

## 24- Information sharing policy

**Aim:** To ensure that parents have a right to know that the information they share with us will be regarded as confidential, as well as to be informed about the circumstances when, and the 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 to 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.

This decision should never be made as an individual, but with the back-up of the management 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 is at risk of suffering, significant harm.
- To prevent significant harm arising to children and young people or adults, including the prevention, detection, and prosecution of serious crime.

### Procedures

Our procedure is based on the seven golden rules for information sharing as set out in Information Sharing: Guidance for Practitioners and Managers (DCSF 2008).

1. The data protection act 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 at Woodentops and that they sign our Enrolment Form 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, about 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 staff discuss concerns about a child routinely in supervision and any actions are recorded in the child's file.
    - Our manager routinely seeks advice and support from the Designated Safeguarding Officer about possible significant harm.
    - Our Safeguarding Children and Child Protection Policy sets out the duty of all members of our staff to refer concerns to our manager or owner, as designated person, who will contact children's social care for advice where they have doubts or are unsure.
    - Our managers seek advice if they need to share information without consent to disclose.

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 individual case.
  - We base decisions to share information without consent on judgements about the facts of the case and whether it is 'in the public interest'.
  - Our guidelines for consent are part of this procedure.
  - Our manager is conversant with this and will be able to advise staff accordingly.
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 Safeguarding officer.
  - 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 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 Woodentops 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.
- Parents sign our Enrolment Form 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 give parents copies of the forms they sign.
- 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/my] 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 Policy.

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| This policy was adopted on | 25 <sup>th</sup> March 2019 |
| Policy reviewed            | 1/1/22                      |
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