

Policies and Procedures

PRIVACY NOTICE



West Sussex County Council (WSSCC) has a statutory duty to provide a service to parents, children and young people to have access to impartial information, advice and support. The West Sussex SEND Information, Advice and Support Service (SENDIAS) complies with the WSSCC Privacy Policy which can be viewed here <https://www.westsussex.gov.uk/privacy-policy/>

SENDIAS also has this specific Privacy Notice for parent carers and young people in West Sussex who need to access the Service. This explains how personal information is going to be used, what it is used for, who it might be shared with and why, and for how long it is kept.

The information you give us helps us to provide you with effective information, advice and support, to ensure that you do not have to keep repeating key information when you contact us again, and to make sure that we are meeting our legal duties and responsibilities.

Categories of personal data

The categories of personal data we are processing are identifiers and personal characteristics of the individual being discussed and other family members if applicable. We hold details of special educational needs and/or disabilities, educational provision, medical information, and any other information linked to the individual's enquiry that will help us to provide impartial information, advice and support to help in their current situation.

Data Controller

West Sussex County Council (WSSCC) complies with the Data Protection Act and the GDPR and is registered as a 'Data Controller' with the Information Commissioner's Office (Reg. No. Z6413427).

The Data Protection Officer (DPO) for WSSCC can be found on the LA website at <https://www.westsussex.gov.uk/privacy-policy/>

We ensure that an individual's personal data is processed fairly and lawfully, is accurate, is kept secure and is retained for no longer than is necessary.

The Legal Basis for Processing Personal Data

We process personal data because it is necessary in order to comply with the Authority's legal obligations and to enable it to perform tasks carried out in the public interest.

How we use information

We collect and hold personal information relating to children, young people, parents, carers, other family members, and professionals that are involved.

We do not request or accept information from any other team or service, unless you have asked us to do this.

Any personal data we collect on your behalf is in accordance with the WSCC Privacy Notice on the website at <https://www.westsussex.gov.uk/privacy-policy/> and the SENDIAS Confidentiality Policy that can be found on the SENDIAS website (Link: <https://bit.ly/2WTYq6y>), and specifically to:

- provide advice and support to move your situation on in a positive way;
- measure whether our service is meeting our service users' needs and helps us to develop and improve the service. This will be done through an online evaluation form, sent either during or at the end of a period of advice and support;
- complete and produce statistics on types of service users, issues discussed, response times to enquiries and other data that is intended to give a picture of the service and highlight any important policy issues. All information that is collected and sent to WSCC or use in reports are anonymous.

The SENDIAS does not share information without the individuals' permission, unless it is fair and lawful to do so.

Who we share data with

We may pass data to:

- internal departments
- other local authorities (education, social care and other services)
- early years, all education and college settings
- clinical commissioning groups (CCGs)
- Youth Offending Teams and relevant youth custodial establishments
- The First-tier Tribunal (Special Educational Needs and Disability)
- Other third-party organisations, as allowed by law
- agencies with whom we have a duty to co-operate, such as police
- We use a database called Crossdata to store information about individuals. The data processor of this system is called Dizions. Staff of Dizions may be given temporary access to personal data in order to carry out any needed migration of data systems, or to assist SENDIAS staff with any technical support. However, this should be on rare occasions. Dizion staff comply with 'General Data Protection Regulation' laws and apply high standards of physical and electronic security to ensure that data is not vulnerable to failures of hardware or software.

We will not share data with third-parties for marketing purposes.

If you require more information about how the Local Authority store and use this data please go to the following websites: <https://www.westsussex.gov.uk/privacy-policy/>

Retention Periods

Personal data will not be retained for longer than necessary in relation to the purposes for which they were collected. For those with Special Educational Needs and/or Disabilities, data will be retained for no longer than 25 years from date of birth.

Rights

You have the right to:

1. be informed of data processing (which is covered by this Privacy Notice)
2. access information (also known as a Subject Access Request)
3. have inaccuracies corrected
4. have information erased
5. restrict processing
6. data portability
7. intervention in respect of automated decision making (automated decision making is rarely operated within WSCC)
8. withdraw consent (see below)
9. complain to the Information Commissioner's Office (See below)

To exercise any of these rights please contact the SENDIAS helpline on: 0330 222 8555 or email the team on send.ias@westsussex.gov.uk

Withdrawal of Consent

The lawful basis upon which WSCC process personal data is that it is necessary in order to comply with its legal obligations and to enable it to perform tasks carried out in the public interest. However, where personal data are solely processed on the basis of consent, you will have the right to withdraw that consent.

Complaints to ICO

If you are unhappy with the way your request has been handled, you may wish to ask for a review of our decision by contacting the DPO.

If you are not content with the outcome of the internal review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted our internal review procedure. The Information Commissioner can be contacted at:

The Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire
SK9 5AF.