

Little Bears Pre-school

Information Sharing Policy

“Ensuring that children and young people are kept safe and receive the best support they need when they need it is vital. Where information sharing is necessary to achieve this objective it is important that the practitioners have a clear understanding of when information can be shared. It is also for them to understand the circumstances of when sharing is inappropriate. The Data Protection Act is not a barrier to sharing information but is in place to ensure that personal information is shared appropriately.”

Richard Thomas, Information Commissioner
Introduction to ‘Information Sharing: Practitioners’ Guide’ (HMG 2018)

Statement of Intent

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.

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
- To prevent harm to a child or 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 management and the Committee. 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

Our procedure is based on the golden rules for information sharing as set out by the Devon Safeguarding Children Board.

Please see our Record Keeping Policy and our Safeguarding folder for further information.

In our setting we ensure parents/carers:

- Receive information about our Information Sharing Policy when starting their child/children in the setting and that they understand circumstances when 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 Policy.
- Have information about the circumstances when information will be shared with external agencies, for example, with regard to any special needs the child/children may have or transition to School.
- Parents are welcome to see records of their own child/children but will not have access to information about any other child/children.
- Parents are given our GDPR information when starting the setting.

- Seek advice when there are doubts about possible significant harm to a child or others. The Pre-School contacts children's social care for advice where they have doubts or are unsure.
- Share with consent where appropriate. Respect the wishes of children and parents/carers not to consent to share confidential information. However, in the interests of the child/children, know when it is reasonable to override their wish. Guidelines for consent are part of this procedure and the Manager will be able to advise staff accordingly.
- All staff/volunteers undergo an induction prior to starting their position of employment, sharing information is included.
- All issues to do with the employment of staff, whether paid or unpaid, will remain confidential to the people directly involved with making personnel decisions.

We will consider the safety and welfare of the child/children when making a decision about sharing information – if there are concerns regarding “significant harm” the child's well-being and safety is paramount.

In our setting we:

- Record concerns and discuss these with the setting's designated person and /or designated officer from the Committee for child protection matters. Record decisions made and the reasons why information will be shared and to whom
- Follow the procedures for reporting concerns and record keeping.
- 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 - provision for this is set out in our Record Keeping Procedure.

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 safeguarding circumstances when their consent may not be sought, or their refusal to give consent may be 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 sought or overridden.
- We may cover this verbally when the child starts or include this in our prospectus.
- 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/children may have or to pass on child development summaries, to the next Provider/School.

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?

All the undertakings above are subject to the paramount commitment of the setting, which is to the safety and well-being of the child/children.

Related Policies

Safeguarding Policy
Record Keeping Policy

Further Guidance

Information Sharing: Guidance for Practitioners and Managers
Early Years Foundation Stage Statutory Framework 2014

Approved.....: **(Chair of CIO signature)**

Adopted on

