.

## Information sharing/recipients

We may share personal information about you with the following types of organisations:

- teams within Bolton Council working to improve outcomes for children and young people

- commissioned providers of local authority services (such as external providers writing Education, Health and Care Plans)
- schools, colleges and early years providers as well as wider education or training providers
- local multi-agency forums which provide SEND advice, support and guidance
- educational psychologists
- NHS teams, CCG, health visitors, midwives, doctors and mental health workers
- local housing providers,
- Greater Manchester Police,
- school nurses,
- other local authorities and social care or health providers outside of the Local Authority
- Department of Education
- mediation services
- youth offending teams
- Ladywood Outreach,
- Special Educational Needs Assessment Service (SENDAS)

We will not normally share your information with organisations other than our partner organisations; however, there may be certain circumstances where we would share without consent such as where we are required to do so by law, to safeguard public safety, and in risk of harm or emergency situations. Only the minimum information for the purpose will be shared.

As well as information collected directly from you, we also obtain or receive information from:

- other organisations or teams that can provide us with advice and information (such as Adult or Children's Social Services, education psychologists, mental health services, doctors, school nurses and other NHS providers, including but not exclusive to Speech and Language Therapy Service, Occupational Therapy Service, Physiotherapy Service)
- schools or post-16 settings currently or previously attended
- early education providers currently or previously attended (such as nurseries, pre-schools, childminders)

## **Automated Decisions**

For this service:

- All the decisions we make about you involve human intervention

## **Data retention/criteria**

We will only keep your personal information for as long as the law specifies or where the law does not specify this, for the length of time determined by our business requirements.

## Rights of individuals

You may exercise the rights listed below in relation to the council's use of your personal information.

To find out more about how these rights apply in particular circumstances, please refer to our [Guide to exercising your Rights](#) or alternatively visit the Information Commissioner's web site at <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you wish to exercise your rights (as outlined above) or to raise a concern about the handling of your personal information by the council, please contact our Information Governance Team at [information.security@bolton.gov.uk](mailto:information.security@bolton.gov.uk)

If you are still unsatisfied you should contact **The Information Commissioner's Office** by post at The IOC, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or by telephone: 0303 123 1113

## Updates to Privacy Notice

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