



A world in which Autism is celebrated.

Registered Charity No. 1152188

Safeguarding Children and Young People

6. Information Sharing.

“Practitioners need to understand their organisation’s position and commitment to information sharing. They need to have confidence in the continued support of their organisation where they have used their professional judgement and shared information professionally.”

[Information Sharing: Guidance for Practitioners and Managers \(DCSF 2018\)](#)

Policy statement

We recognise that parents/carers 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.

Data protection law is not a barrier to sharing information when it is necessary, proportionate, and justified to do so. The most important consideration is to safeguard and promote the welfare of the child.

The Data Protection Act 2018 allows all organisations to process data for safeguarding purposes lawfully and without consent where necessary for the purposes of:

- protecting an individual from neglect or physical and emotional harm; or
- protecting the physical, mental or emotional wellbeing of an individual.

This covers situations where a child may be at risk of significant harm due to neglect or abuse and applies to referrals made to the local authority for any child considered to be a 'child in need'.

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:

- Sharing is to prevent a crime from being committed or intervene where one may have been, or to prevent harm to a child or adult.
- Failure to share 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 higher management.

The three critical criteria are:

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

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 (2018)

1. Remember that the General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately.
2. Be open and honest with the individual (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.
3. Seek advice from other practitioners, or your information governance lead, if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgement, there is a lawful basis to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be clear of the basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared.
5. Consider safety and well-being: base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
6. Necessary, proportionate, relevant, adequate, 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 individuals who need to have it, is accurate and up-to-date, is shared in a

timely fashion, and is shared securely (see principles).

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.

Consent

Parents/Carers 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:

- Policies and procedures set out our responsibility regarding gaining consent to share information and when it may not be sought or overridden.
- Explain this verbally when the child or young person starts or include this in our registration documents
- Parents/Carers sign a form at registration to say they understand this.
- Parents/Carers are asked to give written consent to share information about any additional needs their child or young person may have, or to pass on child development summaries, to the next provider/school. (Appendix A)

All personal information will be treated as confidential. However confidential information may be shared to other agencies to safeguard and promote the welfare of children.

In some circumstances, seeking consent from a person we believe is neglecting or abusing a child may undermine safeguarding procedures and may increase the risk of harm to the child or another person. In these situations, we will share this information without consent.

If a child makes a disclosure, we will never promise the child confidentiality, instead we will explain that the information will need to be passed on to the appropriate person to help keep them safe.

Our organisation is responsible for lawfully sharing the information we hold, and we must not assume that someone else will pass on information that may be critical to safeguard and promote the welfare of a child.

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?

As explained above parents/carers are asked to give written consent to share information about any additional needs their child or young person may have, or to pass on child development summaries, to the next provider/school, health and social care services. (Appendix A). However, where failure to share information may increase the risk of harm to the child or another person we will share this information without consent.

The responsibility to share external information lies with the Data protection officer [Sue Carr](#) who will contact the relevant person via phone conversation or secured email.

Internally information is provided through team meetings or on a one-to-one basis between the keyworker, room supervisor or manager/safeguarding lead.

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.

Storage of Information Records

In line with the Data Protection Policy (No. 14) all information is stored securely to protect confidentiality.

- all computer files are stored within our secure Cloud account,
- external memory drives are place in the safe when not in use
- paper files are kept in a lockable filing cabinet within a locked room.
- computer screen displays are located out of the public view.
- computers used for the processing of personal data are password protected.
- Safeguarding concerns are recorded within a separate safeguarding record book and stored, in a lockable filing cabinet and who has access to them.

Information stored includes:

- Registration forms
- Educational Health Care Plans
- Medical Care Plans
- Emergency contacts
- Letters sent and received.
- Accident, incident, injury forms

- Safeguarding concerns
- Referrals
- Risk assessments and PEEPs

Sensitive information is kept within a locked filing cabinet and is only accessed by the safeguarding lead and deputies who will share the information with child/young person's keyworker where needed. It is recommended that safeguarding records are retained until a child's 25th birthday (6 years after the subject's last contact with the Local Authority). With this in mind all sensitive information is moved to our secure cloud if child/young person leaves our services

The UK GDPR does not dictate how long you should keep personal data Sunbeams believes that in order to support educational, health and wellbeing rights personal data should be kept for 3 years after which all printed material containing personal data will be shredded.

Legal framework

- Data Protection Act 2018
- Human Rights Act 1998
- General Data Protection Regulation (EU GDPR)

This policy was adopted on

20th April 2015

Policy updated

April 2024

Last reviewed

February 2025

Next review date

February 2026

Signed on behalf of the management committee

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Date.....

Name of Signatory Susan Carr

Role of Signatory Manager

Appendix A

Permission for Information Sharing

From time to time it is good practice to share ideas and information with other settings that your child or young person attends. Would you be happy for Sunbeams to contact any other setting to share thoughts and ideas, after speaking to you first?

Yes / No

If 'Yes' please list below the other settings your child attends including schools, after school clubs, college and respite centres.

- 1.
- 2.
- 3.
- 4.
- 5.

By having contact with other settings we can strive to help your child further by using, for example, the same strategies and by sharing ideas with them. This creates a more consistent and reliable structure for your child or young person. Thoughts and ideas will always be shared with you first.

Also, in order to have a better idea of what your child likes/dislikes, please write anything you feel would be useful below.

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Signature: Print name:
Thank you for your co-operation.