**Confidentiality Policy**

**Statutory Framework**

Information about parent/carers (including details about their children), and children and young people should not be passed from the local authority or the school or the Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS), or to any other voluntary organisation or parent support group unless parents/carers and children and young people know and agree to this in advance.

This also applies to arrangements made by the SENDIASS for referring parents/carers and children and young people to other sources of support, if they do not want their details passed on to anyone else their wishes should be respected.

A balance must be struck between sharing enough information to help safeguard children effectively and preserving the privacy of individuals.

**Definitions**

* **Private Information –** Information about an individual parent/carer or child, or young person, their family life or personal relationships that happen to be observed or discovered by a member of the SENDIASS.
* **Confidential Information –** Information about a family that is specifically communicated to the SENDIASS orally or in writing, by the parent/carer, child or young person, or anyone else.

**Implementation of the policy**

1. **Respect for the parent/carer, child and young person’s right to privacy**
	1. Observations or information about the family are not recorded or communicated unless they are directly relevant to the issues under discussion.
2. Parents/carers, children, or young people are not required to state the nature of their enquiry in front of other people.
3. Meetings are held in private where they cannot be overheard or observed.
4. **The parents/carer and children/young person’s right to contact the SENDIASS in confidence or anonymously**
5. The SENDIASS undertakes not to inform anyone else that the parent/carer, child or young person has made contact unless the parent/carer, child or young person agrees.
6. The SENDIASS respects the right of anyone to contact the Service anonymously.
7. The SENDIASS responds to general enquiries without asking for detailed information about the child or the family.
8. **The SENDIASS commitment to principles of confidentiality in its relationship with parents/carers, children and young people**
9. All information obtained from families is treated as confidential.
	1. Information is not shared with anyone else unless the parent/carer,

 child or young person permission is obtained at the outset.

3.3 Please see 6.1

**4.0 Practical arrangements to ensure confidentiality**

4.1 Office procedures protect the confidentiality of families.

4.2 Personal information sent by email is with the parent/carer, child or

 young person’s permission and highlighted as ‘confidential’.

4.3 All letters related to individual families are marked as ‘strictly private

 and confidential’.

4.4 Particular care is taken when sending sensitive information by fax to an

 ‘open’ office.

4.5 Coded information such as initials and dates of birth should be used in

 electronic and insecure communications.

4.6 Identities of families are protected in any information published by the

 SENDIASS.

4.7 Records are kept securely and comply with the provisions of the Data

 Protection Act.

1. **Information to parents/carers, children and young people**

 **on the SENDIASS confidentiality policy**

5.1 Parents/carers, children and young people, are informed as to the

 SENDIASS confidentiality of families.

5.2 Parents/carers, children and young people are informed as to who has

 access to records.

5.3 Parents/carers, children and young people are informed of their right

 to see any information held on them or their child.

5.4 Parents/carers, children and young people are informed that

 information is kept securely and will not be passed on to anyone else

 without their permission.

* 1. Parents/carers, children and young people who request details of the

 Service guidelines will be sent a copy of ‘Data Protection Act – why do

 we keep information about you’ which is appended to this policy.

1. **The priority given to child protection issues at all times**

 6.1 Child protection issues will take priority over any other consideration.

1. **Office procedures**
	1. All information relating to calls from parents/carers, children and young people must be recorded on the agreed confidential forms.
	2. All files must be locked away each night.
	3. Computer screens should not be left unattended with confidential information about parents/carers, children and young people visible.
	4. Correspondence relating to families should not be left on desks overnight but must be locked away.

**DATA PROTECTION ACT**

**Why do we keep information about you?**

* Many people who provide services you already use, like teachers and doctors, hold information about you.
* The SENDIASS Staff also write down and keep certain information and put this onto a computer.
* The reason for keeping this information is to:
	+ Help us to make sure you receive the services you are entitled to.
	+ Ensure that if you contact the service again and speak to another officer, you do not have to give us the same information again.
	+ Help us to identify and build up anonymous statistics about parental concerns and difficulties they are facing.
* The written information that is kept about you includes:

Name, address, telephone number and records of all contact you have with the Service.

* The sort of written information that is kept about your child includes:

Child’s name, date of birth, gender, school, year group, and issue requiring support.

* If you wish to view the information held you can discuss this with the SENDIASS Manager.
* All information you share is treated confidentially. There may be occasions where it would be beneficial to share information with schools and other services. The SENDIASS Manager will discuss this with you and this will only happen with your consent.
* The only reason information will be passed on without your permission is if there is a legal requirement or duty for us to do this.
* In compliance with the Data Protection Act, your information will not be kept longer than necessary.
* The General Data Protection Regulation (GDPR) and Data Protection Act 2018 govern how personal data is handled by SENDIASS.  Personal data is information that allows a living person to be identified, on its own or in combination with other data.

**Data Security and Data Breaches/Security Incidents**

* If data is shared inappropriately or lost or damaged this can cause serious repercussions for SENDIASS and its service users.  It is essential that proper care is taken of the information we hold.  For example, we must store and transport it in a secure way.
* When things have gone wrong and information is lost, stolen, accessed inappropriately or corrupted this is a data security incident/data breach.  **It must be reported immediately on extension 4321**.  **The Council is under a legal duty to report serious incidents within 72 hours** of us becoming aware of them and this applies to SENDIASS.

**Data Protection Officer**

* Camden's Data Protection officer is Andrew Maughan, Borough Solicitor.  He is responsible for informing and advising the Council and anyone who is engaged to process data on the Council's behalf of their data protection responsibilities and ensuring compliance.   He can be contacted at dpo@camden.gov.uk