**General Welfare Requirement: Safeguarding and Promoting Children's Welfare**

Glebe House School Early Years Staff must take necessary steps to safeguard and promote the welfare of children.

## Safeguarding children

## 1.5 Information sharing

*"Practitioners need to understand their organisations position and commitment to information sharing. They need to have confidence in their continued support of their organisation where they have used their professional judgment and shared information professionally.*

*Information Sharing: Advice for Practitioners providing Safeguarding Services to children, young people, parents and carers (July 2018)*

**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 when, and reasons why, 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 shared it.

The decision should never be made as an individual, but with the back-up of management committee team. 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.

**EYFS key themes and commitments**

| A Unique Child | Positive Relationships | Enabling Environments | Learning and Development |
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**Procedures**

Our procedure is based on the 7 golden rules for Information Sharing as set out in *Information Sharing: Advice for Practitioners providing Safeguarding Services to children, young people, parents and carers (July 2018)*

1. *Remember that the Data Protection Act is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is shared appropriately.*
   - Our policy and procedures on Information Sharing provide guidance to appropriate sharing of information both within the setting, as well as with external agencies.

2. *Be open and honest with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.*

   In our setting we ensure parents:
   - receive information about our Information Sharing Policy when starting their child in the setting and that they sign our Registration Form/Form for Completion to say that they understand the circumstances in which information may be shared without their consent. This will only be when it is a matter of safeguarding a child or vulnerable adult;
   - have information about our Safeguarding Children and Child Protection Policy; and
   - have information about the other 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.

3. *Seek advice if you are in any doubt, without disclosing the identity of the person where possible.*

   - Our Safeguarding Children and Child Protection Policy sets out the duty of all members of our staff to refer concerns to our manager or deputy, as designated person, who will contact children's social care (CADS Team) for advice where they have doubts or are unsure.

4.  *Share with consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent can be overridden in the public interest. You will need to base your judgement on the facts of the case.*

    - Our guidelines for consent are part of this procedure.

5.  *Consider safety and well-being: Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.*

    In our setting we
    - record concerns and discuss these with our designated person and/or designated officer from the management team for child protection matters;
    - record decisions made and the reasons why information will be shared and to whom; and
    - follow the procedures for reporting concerns and record keeping as set out in our Safeguarding Children and Child Protection Policy.

6.  *Necessary, proportionate, relevant, accurate, timely and secure: Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.*

    - Our Safeguarding Children and Child Protection Policy and Children's Records Policy set out how and where information should be recorded and what information should be shared with another agency when making a referral.

7.  *Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.*

    - Where information is shared, we record the reasons for doing so in the child's file; where it is decided that information is not to be shared that is recorded too.

*Consent*

When parents choose our setting for their child, they will share information about themselves and their families. This information is regarded as confidential. Parents have a right to be informed that

we will see their consent to share information in most cases, as well as the kinds of circumstances when we may not seek their consent, or may override their refusal to give consent. We inform them 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 may cover this verbally when the child starts and include this in various forms throughout the EYFS.
- Parents sign our Registration Form/Forms for Completion at registration to confirm that they understand this.
- We ask parents 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.
- We consider the following questions when we need to share:
  – Is there legitimate purpose to us sharing the information?
  – Does the information enable the person to be identified?
  – Is the information confidential?
  – If the information is confidential, do we have consent to share?
  – Is there a statutory duty or court order requiring us to share the information?
  – If consent is refused, or there are good reasons for us not to seek consent, is there sufficient public interest for us to share information?
  – If the decision is to share, are we sharing the right information in the right way?
  – Have we properly recorded our decision?

- Consent must be *informed* - that is the person giving consent needs to understand why information will be shared, what will be shared, who will see information, the purpose of sharing it and the implications for them of sharing that information.
- Consent may be *explicit*, verbally but preferably in writing, or *implicit*, implied if the context is such that sharing information is an intrinsic part of our service or it has been explained and agreed at the outset.
- We explain our Information Sharing Policy to parents.

*Separated parents*
- Consent to share need only be sought from one parent. Where parents are separated, this would normally be the parent with whom the child resides. Where there is a dispute, we will consider this carefully.
- Where the child is looked after, we may also need to consult the Local Authority, as 'corporate parent' before information is shared.

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

**Legal framework**

- General Data Protection Regulations (May 2018)
- Human Rights Act (1998)

**Further guidance**

- Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers - https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice

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| This policy was adopted at a meeting of | Glebe House Trust Nurseries | name of setting |
| Held on | February 2021 | (date) |
| Date to be reviewed | February 2022 | (date) |
| Signed on behalf of the management committee | | |
| Name of signatory | Susie Pull | |
| Role of signatory (e.g. chair/owner) | Area Manager Glebe Trust Nurseries | |