

Information Sharing

Little Pippins recognises 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 record and share information about children and their families (data subjects) in line with the six principles of the General Data Protection Regulations (GDPR) (2018) which are further explained in our Privacy Notice that is given to parents at the point of registration. The six principles state that personal data must be:

1. Processed fairly, lawfully and in a transparent manner in relation to the data subject.
2. Collected for specified, explicit and legitimate purposes and not further processed for other purposes incompatible with those purposes.
3. Adequate, relevant and limited to what is necessary in relation to the purposes for which data is processed.
4. Accurate and where necessary, kept up to date.
5. Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the data is processed.
6. Processed in a way that ensures appropriate security of the personal data including protection against accidental loss, destruction or damage, using appropriate technical or organisational measures

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.

The decision to share information should not be made by an individual without the backing of the Manager and/or the management team. All staff and volunteers understand their information sharing responsibilities and are able to respond in a timely, appropriate way to any safeguarding concerns.

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 GDPR principles as listed above and the seven golden rules for information sharing as set out in [Information_sharing_advice_for practitioners providing safeguarding services to children, young people, parents and carers.pdf](#)
We also follow the guidance on information sharing from the Local Safeguarding Children Board.

- Our policy and procedures on information sharing provide guidance to appropriate sharing of information both within the setting as well as with external agencies.
- We ensure parents receive a copy of our Privacy Notice and information about our information sharing policy when their child starts at Little Pippins and that they sign our Information and Permissions 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;
- We ensure parents have information about our Safeguarding Children Policy.
- We ensure parents 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.
- Staff discuss concerns about a child in meetings and any actions are recorded in the child's file.
- We will contact children's social care for advice where we have doubts or are unsure.
- The Manager will seek advice if we need to share information without consent to disclose.
- We base decisions to share information without consent on judgements about the facts of the case and whether there is a legal obligation.
- We record concerns and discuss these with our designated person for child protection matters; we record decisions made and the reasons why information will be shared and to whom.
- We follow the procedures for reporting concerns and record keeping as set out in our Safeguarding Children Policy.
- Our Safeguarding Children Policy and Documentation and Records Policy set out how and where information should be recorded and what information should be shared with another agency when making a referral.
- 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

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 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 or include this in our parent handbook
- Parents sign an information and permissions 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.

We consider the following questions when we need to share:

- Is there a 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 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 freely given and 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 as detailed in the Privacy Notice.

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.

Consent can be withdrawn at any time.

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.

Legal framework

- General Data Protections Regulations (GDPR) (2018)
- Human Rights Act (1998)

Further guidance

- Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (HM Government 2018)
- What to do if you're worried a child is being abused: Advice for practitioners (HM Government 2015)
- Working together to safeguard children: A guide to inter-agency working to safeguard and promote the welfare of children (HM Government 2018)

This policy was adopted at a meeting of Little Pippins Pre-school

Held on: 5th October 2020

Signed on behalf of the Management Committee: *Laura Norton*
Role of signatory: Chair

Review date: 2021

Related Policies

Confidentiality
Safeguarding Children
Records
Transfer of Records to School
Privacy Notice