



KIDS Confidentiality for SEND Information, Advice and Support (SENDIAS) Services Policy and Procedures

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Policy Lead: Operational Leadership Team

Impact of Coronavirus (COVID-19) outbreak on KIDS policy and procedures

This policy document should be considered in conjunction with national guidelines setting out the developing situation of the COVID-19 outbreak. KIDS will frequently monitor the situation as reported by GOV UK, Public Health England (PHE) and other reputable information sources and will use this to inform any temporary changes to this policy. Staff should monitor the Coronavirus Business Continuity page on Yammer for any such up-dates. Other relevant changes and guidance will be posted on the following pages on Yammer: Services Managers and Co-ordinators; Health & Safety; Safeguarding and Staying Connected.

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This policy can be made available in alternative formats, such as easy read or large print and may be available in alternative languages upon request. Please email enquiries@kids.org.uk

Contents

1. Purpose and Context	3
2. Scope	3
3. Definitions.....	3
4. General Policy	3
5. Roles and Responsibilities	4
6. Procedures.....	5
7. References	5
7.1 Legislation, Regulations and National Guidance	5
7.2 Associated documents and guidance	5
8. Document Control Information	6
8.1 Impact assessment	6
8.2 Review cycle.....	6
8.3 Document history	6

KIDS Confidentiality for SEND Information, Advice and Support (SENDIAS) Services Policy and Procedures

1. Purpose and Context

This policy is in place to support the delivery of support, information and advice through KIDS SEND Information, Advice and Support ('SENDIAS') services. Services are committed to respecting the rights of service users to confidentiality when seeking advice. This is achieved by keeping the personal details, including any sensitive information, of any service user or their child confidential; the exception to this would be in the case of a safeguarding concern

2. Scope

This policy applies to all staff working within a SENDIAS service in KIDS and to families, young people and children accessing support through the service.

(Please refer to Definitions for further explanation of Staff).

3. Definitions

Staff: The term includes employees, sessional workers, volunteers, students and trustees of KIDS. This is also extended to independent contractors who are undertaking direct work with children or young people on behalf of the charity.

SENDIAS: Special Educational Needs and Disability Information, Advice and Support. Some services may be known as SENDIASS (Special Educational Needs and Disability Information, Advice and Support Services).

4. General Policy

The Children and Families Act 2014 (s.32) states that information, advice and support must be available to children and young people. The service will support parents, children and young people together where this is appropriate but will also work to the SEND Code of Practice 2015 (2.13) 'Where there are disagreements, staff providing information, advice and support should work impartially and separately with both the parents and the young person.' If requested, this will be extended to working separately and impartially with those with PR (parental responsibility).

All identifying information obtained from, or about, families is to be regarded as confidential. The service will not share identifying information on children and families with the local authority or with external agency unless parents/carers or young people over compulsory school age have given their permission in advance. The only exception is where there is a legal requirement or duty to do so such as child protection. Parental or individual permission must always be obtained before services or individuals involved with the family (e.g., schools, GP, local authority (LA) etc.) are contacted by the service.

Information is stored on a database and is accessible to staff with KIDS SENDIAS service staff with whom the parent / carer or young person may have contact in future. This is to prevent service users from having to repeat their circumstances every time they need advice on an ongoing issue.

Family members, friends and professionals can receive information on policy and practice but further support such as reading reports or attending meetings will require parental or individual permission.

Foster carers will be able to access support and information in line with the guidance provided by the SEND Code of Practice at Chapter 10.

The type of information that is kept includes:

- contact details for the service user and for the child or young person referred. This may include name, date of birth, gender, ethnicity, education provider, year group, details about their SEN and or disability, level of SEN support, other agencies working with the child or young person and any other support in place;
- records of all contacts with the service and notes of meetings attended with the service user;
- information is kept in order to provide a consistent service, and to avoid the service user repeating details at every contact. It helps to ensure appropriate advice and support is given;
- a subject access request can be made via the service coordinator;
- statistical data to improve and maintain reach;
- the service complies with UK-GDPR and the Data Protection Act 2018 and will not keep information longer than necessary in line with current guidelines.

5. Roles and Responsibilities

It is the responsibility of the co-ordinator of the service to provide local procedures for storing and transporting information which comply with this policy and to monitor the quality of the service provided by staff in this respect.

Training on this policy and procedure will be given during induction and updated through line manager briefings.

Failure to comply with this policy may lead to disciplinary action which could include summary dismissal or as grounds to terminate your contract with KIDS.

6. Procedures

When providing support through the SENDIAS service, all staff will follow the following procedures:

- inform all service users of the service's policy on confidentiality;
- be transparent in responses to all requests for information on location of office and arrangements to restrict access to files by authorised staff only;
- observe any individual's right to request anonymity;
- inform service users of their right to see any information held on them and their children;
- publish this policy on our organisations website www.KIDS.org.uk and provide copies of this policy on request;
- maintain concise, factual records and store these safely and securely;
- observe the individual's right to discuss their requirements in a private setting, including contact by telephone;
- ensure all statistical data to monitor the effectiveness of the service will be anonymised.

7. References

7.1 Legislation, Regulations and National Guidance

- Minimum Standards for SENDIASS
- Children and Families Act 2014
- Mental Capacity Act 2005

7.2 Associated documents and guidance

- KIDS Safeguarding Adults Policy and Procedures
- KIDS Safeguarding and Child Protection Policy and Procedure
- KIDS Impartiality Policy and Procedures for Information and Advice Services (SENDIAS)
- KIDS Subject Access Request Policy and Procedures
- KIDS Confidentiality and Data Protection Policy and Procedures

8. Document Control Information

8.1 Impact assessment

In the design or review of this policy, consideration has been given to any negative impact upon practice relating to General Data Protection Regulations (UK-GDPR), Equal Opportunities and Safeguarding. This policy has not been found to cause a negative impact in these areas. A copy of the impact assessment is retained for this review cycle.

8.2 Review cycle

This policy will be reviewed every two years in accordance with relevant legislation, regulations, national guidance, good practice and stakeholder feedback. Material changes in legislation, regulations or national guidance will lead to an earlier review and update.

8.3 Document history

Version	Date	Amendments	Page
3	Jan 2022	Review (uploaded 24.02.22) Reference to SENDIASS changed to reflect current usage S4 Para 1 Reference to those with PR included S4 Para 3 'professionals' included in reference to family and friends receiving advice	Throughout 3 4
2	April 2020	Reformat to new policy template Inclusion under general policy of reference to access information; movement of reference to family and foster carers; definition includes 'SENDIAS'	Throughout 3
1	Jan 2019	Introduction of finalised policy	n/a

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For further information on the issues raised in this document, email enquiries@kids.org.uk

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Registered Office: 7-9 Elliott's Place, London N1 8HX

www.kids.org.uk