Issued on:

You are asked to complete and return by:

# VIEWS OF THE CHILD / YOUNG PERSON FOR EHC ASSESSMENT

**This advice is given as part of the assessment of Special Educational Needs in accordance with the Children and Families Act 2014 and associated regulations. Copies will be sent to parents and all who have contributed to the assessment. It will not, otherwise, be communicated to third parties except for reasons listed in the Regulations.**

|  |  |
| --- | --- |
| **Legal Name of Child/Young Person:** | **Surname:**  |
| **First Names:**  |
| **Name known as:**(if different to legal name) |  |
| **Date of Birth:** |  | **Sex: Male/Female** |
| **School Attended:** |  |
| **Name of Parent/ Guardian:** |  |
| **Child’s/Young Person’s Home Address:** |  |
| **Contact Number:** |  |

**The Child Friendly Profile should be completed as part of Appendix F.**

**Please return both this form and the Child Friendly Profile as part of the assessment.**

**Please attempt as many of the questions as possible. There are further person centred tools available to help collect this information from the child at [Statutory assessments - Torbay Council](https://www.torbay.gov.uk/statutory-assessments/)**

**Please indicate below the level of involvement by the child/young person when completing the Child Friendly Profile** (please tick the one that applies)

|  |  |
| --- | --- |
| **Completed without any adult intervention:** |  |
| **Completed with adult support and guidance:** |  |
| **Completed entirely by adult through discussion with/****or with observations of the child:** |  |

**This must be signed by the Headteacher if collected by the educational setting or Parent if collected by them when submitting a request for an EHC needs assessment (RSA) – the** signature section is at the bottom of this form after the One Page Profile and privacy information

**Child Friendly Profile**

**Name of child/young person..........................................................................Date..........................**

**Completed by...............................................**

**What is important to me…**

(Home, friends, family, toys, hobbies, happiness) 

**Photo** (optional – remember to gain consent first)

**How to help me…**

(At home, in school, emotionally, physically)



**What people like about me…**

(Appreciate, value, respect, treasure, admire)



**My hopes for the future…**

(Something I would love to learn, do or be)



**How we will use your information**

**What information will we be processing?**

We will process personal information provided by you about you and your child(ren) including names, addresses, contact details, dates of birth, identification reference numbers (e.g. Unique Pupil Number (UPN), NHS number etc.) and gender status. We may also need to hold some special category data including: Physical and mental health details, in order to, in order to identify and meet individual needs. And, we may need special category data including: ethnic origin and religious and/or philosophical beliefs.

We will request and process personal information provided by other organisations and bodies including, but not limited to, Torbay Children’s Services, other social care services, education providers, healthcare providers and the police.

We are the data controller in relation to your data.

**Why will we be processing it?**

The Special Educational Needs and Disabilities Service (SEND) will use the data to identify your child’s SEND needs and ensure that the required support is identified. It will be used to determine whether a Statutory Assessment is required and may help inform the outcome of this. [The SEND Code of Practice](https://www.gov.uk/government/publications/send-code-of-practice-0-to-25) explains who we must ask for advice when carrying out an EHC needs assessment. If appropriate the data will help to formulate, review and monitor your child’s progress against Education, Health and Care Plans (EHCPs).

Your information will allow us to improve the service for others through Quality Assurance. As part of our quality assurance process, we undertake regular auditing of EHCP’s, Annual Reviews and Amended plans, this helps us to improve our service. Our auditing work is undertaken internally and externally, with colleagues such as, Education, Health and the Community and Voluntary sector. All those who participate in the auditing process, will sign a confidentiality agreement.

The Special Educational Needs and Disabilities Service (SEND) use data for statutory returns. This data sharing underpins school funding, educational attainment policy and monitoring and enables Government to; produce statistics, assess our performance, determine the destinations of young people after they have left school or college and to evaluate Government funded programmes.

**What is our lawful basis?**

Our lawful basis for processing your personal and special category data is that is a task carried out in the public interest outlined in the General Data Protection Regulation as:

Article 6(1)(c) processing is necessary for compliance with a legal obligation to which the controller is subject

Article 6(1)(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

Article 9(2)(g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued.

Article 9(h) processing is necessary for the purposes of the provision of health or social care or treatment or the management of health or social care systems and services

These laws being:

• Children Act 2004

• Children Act 1989

• Education Act 1996

• Care Act 2015

• Equality Act 2010

• Children and Families Act 2014

• The Special Educational Needs and Disability Regulations 2014

• Mental Capacity Act 2005

• The Education (Information About Individual Pupils) (England) Regulations 2013

At the beginning of the EHC assessment process we believe its good practice to gain parental or carer consent for the sharing of this data, however this is not necessary to begin assessment.

Educational providers are covered under their own GDPR, privacy notices, policies and procedures.

**Do we share your information?**

If appropriate we may share your data with other organisations and bodies including, but not limited to, Torbay Children’s Services, other social care services, education providers, alternative provision, healthcare providers, Government departments and the police.

Information about you may be provided to us by other organisations and bodies including those listed above.

We do not trade personal data for any commercial purpose and we will only disclose your personal information if we have a lawful basis to do so.

Any information shared is done so in accordance with our statutory duties under the above named legislation.

**How long do we keep your information?**

We are currently retaining records relating to children’s services indefinitely as required by the Independent Inquiry into Child Sexual Abuse (IICSA).

**What are my rights?**

Torbay Council’s Information Rights Policy is available upon request or can be found online at [Your information rights - Torbay Council](https://www.torbay.gov.uk/your-rights/)

You are able to exercise your information rights at the above link.

Alternatively you can contact the Information Governance Team via email at infocompliance@torbay.gov.uk or write to:

Information Governance

Torbay Council, Town Hall

Castle Circus

Torquay

TQ1 3DR

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**Declaration:**

I understand this referral will be forwarded to Torbay Council.

I have checked that the details I have provided, including contact details, are correct and have read and understand the privacy information above.

When signing this declaration, you are also giving permission for this child or young person’s EHCP to be part of our quality assurance process. This may also involve direct contact with yourself and if appropriate young person, to gain your thoughts.

**Signed: ……………………………………………………… (Headteacher / Parent)**

**Date: …………………………………………………………**

**How to support me....**