

## **PRIVACY NOTICE: ILS SEND and Sensory Services**

This privacy notice is designed to inform you what personal information about you is collected or held, for what purposes it is used and who it may be shared with.

The ILS SEND and Sensory Services process personal information relating to children and young people and may receive this information from themselves, parent/carers, current and previous educational/care settings, Health, other Stoke-on-Trent City Council Teams, other Local Authority (LA) SEN Teams, the Department for Education (DfE) and other external government departments and professional agencies.

This information will include the child/young person's and family contact details, educational information relating to school or otherwise, any information from other Local Authority, any health/medical information, any social care information.

### **Lawful basis for processing information:**

The main legislation governing ILS SEND and Sensory Services and that provides the lawful basis for processing information is the following:

- Children & Families Act 2014
- Equality Act 2010
- SEND code of practice: 0 to 25 years 2014
- Article 6, 1(e) of the UK GDPR allows processing which is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- We are allowed to process personal data in the special categories for these purposes under Article 9, 2(g) of the UK GDPR, processing is necessary for reasons of substantial public interest, supported by Schedule 1, 6(1) of the Data Protection Act 2018, processing necessary for statutory and government purposes.

### **Why do we collect and use your information?**

We collect information from you and your family to ensure that you receive the most appropriate support whilst under our service. The data we collect includes your full name, date of birth, address, NHS number, Unique Pupil Number, educational setting, degree and description of special educational need and disabilities. We collect your contact details for the family.

### **How we collect information:**

Personal data is supplied by you as a service user or by your child's school or hospital. The forms used to collect personal data from you about your child include:

- Information forms from hospitals and schools
- Referral requests and forms from parent/carer/school
- Updates from Education, Health and Social Care professionals involved with your child

The ILS SEND and Sensory Services may also work directly with you, through observation, assessment and teaching, and data gathered from these activities will be collected.

#### **Categories of information collected:**

- Your child's full name and date of birth
- Your child's Unique Pupil Number and NHS Number
- Your full name and contact details (phone number, address, email)
- Your child's contact information (if appropriate)
- Education setting
- Description and degree of Special Educational Need or Disability
- Education information, including assessment information
- Health/ medical information
- Information relating to your child's Social Care needs

#### **How we use the information provided:**

All information provided is used by ILS Services to ensure your child receives the most appropriate support whilst under our service.

#### **Who do we share your data with?**

To help ensure that we provide you with the best possible care and support, other services often work closely with us. It may therefore be in your best interests for your information to be made available to these services. In addition to this, we may be required by law to share your information. Depending on the circumstances, we share information with the following:

- Educational providers, such as schools and early years settings and other education professionals
- Health care professionals and services as required
- Social care professionals as required
- Law enforcement agencies such as the Police, Youth offending Team
- Regulatory authorities, such as the Department for Education and Office for Standards in Education (Ofsted)
- Statutory Monitoring and Assessment Team (SENMAS)
- Education Welfare Service
- Home to School Transport Team
- Educational Psychology Service

## **Sharing Data**

We are required, by law, to pass certain information about children/young people to the Department for Education (DfE) for the school census.

If you need more information about how the DfE uses your information, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

## **Protecting your personal data**

To ensure personal information is kept safe we have the following controls in place:

- the information will not be used for any purposes other than those stated in this notice or where required or allowed by law
- the information will be held within secure systems/locations, with appropriate levels of security, that comply with current standards. Where records need to be in a paper format, these would be held in secure lockable cabinets.
- the information will only be shared for lawful purposes and with an appropriate level of security that complies with current standards
- the information will not be held for longer than is necessary, after which it will be securely destroyed. This will be in line with Stoke-on-Trent City Council's Retention Policy.
- the information will be processed in accordance with Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

We will not give information about children/young people to anyone without your consent unless the law allows or requires us to do so.

## **Your rights regarding personal data**

Data protection law provides you with certain rights, however not all of these rights will be available to you in all situations. Where we are under a legal duty to use data for a particular purpose you will not have the right to prevent it being used in that way.

A full list of the rights you may have, under data protection law, is given below:

- You can ask to see the information we hold about you.
- You can ask what is being done with the information we hold about you.
- You can ask to have some of the data we hold about you deleted.
- You can ask us to review a decision made about you by a computer, and ask for a new decision to be made by a person.
- You can ask us to stop processing the data we hold about you
- You can ask us to make changes to data about you that you believe is inaccurate.
- In some circumstances you can ask us to help you move your information to another organisation.
- You can ask us to restrict or limit what we do with your data, for example if you believe the data we hold is inaccurate, or if you believe the processing is unlawful.

If you wish to contact us in relation to any of your information rights only, please contact the Information Rights Team at [foi@stoke.gov.uk](mailto:foi@stoke.gov.uk) or Information Rights Team, Floor 2, Civic Centre, Glebe Street, Stoke-on-Trent ST4 1HH or you can complete the online form on the City Council's website: <http://feedback.stoke.gov.uk/RespondCustomer/MainMenu.aspx>

If you wish to complain about how your personal information has been handled by Stoke-on-Trent City Council then please contact the Information Rights Team in the first instance using the details above. If you are not satisfied you can complain to the Information Commissioner's Office at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, Tel: 0303 123 1113 or you can visit their website at [ico.org.uk](http://ico.org.uk).

You can find details of how we handle your personal information by visiting [stoke.gov.uk/dataprotection](http://stoke.gov.uk/dataprotection)