

Special Education Needs and Disabilities (SEND) Privacy Notice

Our core data protection obligations and commitments are set out in the Council's Corporate Privacy Notice and on our website at [Data Protection – Privacy Notice](#).

This notice provides additional privacy information for individuals who engage with the Special Educational Needs and Disabilities (SEND) Service, which covers the following areas:

- Tameside Specialist Outreach Support Service (TSOSS)
- Education Psychology;
- SEND Statutory Service;
- Sensory Support – Hearing Impairment and Vision Impairment;

Purpose(s)

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

- To assess if babies children and young people aged 0-25 years with a permanent or long term hearing loss and/or vision impairment meet the criteria for service involvement (sensory support);
- To assess if children/young people meet the criteria for service involvement (TSOSS, Education Psychology, SEND);
- To identify your child/young person's SEND needs;
- To identify the support a child/young person needs to help them achieve their outcomes;
- To make decisions about whether to conduct a statutory needs assessment or issue an Education, Health and Care Plan (EHCP);
- To make decisions about the content of an EHCP, including outcomes, placement and provision;
- To support ongoing monitoring of the provision specified in an EHCP, where one is issued;
- To inform the EHCP annual review and monitor the child/young person's progress;
- To support schools and other educational or early years settings to meet you or your child/young person's SEND needs;
- To support disagreement resolution or mediation processes and processes relating to appeals to the Special Educational Need and Disability Tribunal (SENDT)
- To provide general information and support to parents, carers educational and early years settings;
- Logging and responding to any queries or complaints you make about our service;
- Participating in local and national research to assess how well the service is working in delivering better long-term outcomes for children, young people and families and make the service more effective;
- To meet government requirements to deliver the SEND Service's statutory obligations including completing government returns
- Creating aggregated data and statistics which may be shared with internal and external stakeholders who have a role in supporting the provision of services, to evaluate the services and their outcomes and inform future provision of services and initiatives at national and local levels. Wherever possible, personal information used in such statistical analysis will be anonymised and individuals will not be identifiable using that data

Categories of Personal Data

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

- Name;
- Date of Birth/Age;
- Address (current and forwarding);
- Contact details (email address, telephone numbers(s));
- Unique ID number (e.g. Unique Pupil Number (UPN), NHS number);
- Gender;
- Family member's details (including name, Date of Birth, address and contact details);
- Family composition/Relationships information;
- Language and interpreter requirements;
- Education information (including school attendance/exclusions and progress, attainment or assessment information);
- Social Care Status;
- Referral/Assessment information;
- Views of parents and carers;
- Views of child or young person;
- Views of teachers;
- Attendance Data;
- Risks/risk factors (other than those which would fall within special category data below);
- Free school meal entitlement and benefits information.

Special Category Data

We may also collect special category personal data that may include:

- Physical and Mental Health Data (for example, any disabilities/additional needs, illnesses, mental health problems and any support you receive in relation to these physical and mental health factors);
- Racial or Ethnic Origin;
- Religious or Philosophical Beliefs;
- Sex Life or Sexual Orientation;
- Biometric data (contained in Biometric Resident Permit);
- Criminal History (including convictions and other offence data).

Legal Basis for Processing

We collect and use your personal information because:

- It is necessary for compliance with a legal obligation or statutory function of the Council under GDPR Article 6(1)(c). Such legal obligations and statutory functions are as set out in, but not limited to:
 - Children and Families Act 2014 (Part 3);
 - Children Act 2004;
 - SEND Code of Practice 2014;
 - Special Educational Needs and Disability Regulations 2014;
 - Education Act 1996;
 - Education Act 2002;
 - Learning and Skills Act 2000;
 - Disabled Persons Act 1986;
- It is necessary under GDPR Article 6(1)(e) for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council; or

- You have given your consent under GDPR Article 6(1)(a).

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

We also collect special category data under GDPR Article 9(2)(g) for reasons of substantial public interest, GDPR Article 9(2)(h) for provision of social care, or GDPR Article 9(2)(a) where you have given your explicit consent and another lawful basis does not apply. We also, if relevant, collect and process personal data relating to criminal convictions and offences to perform our public task as required by law.

Exceptionally, information may also be shared if it is necessary to protect individuals from harm, or because a serious crime has, or maybe, committed. Various pieces of legislation set out the circumstances in which organisations are permitted, or required, to do this. These include, but are not limited to the Crime and Disorder Act 1998 and Children Acts 1989 and 2004.

Where has your personal information come from?

We will obtain your information from:

- Yourself;
- Care Providers, including family members;
- Early Education and Childcare Providers (childminders, nurseries, pre-schools);
- Education Providers (schools, colleges, or alternative provision);
- Health Professionals (for example, GPs, Health Visitors, Family Nurse Partnership);
- Other Education Teams at Tameside Metropolitan Borough Council;
- Other Services within the Council, including social care;
- Commissioned providers of local authority services and partner agencies
- Voluntary and Community Sector organisations;
- Other Local Authorities;
- Central Government.

Who will we share your information with?

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

- Other Education Teams at Tameside Metropolitan Borough Council;
- Other Council teams and services;
- Early Education and Childcare Providers (childminders, nurseries, pre-schools);
- Education Providers (schools, colleges, or alternative provision);
- Health Professionals (for example, GPs, Health Visitors, Family Nurse Partnership, CAHMS, school nurses);
- Commissioned providers of local authority services and partner agencies;
- Voluntary and Community sector organisations;
- Other Local Authorities;
- Department for Education (DfE);
- Other government departments.

How long we will keep your data for and why?

We will only retain information for as long as it is necessary to provide services to you and/or for as long as required by us in order to comply with statutory retention periods.

Transferring data outside the European Economic Area (EEA)

Your information is not processed outside of the European Economic Area.

Your rights

Information about exercising your rights can be found on the council's website [Exercising Your Individual Rights](#).

Security

We use appropriate technical, organisational and administrative security measures to protect any information we hold in our records from loss, misuse, and unauthorised access, disclosure, alteration and destruction. We have written procedures and policies, which are regularly audited, and the audits are reviewed at senior level.

Data Protection Officer

If you have any questions or concerns about how we use your personal information, please contact the Data Protection Officer at information.governance@tameside.gov.uk or by calling 0161 342 8355.

Automated Decisions

For this service, all the decisions we make about you involve human intervention.

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 on our [Data Protection page](#).