SENDIASS Barnsley working in partnership with Young People

Confidentiality Policy
For Young People

May September 2016

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1. Introduction

SENDIASS (Special Educational Needs Disability Information Advice Support Service) is provided in house by the Local Authority, but as a service provided ‘in-house’ it remains subject to the laws that regulate the use and sharing of personal information by public bodies with respect to data on children and young people.

Should there be a Freedom of Information request via the LA – Young Peoples records would be placed in a sealed envelope and passed directly to the young person without any other party having sight of them.
In the event of receiving information which would lead us to believe you as a young person was at risk – under these circumstances we would have a legal obligation to pass on concerns regarding any child protection/safeguarding concerns.

Information would also be passed on if by doing so it could prevent a serious criminal act.

All staff employed into SENDIASS and Independent Supporter volunteers will be appointed subject to DRB clearance.

2. Tracking Progress

<table>
<thead>
<tr>
<th>The policy is agreed amongst all stakeholders</th>
<th>PPS SMG, Disabled Children’s Programme Board</th>
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</thead>
<tbody>
<tr>
<td>The Policy is to be reviewed annually</td>
<td>Next review, December 2016</td>
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<tr>
<td>Confidentiality is rigorously upheld and understood</td>
<td>If there is a breach then young person will be advised of their rights to complain. Unless confidentiality was breached due to safeguarding concerns.</td>
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<tr>
<td>The confidentiality Policy is explained to young people on their first contact and an information leaflet is given.</td>
<td>Copies of the policy will be offered and information leaflet provided.</td>
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3. Initial Statement

The service is a confidential service for all young people who have additional needs and that any information shared with the service is in confidence (even from parents and carers if the young person wishes) and is therefore protected under common law and Data Protection Act 1998

The Data Protection Act 1998

The Act is available to view at: http://www.opsi.gov.uk/acts/acts1998/ukpga19982009

The Act contains eight ‘Data Protection Principles’. These specify that personal data must be:

1. Processed fairly and lawfully
2. Obtained for specified and lawful purposes
3. Adequate, relevant and not excessive
4. Accurate and up to date
5. Not kept any longer than necessary
6. Processed in accordance with the 'Data Subject' individual rights
7. Securely kept
8. Not transferred to any other country without adequate protection in site

4. Section 1 – Sharing Information

How the service ensures we act in a confidential way when working with young people

1. Informing young people that any information they give to service staff or volunteers is confidential and will not be passed on to other organisations, including Local Authorities and Schools, unless they have given permission to do so.

2. Personal contact details are kept only with young persons permissions and stored on a secure data base in accordance with the provisions of the Data Protection Act 1998

3. Referrals to the services by anyone other than the young person are only made if they have given permission for this to happen.

4. Informing young people that they have a right to see any information held on them or their child.

5. The service will not contact anyone involved with the family without asking the young person beforehand and obtaining their permission.

6. The service takes care that any information given to them must be kept in line with the Data Protection Act 1998, the exception of this is where there may be a child protection concern.
7. Information about the child will not be kept for longer than necessary – in line with the Data Protection Act 1998.

5. Section 2 – Ensuring the effectiveness of the Policy

The service ensures that:

- All service staff and independent supporters (IS’s) receive a copy of the confidentiality policy and it is explained to them.

- The policy is agreed with the Local Authority and shared other agencies/services so they aware it exists and they understand it fully.

- The policy is reviewed annually and amendments agreed with PPS Strategic Management Group and the Local Authority.

- Young people are made aware of how, and why, the service keep information when they contact them. When the service asks young people for their personal details, they are told that they do not have to give these details unless they want to.

6. Administration

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In Consultation with SENDIASS Strategic Management Group
7. Embedding Confidentiality Policy in SENDIASS work

This confidentiality policy has been reviewed and revised with Barnsley Local Authority, not just because it meets good practice but as an opportunity to ensure Barnsley Local Authority understands the importance of the service offered to young people is a confidential service.

Signed………………………………………………
Service Coordinator

Signed………………………………………………
Manager for SENDIASS

Policy reviewed and accepted by Barnsley LA Strategic Programme Board for Children and Young People who have disabilities, special educational and additional needs.