



26. Safeguarding Children Policy Information Sharing

Aims of Policy

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 shared it.

The decision should never be made as an individual, but with the back-up of the Pre-School Trustees. 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

1. Explain to families how, when and why information will be shared about them and with whom; that consent is normally obtained, unless it puts the child at risk or undermines a criminal investigation.
 - We ensure parents receive information about our 'Safeguarding Children Policy - Information Sharing' (Policy 26) when starting their child at the Pre-School.
 - We ensure parents have access to our 'Safeguarding Children' policies (Policies 22 to 30).
 - We ensure 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 well-being and safety is paramount.
 - We record concerns and discuss these with the Pre-School Manager and/or Chairperson of the Board of Trustees, who oversee the management of child protection matters. Record decisions made and the 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 is 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 First Response 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, shared only with those who need to know and shared securely.
 - Our Safeguarding Children and Child Protection procedure 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.
6. Reasons for decisions to share information, or not, are recorded.
 - Provision for this is set out in our record keeping procedure.

Consent

As part of our legal obligations, we receive, process and dispose of information on children, parents, staff and Trustees. In addition to our legal obligations to hold certain data, consent may be sought for additional information receipt, processing and disposal – such as photographs.

Our 'Record Keeping Policy – Data Protection' policy (Policy 19) highlights how we receive, process and dispose of data, including where consent is sought and procedures around sharing information. This Policy is drafted in line with the General Data Protection Regulation (GDPR) (2016) and the Data Protection Act (2018), and we maintain data in accordance with these regulations and subsequent updates.

We may also provide further information to parents on this when a child starts or include this in our Starter Booklet, and parents are required to sign a form at the child's induction stating they understand this (a copy of which is given to parents). Parents are made aware when their child starts with us that we will share information about any additional needs their child may have and pass on child development summaries to the next provider/school.

All the undertakings above, and the 'Record Keeping Policy – Data Protection' policy (Policy 19), 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 Policy (Policies 22 to 30).

Legal framework

- General Data Protection Regulation (GDPR) (2016) and the Data Protection Act (2018)
- Human Rights Act 1998

Further guidance

- Information Sharing: Practitioners' Guide (revised July 2018)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/419628/information_sharing_advice_safeguarding_practitioners.pdf

As with all the policies for Seer Green Pre-School, the Operational Plan should be referred to for the specific details of day to day operations of the Pre-School. In addition, any issues which arise in the course of a child's time with the Pre-School and that are related to a child's health and wellbeing, parent's or staff's concern, or the overall care and safety of our children, staff, parents and equipment will be dealt with in a professional and confidential manner in order to arrive at an appropriate outcome.

This policy was adopted on (date) _____

Signed on behalf of Seer Green Pre-school (Chairperson) _____

This policy was reviewed as indicated below:

2009 created

2011, 2012, 2013, 2014, 2015, 2016 reviewed and updated as required

July-Nov 2017 reviewed and updated

June-July 2018 reviewed and updated

May 2019 reviewed

June 2020 reviewed

June 2021 reviewed and updated

July 2022 reviewed

June 2023 reviewed

September 2024 reviewed and updated

UNCRC related article:

Number 36

Governments must protect children from all other forms of bad treatment.