



Policy Document:

Information Sharing.

Policy Document:

Information Sharing.



Policy statement

We recognise that parents have a right to know that information they share will be regarded as confidential as well as be informed about the circumstances, and reasons, when we are obliged to share information.

We are obliged to share confidential information without authorisation from the person who provided it or to whom it relates if it is in the public interest. That is when:

- it is to prevent a crime from being committed or intervene where one may have been, or to prevent harm to a child or adult; or
- not sharing it could be worse than the outcome of having to share it.

The decision will never be made as an individual, but with the back-up of the Chairperson of the committee. The three critical criteria are:

- Where there is *evidence* that the child is suffering, or is at risk of suffering, significant harm.
- Where there is *reasonable cause to believe* that a child may be suffering, or at risk of suffering, significant harm.
- To *prevent* significant harm arising to children and young people or serious harm to adults, including the prevention, detection and prosecution of serious crime.

Procedures

- Our policy and procedures on information sharing provides guidance to appropriate sharing of information with external agencies.

In our setting we ensure parents:

- Receive information about our information sharing policy when starting their child in the setting and they sign a form to say that they *understand* circumstances when information may be shared without their consent. This will only be when it is a matter of safeguarding a child or vulnerable adult. This forms part of our registration pack and forms.
- Have information about our Safeguarding Children and Child Protection Policy; and
- Have information about the circumstances when information will be shared with external agencies, for example, with regard to any special needs the child may have or transition to school.

We will seek advice when there are doubts about possible significant harm to a child or others.

- The manager and or setting Designated Person will contact children's social care for advice where they have doubts or are unsure.

We will share with consent where appropriate. Respect the wishes of children and parents not to consent to share confidential information. However, in the interests of the child, know when it is reasonable to override their wish.

- Guideline for consent are part of this procedure.

In our setting we:

- Record concerns and discuss these with the setting's committee Chairperson who is designated child protection person for the committee. Record decisions made and reasons why information

will be shared and to whom; and follow the procedures for reporting concerns and record keeping.

- Our Child Protection procedures and Record Keeping Procedures set out how and where information should be recorded and what information should be shared with another agency when making a referral.
- Reasons for decisions to share information, or not, are recorded.
- Provision for this is set out in our Record Keeping Procedure.

Consent

Parents have a right to be informed that their consent to share information will be sought in most cases, as well as the kinds of circumstances when their consent may not be sought, or their refusal to give consent may be overridden. We do this as follows:

- Our policies and procedures set out our responsibility regarding gaining consent to share information and when it may not be sought or overridden.
- We include this in our Registration Pack.
- Parents sign a form at registration to say they understand this.
- Parents are asked to give written consent to share information about any additional needs their child may have, or to pass on child development summaries, to the next provider/school.
- Copies given to parents of the forms they sign.

We consider the following questions when we need to share:

- Is there legitimate purpose to sharing the information?
- Does the information enable the person to be identified?
- Is the information confidential?
- If the information is confidential, do you have consent to share?
- Is there a statutory duty or court order to share information?
- If consent is refused, or there are good reasons not to seek consent, is there sufficient public interest to share information?
- If the decision is to share, are you sharing the right information in the right way?
- Have you properly recorded your decision?

All the undertakings above are subject to the paramount commitment of the setting, which is to the safety and well-being of the child. Please also see our Safeguarding Children and Child Protection Policy.

Legal framework

- Data Protection Act 2018
- Humans Rights Act 1998