A pink cartoon elephant with blue text

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**Information Sharing**

**Policy Statement**

We recognise that parents have the 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 professionally.

We are obliged to share confidential information without authorisation from the person who provided it or to who 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 child or an adult
* 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 the Pre-school manager.

The three critical criteria are:

* Where there is evidence that the child is 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**

1-We will explain to families how, when and why information will be shared about them and with whom; that consent is normally obtained, unless it is unsafe or inappropriate to do so.

* We will ensure that information about our information sharing policy is clearly displayed for parents to read
* We ensure that new parents have information about our Safeguarding Children and Child Protection Policy
* We ensure that parents 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

2 - Consider the safety and welfare of the child when making a decision about sharing information – if there are concerns regarding ‘significant harm’ the child’s wellbeing and safety is paramount.

* We record concerns and discuss these with the Pre-school manager for child protection matters. Record decisions made and reasons why information will be shared and to whom
* We follow the procedures for reporting concerns and record keeping

3- Respect the wishes of children and parents not to consent to share confidential information. However, in the interests of the child, we are able to judge when it is reasonable to override their wish.

* Guidelines for consent are part of this procedure
* Pre-school manager is conversant with this and are able to advise staff accordingly.

4 - Seek advice when there are doubts about possible significant harm to a child or others.

* Pre-school manager contacts children’s social care for advice where they have doubts or are unsure.

5– Information shared should be accurate and up to date, necessary for the purpose it is being shared for and shared only with those who need to know and shared securely.

* Our Safeguarding Children and Child Protection procedure set out how and where information should be recorded and what information should be shared with another agency when making a referral

6- Reasons for decisions to share information, or not, are recorded.

**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 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 sort or overridden
* We may cover this verbally when a child starts
* 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 are given to parents of the forms they sign
* We consider the following questions when we need to share:
  + Is there a legitimate purpose to sharing 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 it?
  + 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 1998
* Human Rights Act 1998

**Further Guidance**

* **Information Sharing: Guidance for Practitioners and Managers**
* **www.everychildmatters.gov.uk/\_files/116ABBC875E8FEE7BC1E03F534A1EFAA.pdf**

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| Signed by; Hayley Culverwell, Manager  Date to be reviewed; 21/8/24 |