



City of
Stoke-on-Trent

Children and Family Services

Civic Centre
Glebe Street
Stoke-on-Trent
ST4 1HH

PRIVACY NOTICE: Special Educational Needs Monitoring and Assessment Service (SENMAS)

**Data Protection Act 1998 and General Data Protection Regulation 2018:
How we use children and young people's information**

The SENMAS Team processes personal information relating to children and young people and may receive this information from themselves, parent/carers, current and previous educational/care settings, other Stoke on Trent City Council Teams, other Local Authority (LA) Special Educational Needs (SEN) teams, the Department for Education (DfE) and other external professional agencies including health colleagues.

This information will include the child/young person's and family contact details, national curriculum and attainment data including assessment results, attendance/exclusion information, information from previous/current early years providers/schools/post-16 providers, any information from other LA SEN teams, any health/medical information, any social care information and any personal characteristics such as religion and ethnic group.

We hold this personal data to:

- consider and potentially conduct a statutory Educational, Health and Care (EHC) needs assessment;
- consider if additional ('top up') funding is required for children/young people with identified SEN;
- include in an Education, Health and Care (EHC) Plan (if applicable);
- consult with transitioning educational/care settings for future placements
- provide educational support for children and young people with special educational needs;
- monitor, review and report on progress;
- safeguard children and young people;
- ensure the medical health, safety and wellbeing of children and young people;

Our lawful basis for processing information is:

- **Legal obligation** where processing is necessary to comply with the law, for example, implementing the SEND Code of Practice;
- **Public task** where processing is necessary to perform a task in the public interest;
- **Vital interest** where processing is necessary to protect someone's life.

Organisations that we are most likely to share personal data with are:

- Stoke on Trent City Council ICT service providers
- Other Stoke on Trent City Council LA Teams (Admissions, Early Help, Early Years, Education Welfare Service, Free School Meals, Schools Finance, Home to School Transport (TRACS), Children's Social Care, Adult Social Care, Learning Pathways, Careers Team, Youth Offending Team, legal services)
- Other LA SEN Teams (if moving to or leaving Stoke on Trent)
- Previous, current and potential Early Years providers, schools and post-16 settings at transition points
- Educational Psychology Service
- Sensory Teams
- The National Health Service
- Other health professionals
- Other external professionals
- Plan writers (data deleted by the plan writer once the plan is returned to SENMAS)
- The Department for Education (DfE)
- Ofsted
- Any transitioning school or educational/care setting
- Mediation Services /Tribunal (SENDIST)

Protecting your personal data

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

The information **will**:

- be held within secure systems/locations with appropriate levels of security that comply with relevant data protection legislation;
- only be shared for lawful purposes and with an appropriate level of security that complies with relevant data protection legislation;
- be processed in accordance with the Data Protection Act 1998 and the General Data Protection Regulation (GDPR) which came into force on 25th May 2018.

The information **will not**:

- be used for any purpose other than those stated in this notice;
- be held for longer than is necessary, after which it will be securely destroyed in line with Stoke on Trent Council's Retention Policy;

We will not give information about our children/young people to anyone without your consent unless the law and our policies allow us to do so.

Your rights regarding personal data

Please contact the SENMAS Team if you wish to:

- amend any records we hold;
- access any records we hold;
- correct any information we hold;
- erase any information we hold;
- restrict how we use or share the information;
- object to information being held;
- have any information we hold transferred to a third party.

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 and the SEN2 statutory return.

If you need more information about how Stoke on Trent City Council or the DfE collect and use your information, please visit:

Stoke on Trent City Council website: <https://www.stoke.gov.uk>

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

Concerns regarding processing of data

Should you have any concerns relating to how we, as a team, obtain, use, store or share any personal data please contact Heather Gibbs in the first instance.

Email: Heather.Gibbs@stoke.gov.uk

If you are dissatisfied with our response to your concerns you can of course contact:

The 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

Fax: 01625 524 510

Website: <https://ico.org.uk/>

* The Information Commissioner's Office deals with concerns and complaints relating to data protection and freedom of information (FOI) legislation.