

SENDIAS services: Impartiality and arm's length working in law and in practice

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For any queries regarding this guide please contact us via email iassn@ncb.org.uk

Legal Context

Special Educational Needs and/or Disability Information, Advice and Support Services should be, and be seen to be, impartial services run at arm's length from their local authority, health commissioners and/ or host organisations. The context is as follows:

SEND Code of Practice: Chapter 2

2.4 Information, advice and support should be provided through a dedicated and **easily identifiable** service. Local authorities have established **Information, Advice and Support Services** (formerly known as Parent Partnership services) to provide information, advice and support to parents in relation to SEN.

2.5 Information, Advice and Support Services should be **impartial, confidential** and accessible and should have the capacity to handle face-to-face, telephone and electronic enquiries.

2.8: When designing Information, Advice and Support Services, local authorities should take into account the following principles:

- The information, advice and support should be **impartial** and provided at **arm's length** from the local authority and CCGs
- The information, advice and support offered should be free, accurate, **confidential** and in formats which are accessible and responsive to the needs of users

2.15: Young people must have confidence that they are receiving **confidential** and **impartial** information, advice and support.

The DFE/DHSC endorsed best practise [Minimum Standards](#) for SENDIAS services extends this to host organisations for outsourced services.

1.5 The IASS is, and is seen by service users to be, an **arm's length, confidential, dedicated and easily identifiable service, separate** from the LA, Clinical Commissioning Group and/or host organisation.

This resource

This resource sets out what impartiality and arms-length working looks like in practice for SENDIAS services. It is intended to help services explain, evidence and strengthen impartial and arm's-length working in day-to-day contact with children, young people, parents, professionals and partner agencies.

Confidentiality

As referenced above in 'legal context' There is a legal duty on SENDIAS services to be confidential services. This means that children and young people and their families have a right to access a SENDIAS service confident that identifiable details and information regarding their contact with SENDIAS services will not be shared outside the service other than with express consent or for safeguarding reasons. While there is overlap with confidential working and impartial/ arm's length working this resource focuses on the latter only. Legal information commissioned on data protection with regards to confidentiality can be found here:

<https://councilfordisabledchildren.org.uk/resources/all-resources/filter/inclusion-send/consent-gdpr-sendias-services>

Impartiality - definition

Impartiality is the principle of making decisions and carrying out responsibilities fairly, objectively, and without bias, favouritism, prejudice, or conflicts of interest. All individuals and situations are treated consistently based on relevant facts, evidence, and established criteria.

Impartiality - context for SENDIAS services

Impartiality is part of the core foundation of SENDIAS services. Children, young people, parents and professionals should be able to trust that the information, advice and support provided is grounded in the law, the **SEND Code of Practice** and the individual circumstances of the case, rather than in local policy preferences, organisational pressures or the interests of any one party.

What impartiality looks like in practice for SENDIAS services

In practice, impartiality means that SENDIAS services provide clear, lawful and balanced information, advice and support without promoting the position of the local authority, the host organisation, a setting, a parent, or any other agency. It is about helping service users understand their rights, options and next steps so they can make informed decisions.

- **Advice is based on the law.** Information, advice and support is rooted in legislation, the SEND Code of Practice and the facts of the individual case, rather than on opinion, preference or local custom.
- **All options are explained fairly.** Service users are helped to understand the available routes, including informal resolution, meetings, complaints, mediation and appeals where relevant, without being pushed towards a particular outcome.
- **The service does not take sides.** SENDIAS services do not act as the local authority's voice, but it also does not automatically endorse the service user's preferred position. Its role is to support informed decision-making.
- **Communication is balanced and accurate.** Staff explain both rights and responsibilities, what the law requires, and where local practice is stronger or weaker than legal duties.
- **Support is available across the full range of need.** No impairment, disability, SEN type, setting or approach is given priority over another.
- **Professional challenge is evidence-based.** Where practice is not in line with the law, SENDIAS services can say so clearly and constructively, using evidence rather than advocacy based on allegiance.

Why this matters

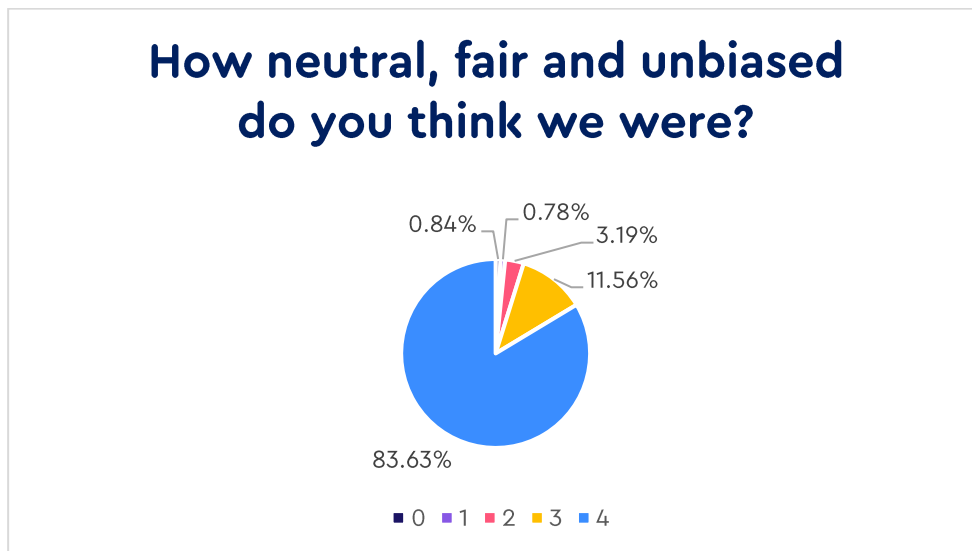
Impartiality is not only a legal requirement; it is also central to service user trust. When children, young people and parents experience SENDIAS services as neutral, fair and unbiased, they are more likely to engage with the service, understand their choices and feel confident in decision-making.

How services can evidence impartiality

- Use clear case notes showing that advice was based on legal duties, evidence and the service user's circumstances.
- Record the options discussed, including where there was more than one possible route forward.
- Use supervision and case discussion to test for bias, assumptions or drift into representing another organisation's position.
- Gather feedback from children, young people, parents and professionals about whether the service feels neutral, fair and unbiased.
- Review letters, website content, leaflets and training materials to ensure the service is presented as distinct, lawful and independent in its function.

How service users' rate SENDIAS services impartiality

The IASSN writes a yearly [Service User Feedback Report](#). This is based on feedback submitted by services from people who have accessed their support.



(Scale - 0-4 with 0 being not at all and 4 being very. Data based on 2500+ feedback forms)

From the 2025-26 report:

- 95% of respondents rated their SENDIAS service positively
- 2% of respondents rated their SENDIAS service negatively

Quotes from those forms included:

- *'This is the first service I have ever used whereby it has actually made a difference. I am extremely grateful to X who was so friendly, impartial, caring and very knowledgeable*
- *X was the first person I felt completely understood my situation and could actually help me. She showed empathy and gave me clear information to move forward on supporting my son. I felt so much better after that phone call.*

Arm's length - definition

'Maintaining appropriate separation between individuals, services, or functions so that decisions are made objectively, transparently, and without undue influence or conflicts of interest.'

Arm's Length - context for SENDIAS services

SEND Code of Practise:

2.8: *When designing Information, Advice and Support Services, local authorities should take into account the following principles:*

- *The information, advice and support should be impartial and **provided at arm's length** from the local authority and CCGs*

Working at arm's length from a service's local authority and/ or host organisation enables services to meet statutory duties such as to confidentiality, impartiality and key aims such as building and maintaining trust with children, young people and parents. Children, young people, families and professionals should have confidence that the information, advice and support services deliver is based on the law- not through the lens of local or organisational agendas or policy. This trust is more than just best practice- it's the law:

2.15: Young people must have confidence that they are receiving confidential and impartial information, advice and support.

It also supports services legal duty to be confidential as the separation will help ensure no details regarding those accessing the service, are shared with anyone outside of the service without express and informed consent or for safeguarding reasons.

What SENDIAS services, local authorities, host organisations and key stakeholders should consider regarding impartiality and arms-length working

It can be challenging for SENDIAS services to maintain positive relationships with local authorities, host organisations, families and partners while at the same time working, and being seen to work, impartially and at arms-length.

- **Access routes.** The service should have contact routes that are clearly its own, including a dedicated helpline and contact arrangements that do not make the service appear to be part of a local authority or host organisation front door.
- **Language and messaging.** Written and verbal communication should describe the service consistently as free, confidential, impartial and legally based.
- **Decision-making boundaries.** SENDIAS staff should be clear about the difference between informing, advising, supporting and representing, and should avoid drifting into the role of decision-maker for families.
- **Professional relationships.** Good partnership working should not prevent constructive challenge where local practice is inconsistent with legal duties or rights.
- **Governance and oversight.** Advisory groups, supervision, feedback and review processes can help test whether the service is remaining impartial and is seen to be impartial.
- **Events and joint working.** When working alongside local authorities, schools, health partners or voluntary sector organisations, the service should remain clear about its separate role and avoid being presented as endorsing a particular agenda.
- **Use of data.** Any sharing of themes, trends or high-level data should protect confidentiality and should be communicated in a way that supports improvement without compromising the service's independence.

- **Neutrality.** Services should not give priority to any particular disability or SEN over another, nor campaign in favor of any particular approach to education or on any local or national policy or practice decisions.
- **Physical space.** Considering where services are based is important when considering working at arm's length as well as vital to confidentiality and impartiality
- **Branding.** It is worth noting with regards to branding the following point of statutory guidance from the SEND Code of Practise:
 - **2.4** *Information, advice and support should be provided through a dedicated and **easily identifiable** service.*

Considering this alongside the responsibility on SENDIAS services to be, and have service uses be confident they are, arms-length, impartial and confidential make consideration of branding vital. Such as:

- Email signatures
- Colour schemes
- Logos

For a service to be compliant of their duties laid out in the code of practise it is worth constantly reviewing branding with key stakeholders and assessing if the SENDIAS services comes across as easily identifiable as the local areas' statutory SENDIAS service, arms-length from the LA and/ or host organisation and impartial.