

Stoke-on-Trent
SENDIASS

Confidentiality
Statement

January 2026



Introduction

Stoke-on-Trent SEND Information, Advice & Support Service (SENDIASS) is a statutory service offering free, impartial, accurate information, advice and support for parents, children and young people, on special educational needs and disability (SEND), so that parents, children and young people can make informed decisions around special educational needs & disability based on SEND legislation and the Code of Practice 0 – 25 years (2015).

Confidentiality Statement

The SENDIASS commitment to ensuring the confidence of parents, children and young people in their services is fostered through an explicit policy on confidentiality.

The handling of information that parents, children and young people provide complies with the requirements of the Data Protection Act and is not shared with anyone outside of SENDIASS unless they have given permission for it to be shared or there are strong public interest concerns, i.e. child protection (see breaches of confidentiality).

Definition of Confidentiality

SENDIASS understands confidentiality to mean that no information regarding a service user shall be given directly or indirectly to a third party which is external to SENDIASS, without the service user's prior express consent to disclose such information.

SENDIASS recognises that all parents, children and young people should be able to access their services in confidence and that no other person should ever know that they have used them. The SENDIASS recognise that information may be indirectly given out through staff discussing cases. The SENDIASS will not confirm any person's use of the service without obtaining their consent.

Use of Data

SENDIASS maintain an electronic recording system (Database) that is accessible through encrypted laptops and accessed only by SENDIASS staff and volunteers to enable them to monitor cases, identify any policy issues and provide usage statistics (in an anonymous form) to third parties. It is the responsibility of all staff to ensure that all statistical records given to third parties are produced in anonymous form, so that individuals cannot be recognised.

The service uses digital data, which is saved on internal systems, which is only accessible to SENDIASS staff members. Paper files are used minimally, containing information about service users and are kept in locked cabinets. These are only accessed by SENDIASS staff and volunteers, and will be scanned into the electronic

files on completion and destroyed via confidential waste. All records will be retained in accordance with the deletion and retention procedure. The service can be subject to internal audits for Quality Assurance purposes. An Auditor may have access to files whilst investigating the statutory service. No copies of records will be saved, distributed or duplicated.

Service users will be informed that they have a right to see any information held on them or their child in accordance with the Privacy Notice.

Referrals

It is normal practice to ask service users for their name and address as well as other personal information relevant to them and/or their child, i.e. date of birth, school, ethnicity, needs etc. It is the responsibility of all staff to ensure their referral details are stored electronically on the internal system database.

When information about service users is provided by a third party, i.e. other parents, practitioners and schools, SENDIASS staff and volunteers must confirm with the third party that they have the service user's consent to disclose such information.

Expressed Consent to Give Information or Make Contact

SENDIASS staff and volunteers must not take action on behalf of a parent, child or young person or make contact with a third party without their expressed consent. This is taken at point of referral.

SENDIASS consider it acceptable to contact service users on their home and mobile telephones but should check with them if it is acceptable to call them at work. SENDIASS staff and volunteers should also check if it is acceptable to leave messages on answer phones and with work colleagues.

When sending information to service users by post or email, care must be taken to establish the correct mailing address, including full postcode.

A parent can withdraw consent at any time, which needs to be updated accordingly on the database.

Breaches of Confidentiality

SENDIASS recognises that exceptional circumstances may arise in which a breach of confidentiality must be considered. These exceptions are as follows:

- Information is shared that raises concerns about a person's safety.
- Information held by SENDIASS which, if disclosed, may prevent a crime, or assist in the detection of a crime.
- Information held by SENDIASS which must be legally disclosed.

Circumstances in which service users, or a third party, may be at risk include the following:

- The person discloses that they (or their child) have been abused.
- The person describes a situation which raises concerns about the safety of a child or vulnerable adult.
- The person is in immediate danger, e.g. suicide.

In any of these situations SENDIASS staff and volunteers must consult the Team Lead. A decision whether or not to breach confidentiality should then be made. If a decision is made to contact services for help, e.g. police, social care etc. service users should be contacted, if possible and appropriate, and informed of the decision. SENDIASS staff are able to alert Police, Social Care directly without informing the family where there is significant risk of harm towards a child or vulnerable adult, due to Safeguarding procedures.

If SENDIASS staff and volunteers receive information relating to a criminal offence, they should inform their Service Lead as soon as possible, who will then make a decision on whether or not to contact the police.

SENDIASS will disclose information where legally required to do so.

Under the Prevention of Terrorism Act 1989, it is an offence to withhold information relating to acts of terrorism. The Police and Criminal Evidence Act 1984 allows the police to make an application to a judge for a Production Order; it is an offence not to produce the documents referred to in the order.

In any situation where a breach of confidentiality is being considered, the situation must be recorded on the case notes as soon as possible.

Ensuring the Effectiveness of the Statement

Parents, children or young people will be consulted on its contents at time of referral. Staff will ensure they explain how it can be accessed via the website. The statement can be accessed by Local Authorities, education settings and other relevant agencies.

All SENDIASS staff and volunteers will receive a copy of the Confidentiality Statement. Existing and new staff and volunteers will be introduced to the Confidentiality Statement via induction and training. The policy will be reviewed annually by the Steering Group and amendments agreed.

All SENDIASS staff and volunteers will be required to sign the following Confidentiality Agreement, the original of which will be kept on their personnel file.

Our advisors have completed SEND Legal Training, up to level 3.

Administration

This policy was written and published in consultation with the SENDIASS Steering Group.

Date written – updated October 2018

Amended – November 2019

Reviewed - July 2023

Reviewed- January 2026