



KIDS Impartiality 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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KIDS Impartiality 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 services. KIDS understands that access to impartial information empowers parents, carers, children and young people to make decisions about their lives. SENDIAS services provide this without taking on the role of a legal advocate.

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.

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

SENDIAS services aim to provide parents, carers, children and young people and professionals with impartial information advice and support that are appropriate to their needs.

The SEND Code of Practice 2015 that states 'The information, advice and support should be impartial and provided at arm's length from the local authority and CCGs (clinical commissioning groups).

By impartial we mean information and advice given is based on relevant legislation, case law and government guidance and local policy and procedures that adhere to this.

The service does not promote the local authority, school or families' case but will assist the parent, children and young people to get their view heard or to understand an alternative position.

Parents, carers, children and young people who contact our service will be provided with the range of options available to them, in a format and way that is accessible and easy for them to understand, so they can make decisions from a position of knowledge in line with current legislation, guidance, policy and practice.

Services will ensure recruitment to a steering group or advisory body is open to a cross section of stakeholders including representatives from service user groups, education, health and social care.

5. Roles and Responsibilities

It is the responsibility of the co-ordinator of the service to understand the practical applications of the term 'impartiality' and to monitor the quality of the service provided by staff in this respect. Staff should be clear on the boundaries of their advice and adhere to this policy.

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

Staff working within the SENDIAS service will:

- show equal respect to all individuals, organisations and their representatives;
- ensure promotional literature and information (e.g., the Local Offer entry) clarify the universal nature of SENDIAS and the availability of support tailored to need;
- ensure SENDIAS is accessible to all potential user groups within the local authority area;
- endeavour to enable parents, carers, children and young people to be at the heart of all decision-making processes that affect their lives;
- support individuals using the service to express their views and clarify points if either party has not understood;
- have clear protocols and procedures for assuring objectivity where there is disagreement between parents / carers and children or where they have elected to be supported separately;
- provide information and advice in adapted formats (upon request) where an information or communication need is identified;
- regularly check with the individual that they are accurately conveying their views, if the service user prefers to have their views expressed by the service;

- provide information and advice in a setting which does not compromise impartiality;
- take informal notes for the parent, carer or young person when required due to identified need or situation;
- support parents, carers and young people taking part in negotiations and discussions with schools, Local Authority, voluntary and statutory agencies;
- empower parents, carers and young people to ensure they have the knowledge to make informed choices;
- utilise best efforts to resolve any disagreements through negotiation, but remain aware that SENDIAS services can be called upon to support and represent parents and young people in appeals to the Special Educational Needs and Disability Tribunal (SENDIST);
- maintain high standards of personal conduct through an honest, open and non-judgemental approach;
- endeavour to explain the possible outcomes for the options available without bias;
- signpost to local or national agencies and organisations which may provide further information, advice or support without bias;
- ensure there are clear procedures and protocols for referring people to other organisations or agencies where information sharing is necessary;
- ensure information and signposting resources are managed, kept up to date and quality assured;
- ensure staff are appropriately trained and supported to provide impartial information and advice;
- facilitate participation of parents, carers, young people and children in the design of services including input into policies and practices.

Staff working within the SENDIAS service will not:

- take sides by supporting or endorsing the views and opinions of any one individual over another;
- represent an individual's viewpoint except to clarify the information provided or where expressly asked to do so;
- offer a personal opinion on the suitability, or lack of suitability of any service, facility or publication;
- offer a personal viewpoint on any of the issues being discussed;
- give priority to any particular impairment, disability or special educational need.

Note: staff should not confuse supporting a person to express their views with the role of legal advocacy where a 'side' could be seen as taken. The Council for Disabled Children, which provides support to SENDIAS services points to the Mind definition of advocacy as 'Advocacy means getting support from another person to help you express your views and wishes, and help you stand up for your rights.' Staff should be comfortable working to this definition.

7. References

7.1 Legislation, regulations and national guidance

- Minimum Standards for SENDIASS
- Mental Capacity Act 2005
- Children and Families Act 2014
- SEND Code of Practice January 2015

7.2 Associated documents and guidance

- KIDS Safeguarding Adults Policy and Procedures
- KIDS Safeguarding and Child Protection Policy and Procedures
- KIDS Confidentiality Policy and Procedures for Information and Advice Services
- KIDS Confidentiality and Data Protection Policy and Procedures
- KIDS Accessible Information and Communication Policy and Procedures
- KIDS Diversity, Equal Opportunities and Human Rights Policy

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 (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 Change of usage of SENDIASS to SENDIAS to reflect current practice S1 Addition of 'legal' before 'advocate'	Throughout 3

		S4 Addition of professionals to those provided with advice and information	3
		S6 Addition of note and Mind definition of advocacy	5
2	April 2020	Reformat into new template	Throughout
		Clarification re: advocacy in Context section	3
		Reference under general policy to steering group	3
		Clarification of procedures in bullet points	4-5
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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