



Special educational needs Assessment and Review (SENART) Transparency notice

Here at Wakefield Council, we take your privacy seriously and will only use your personal information for the purpose(s) listed in section 2 below. This notice provides details of how the Council collects and uses information (data) about you.

We will keep your information (data) secure at all times.

1. Who we are.

a) The Controller for the information we hold is Wakefield Council. Contact details:

Telephone: 01924 306112

Email: dataprotection@wakefield.gov.uk

b) If you have any queries regarding your information that we are using for the purpose outlined in section 2, please contact the Controller's representative. Contact details:

SENART Team Manager

Telephone 01924 302465

Email: senart@wakefield.gov.uk

c) The Council's Data Protection Officer is the City Solicitor: Contact details:

Telephone: 01924 305211

Email: dpo@wakefield.gov.uk

2. How we use your data:

The Special Education Assessment and Review Team needs to collect the following information about you/your child:

- personal information (name, address, contact details, date of birth, parent/carer name(s) and contact details, gender, Email address)
- details of special educational needs and disabilities
- information about physical or mental health

We also obtain personal information from the following sources:

- other organisations or teams that can provide us with advice and information (such as Adult or Children's Social Services, educational psychologists, mental health services, doctors, school nurses and other NHS providers)
- schools or post-16 settings currently or previously attended

- early education providers currently or previously attended (such as nurseries, pre-schools, childminders).

We use this information to:

- identify your child's special educational 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 (SENDIST)
- make decisions about whether to provide additional funding to the setting where your child is educated (such as High Needs Funding and Pre 5 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 via the Kent and Medway CAT Service or the equipment store
- inform future commissioned services and educational placements requirements

To enable us to provide our service to you we will share your information with:

- teams within Wakefield Council working to improve outcomes for children and young people
- commissioned providers of local authority services (such as education or health services)
- schools, Academies, colleges and early years providers as well as wider education or training providers
- Educational Psychologists and Advisory Support Services (such as learning Support Services and Communication, Interaction and Access Team)
- other local authorities and social care or health providers outside of the Local Authority
- Department of Education
- mediation services
- We share information that we have gathered as part of a statutory needs assessment to identify the setting to be named in section I of a child or young person's EHC Plan (this includes consulting in accordance with parental or young person choice as well as with those providers we feel would be suitable).
- We share information to resolve disagreements as part of formal and informal processes in relation to mediation or formal appeals through the Special Educational Needs and Disability Tribunal
- We will share personal information with law enforcement or other authorities if required by applicable law.

Should you decide not to provide any of the information we request from you it will not be possible to assess you/your child to determine whether an Education, Health and care Plan is required or to ensure that special educational provision is provided.

3. What authority does the Council have to collect and use this information?

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 interest (equality of opportunity or treatment), for social security or social protection law, and for the establishment, exercise or defence of legal claims whenever courts are acting in their judicial capacity.

4. How long will we keep your data?

We keep children and young people's information from their date of birth until they reach the age of 25. Additionally, the SEND and Educational Psychology services keep information for 6 years after the date of last involvement, which will go beyond the age of 25 for those young people supported between the ages of 20 and 25. After this time the information is securely destroyed.

5. Your rights and your personal data

Under the GDPR you have the following rights:

Right of Access

You have a right of access to the personal information that the Council holds about you, and/or the right to be given a copy of the data undergoing processing.

Right to Rectification

You have the right to request that the Council corrects any personal data if it is found to be inaccurate, incomplete or out of date.

Right to Erasure

In certain circumstances, you may have the right to request your personal data is erased.

Right to Restriction of Processing

You have the right, where there is a dispute in relation to accuracy or lawfulness of processing of your personal data, to request that a restriction is placed on further processing.

Right to Portability

You have the right to request the Council provide you with your personal data and where possible, to transmit that data directly to another data controller. However, this only applies to data that you have provided to us and not to all the information that the Council holds about you.

Right to Object to Processing

In certain circumstances, you may have a right to object to the processing of your personal data.

Right of Complaint

You have a right to lodge a complaint with the Information Commissioner, please find contact details below.

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

To exercise any of your rights, you should contact the Data Controller's representative as shown in section 1b.

6. Transfer of data outside the EU

We do not transfer any data outside of the EU

7. Further processing

If we wish to use your personal data for a new purpose, not covered by this Transparency Notice, then we will provide you with a new Transparency Notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.