

# London Borough of Camden SEND and Inclusion Service

## Privacy Notice

### 1. Introduction

Camden's **SEND and Inclusion Service** delivers early intervention and statutory assessment services for children who have or may have special educational needs or disabilities. There are seven teams within the SEND and Inclusion Service

- **SEN Team**
- **Early Year Inclusion Team**
- **Sensory Advisory Team**
- **Educational Psychology Service.**
- **Engagement team**
- **Finance**
- **Commissioning and place planning**

Teams within the **SEND and Inclusion Service** will hold a wide range of information about your child and your family. We use this to

- provide early intervention and assessment services for children with special educational needs and disabilities
- process requests for statutory assessment under the Children and Families Act 2014 for children who may have special educational needs and disabilities
- write and maintain Education and Health Care Plans
- make funding decisions so that children can access the support they need without the need for an EHCP (e.g. through an exceptional needs grant)

This privacy notice explains how we use any personal information we collect about you.

### 2. The data controller and Data Protection Officer

The Data Controller is London Borough of Camden, Judd Street, London. WC1H 9JE  
[www.camden.gov.uk](http://www.camden.gov.uk) or via this link (insert link)

The Council's Data Protection Officer is Andrew Maughan who is the council's Borough Solicitor. He can be contacted at [dpo.@camden.gov.uk](mailto:dpo.@camden.gov.uk)

### 3. What information do we process (collect, keep, use, share, delete) etc?

We process a range of information about your child and your family. This will include some or all the following:

- You and your child's personal information (name, date of birth, unique pupil number, address, telephone, email, NHS number)
- Personal information about other members of your household
- Details of family relationships in and outside of your household
- Legal status such as immigration status
- Details about your physical and emotional well-being and parenting
- Details about your social circumstances
- Details about employment and education
- Details of any risk issues
- Services and/or support you are getting from partner agencies, both historically and current
- Information about your child and family given to us by yourself or referring organisations (e.g. schools, early years settings, further education providers, health services, Early

Help/Social Care, GP, school nurse, the police, such as: educational progress and attainment information, school attendance, exclusions and behavioural information

- Reports from professionals involved with your child about their special educational needs or disabilities
- Reports relating to your situation (e.g., safeguarding, and other assessments and plans including early help assessments and plans, Child Protection Plans and Looked After Children reviews)
- Records of phone conversations, emails, and meetings between parents/carers and your child/young person and council staff
- Photographs and videos sent to us by education and training providers
- Other information as individual circumstances require, to allow the council to undertake its duties (e.g. tribunal requests, judicial reviews).

We also process a range of special category (sensitive) information about you. This will include some or all the following:

- Details about your child's physical or mental health
- Details about you and your child's ethnicity, sexuality, gender, and disability
- Details about your child's physical and emotional well-being
- Information about your child's situation which may include health, sexuality, disability etc. given to us by you and/or other organisations (e.g., education providers, Early Help, Social Care or Health) GP, school nurse, Police)
- Details about any substance misuse
- Other information as individual circumstances require to allow the council to undertake its duties

We also process criminal offence data as follows:

- Details of any criminal offences you or a member of your family have been suspected of, investigated for, charged with, acquitted of, or convicted of, together with any sentences or penalties involved where this is relevant to our work
- whether individuals are a victim/survivor and/or a perpetrator (alleged or proven) where this is relevant to our work
- Other information as individual circumstances require to allow the council to undertake its duties

#### **4. The purpose for which data is processed**

We use the data we have and collect for the following uses:

- To provide your child with services to support their inclusion and access to education, employment and training
- To identify your child's special educational needs or disabilities so that the right support can be put in place
- To administer statutory requirements in accordance with the SEND Code of Practice such as: assessment requests and the monitoring of Education, Health and Care plans
- To provide your child with support at school via Camden's alternative route to SEND funding (ENGs).
- monitor take-up of the service and programmes and ensure that services and programmes are meeting the needs of local families effectively
- evaluate the impact of specific activities and programmes on improving outcomes for children
- help the council and wider government improve services for children in the borough in the future

- Prevent crime and fraud, and assist other public bodies to do their work safely and effectively
- Comply with other legal requirements such as Freedom of Information Act requests and subject access requests

## 5. Agencies we may share your data with

- a. Explanation:** To allow the council to carry out its duties properly it may need to share some, or all information listed in section 3 with some, or all the other parties listed below. We only share information when the law (and our policies) allows or require us to. Information is only shared where it is necessary to do so, and information is always shared securely.

Information listed in section 3 may also be requested from other parties, to allow the council to undertake its duties effectively.

The council does not need consent to share data with other organisations because consent is not the legal basis. This is explained in section 12. Where possible we will tell you what data is being shared and why, but in some cases, we do not have to do that. An example would be where we are asking for information from the police or where we are sharing safeguarding information with another organisation to alert that the child concerned may be at risk of harm.

We also undertake general data matching or data sharing in certain areas for the prevention or detection of crime. More details on this are available on the Council's general privacy page at [www.camden.gov.uk/privacy](http://www.camden.gov.uk/privacy)

The council has a number of data sharing agreements with agencies to cover data sharing, the main ones are available here [Data Sharing Agreements \(DSAs\) | Open Data Portal \(camden.gov.uk\)](#)

### **b. List of parties we may share data with:**

- Education , employment and training providers your child attends or may attend in the future, on a need to know basis
- Other council services which may provide a service to your child and family such as the Integrated Early Years Service (e.g. Family Hubs), Early Help and Social Care, Housing, Primary Learning Support Service, Language and Communication Service, Camden Learning, Youth Justice Services, Short Breaks, Housing, Adults' Social Care, Legal Services, Data Protection, and Information Rights
- Other services commissioned by Camden council to provide your child and family a service such as Transport services
- Health services, such as
  - GP's and other health professionals such as Health visitors
  - Speech and Language Therapy Services, Occupational and Physiotherapy Services
  - Camden MOSAIC (e.g. child development team, social communication assessment service)

- Mental health services
- Community Paediatricians
- Other local councils if a child no longer resides in Camden

#### 6. **Specific projects:**

Specific statutory returns to Department for Education (annual SEN2 census) or for Ofsted inspections do require pupil level personal data.

Anonymised and aggregated data may also be shared with OFSTED, and The Department for Education.

#### **EHCP Plus**

The SEND and Inclusion service are undertaking a twelve-month trial of an Artificial Intelligence (AI) tool called EHCP Plus. SEN case officers taking part in the trial will be able to upload information provided by professionals, schools and families as part of the education, health and care needs assessment process onto a secure platform and generate a draft EHC plan for review. Information uploaded onto the platform can only be accessed by authorised Camden personnel in the SEND and Inclusion service. All draft EHC plans will be reviewed and quality assured by the SEND and Inclusion service before being issued in draft form to parents, carers and young people.

#### **7. Storing and retaining personal data**

Camden SEND and Inclusion Service holds data securely on our electronic case recording systems (MOSAIC, IMPULSE from CACI, HP TRIM/Content Manager) , in shared drives and in Office as necessary. The council use technical and organisation measures to keep information safe and secure.

We will keep information about your child until their 31st birthday if they have an EHCP (Children and Families Act made EHCPs valid up to age 25, plus an additional six years for limitation). If your child does not have an EHCP we will keep information until they are 25.

#### **7. Do I have to provide this information and what will happen if I don't?**

If you do not provide us with your information, it will impact on the services we are able to provide.

#### **8. Transferring data out of the EU/EEA .**

Early Help Services will not transfer data out of the EU/EEA unless a child goes to live in a country outside the EU/EEA. In these circumstances, we will liaise with the appropriate authority in that country to facilitate the lawful and secure transfer of data

#### **9. Automated decision making, Your data subject rights and requesting access to personal data**

We do not use automated decision-making or profiling to process your personal data. Any AI usage either does not make significant decisions, or a council officer has meaningful decision making input, or both.

Under data protection legislation, parents, carers, and children have the right to request a copy of information we hold about them. **Parental access to a child's data is not automatic and may be restricted where appropriate.** Where the child is aged 13 and over, the child must consent to a parent having access if they are Gillick competent (capacity to consent based on their understanding)

There are other data subject rights which can be seen on our website [Your rights - Camden Council](#) . Please see the ICO website <https://ico.org.uk/> for more information. To make a request for your personal information or to exercise other data protection rights please use our web form [Data Subject Rights form - Camden Council](#)

#### 10. **The right to lodge a complaint with a supervisory authority**

You can complain to the Information Commissioner's Office (ICO) if you are unhappy with how we have handled your personal data. It would be helpful if you contacted us first at [dpo@camden.gov.uk](mailto:dpo@camden.gov.uk) to see if we can resolve the problem. You can contact the ICO without charge, Telephone: 0303 123 1113 , live chat <https://ico.org.uk/global/contact-us/live-chat/> or webform <https://ico.org.uk/global/contact-us/>

#### 11. **Legal basis for processing information** Our legal basis for processing is:

- **Personal data:** UK GDPR article 6(1)(c) (Legal duty) and article 6(1)(e) (public task).
- **Special category data :**
  - 9 (2) (g) Reasons of substantial public interest (with a basis in law). The Data Protection Act 2018 Schedule 1 Part 2 conditions are paras 6 (Statutory and government purposes), and 18 (Safeguarding of children and individuals at risk) with the underlying laws being those described below
  - 9 (2) (h) Health or social care (with a basis in law). The Data Protection Act 2018 Schedule 1 Part 1 conditions are: paras 1 (Employment, social security, and social protection) and 2 (Health or social care purposes), with the underlying laws being those described below
- **Criminal offence data:** UK GDPR Art 10 requirements met by the article 6 legal basis above and the Data Protection Act schedule conditions as described above.
- **The underlying laws relied on are:**
  - Children Act 1989 sections 17 and 47, and schedule 2 part 1
  - Children Act 2004 sections 10 and 11
  - Childcare Act 2006, section 1
  - Children and Families Act 2014, section 23 and 25
  - Welfare Reform Act 2012
  - Criminal Justice and Court Services Act 2000
  - Crime and Disorder Act 1998 section 17,37 and 115
  - Equality Act 2010
  - National Health Service Act 2006, section 82
  - Education Act 2002
  - Education and Skills Act 2008
  - Localism Act 2011
  - Digital Economy Act 2017
  - Special Education Needs and Disability Code of Practice 0-25 years, 2015
  - Special Educational Needs and Disability Regulations 2014
  - Immigration and Asylum Act 1999

#### **Last Updated**

Privacy Notice Last updated 28 March 2025