# SEND Education Health Care Plan Data protection information/Privacy Notice and Consent to Information Sharing (SEND DP1) for Parents/Guardians/Young people

1. A request has been made to Norfolk County Council’s Children’s Services SEND for an Education Health Care Plan Needs Assessment of you/your child.
2. To do this we **must** collect and use your personal information and share it with agencies we work with. Full details of how we use your personal information is set out in our [Children’s Services’ SEND privacy notice](https://www.norfolk.gov.uk/what-we-do-and-how-we-work/open-data-fois-and-data-protection/data-protection/privacy-notices/children-and-young-people-privacy-notices/childrens-services-special-educational-needs-privacy-notice). This privacy notice:

* describes how we collect, use and share your personal information
* sets out how we promise to look after your personal information
* tells you about your privacy rights and how the law protects you

1. If you would like us to share your information with another person or organisation please let us know below. (Please note, for children or young people under 18, we will need to notify everyone with Parental Responsibility about our involvement with you or your child, unless there is a legal duty that prevents this).

## People/organisations (not listed in the privacy notice) who I would like my worker to contact to receive and share personal information about me

| Names and addresses of people [in addition to those on the privacy notice] we can receive and share information with | Relationship to me | Description of the information that it is proposed be shared and why you would like it shared |
| --- | --- | --- |
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1. You may also request that certain types of information are not shared, and you can detail this below.

## People/organisations I do not want my worker to contact to receive and share personal information about me

| Names and addresses of people who information should **not** be shared with | Relationship to me | Description of the information that you do not want to be shared and why you think it should not be shared |
| --- | --- | --- |
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1. The EHCP Coordinator will discuss your request with you and will confirm in writing whether your request has been agreed or not.
2. If you are unclear about the privacy notice or this consent form, please contact your EHCP Coordinator who will be happy to discuss this with you.

## Your confirmation and agreement

* I confirm that I have read the [Children’s Services’ SEN privacy notice](https://www.norfolk.gov.uk/what-we-do-and-how-we-work/open-data-fois-and-data-protection/data-protection/privacy-notices/children-and-young-people-privacy-notices/childrens-services-special-educational-needs-privacy-notice) about how the County Council must use (including share) personal information about me/my child.
* In addition to the sharing of information set out in the privacy notice, I agree that Norfolk County Council can share personal information about me/my child as described above.
* Also, in addition to sharing information set out in the privacy notice, I am aware that there may be circumstances where Norfolk County Council will share this information with other organisations, for example:
  + where there are court proceedings
  + for the detection and/or prevention of crime or fraud
  + for the protection a child and to protect a vulnerable adult.
* I am also aware that Norfolk County Council is allowed to share the EHC Plan without consent for the specified purposes as set out in Appendix 1 below.
* I know that I can change my mind about the matters set out in paragraphs 3 and 4 above at any time and that I can contact the EHCP Coordinator if I want to do this.

**By signing this form, I agree to the sharing of information set out above [electronic signature is acceptable]:**

| **Information needed** | **Your answer** |
| --- | --- |
| Name |  |
| Signature |  |
| Date |  |

## Appendix 1

**SEND Code of Practice 2015 Disclosure of an EHC plan**

*Regulations 17 and 47 of the SEND Regulations 2014*

**9.211** A child or young person’s EHC plan must be kept securely so that unauthorised persons do not have access to it, so far as reasonably practicable (this includes any representations, evidence, advice or information related to the EHC plan). An EHC plan must not be disclosed without the consent of the child or the young person, except for specified purposes or in the interests of the child or young person. If a child does not have sufficient age or understanding to allow him or her to consent to such disclosure, the child’s parent may give consent on the child’s behalf. The specified purposes include:

* disclosure to the Tribunal when the child’s parent or the young person appeals, and to the Secretary of State if a complaint is made to him or her under the 1996 Act
* disclosure on the order of any court or for the purpose of any criminal proceedings
* disclosure for the purposes of investigations of maladministration under the Local Government Act 1974
* disclosure to enable any authority to perform duties arising from the Disabled Persons (Services, Consultation and Representation) Act 1986, or from the Children Act 1989 relating to safeguarding and promoting the welfare of children
* disclosure to Ofsted inspection teams as part of their inspections of schools or other educational institutions and local authorities
* disclosure to any person in connection with the young person’s application for a Disabled Students Allowance in advance of taking up a place in higher education, when requested to do so by the young person
* disclosure to the principal (or equivalent position) of the institution at which the young person is intending to start higher education, when requested to do so by the young person, and
* disclosure to persons engaged in research on SEN on the condition that the researchers do not publish anything derived from, or contained in, the plan which would identify any individual, particularly the child, young person or child’s parent. Disclosure in the interests of research should be in accordance with the Data Protection Act 1998 and wherever possible should be with the knowledge and consent of the child and his or her parent or the young person