

General Welfare Requirement: Safeguarding and Promoting Children's Welfare

The provider must take necessary steps to safeguard and promote the welfare of children.



Safeguarding children

1.5 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 (DCFS 2009)

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.

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 committed 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 backup of management committee officers. 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 Seven Golden Rules as set out in *Information Sharing: Guidance for Practitioners and Managers Guide (DCFS 2009)*

1. We remember that the Data Protection Act is not a barrier to sharing Information

- Our policies and procedures on information sharing provide guidance to appropriate sharing of information with external agencies

2. Be open and honest. Explain to families how, when and why information will be shared about them and whom. Seek consent to share information, unless it puts the child at risk or undermines a criminal investigation.

In our setting we ensure parents:

- Receive information about our information sharing policy when starting their child in the setting and they sign a form to say that they understand circumstances when information may be shared without consent. This will only be when it is a matter of safeguarding a child or vulnerable adult. This is on our registration form
- Have information about our Safeguarding Children and Child Protection policy; and
- 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 the transition to school.

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

- Manager to contact the Multi Agency Safeguarding Hub (MASH) for advice where they have doubts or are unsure.
- **Contact MASH on 0300 4560108 (out of hours: 0845 6070888) or if there is immediate danger phone the Police or Emergency Services on 999.**

4. Share with consent where appropriate. Respect the wishes of children and parents not to consent to share confidential information. However, in the interests of the child, know when it is reasonable to override their wish.

Guidelines for consent are part of this procedure.

5. Consider safety and well-being: Managers are conversant with this and are able to advise staff accordingly. 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

In our setting we:

- Record concerns and discuss these with the settings *designated person and/or designated officer* from the management 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.

6. Necessary, proportionate, relevant, accurate, timely and secure

- We ensure that information shared is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in timely fashion, and is shared securely.
- Our Child Protection procedure sets out how and where information should be recorded and what information should be shared with another agency when making referrals.
- A Pre School mobile phone is used when away from the premises. It is stored in a locked cupboard and is only used for emergency use. Parent contacts are stored on the phone. The phone does not have a camera, so photographs of children, cannot be taken or stored on the device. Please see policy 1.6 - Use of mobile phones and cameras for more details.

7. Keep a record

- Our decision and the reasons for it – whether it is to share information or not. If we decide to share, then record what you have shared, with whom and for what purpose.

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.

- Our policies and procedures set out our responsibility regarding gaining consent to share information and when it may not be sought or overridden.
- We include this on our Admission Form. Parents sign the form to confirm they understand this.
- Parents are requested to keep a copy of their completed Admission Form.

- 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.

- **We consider the following questions:**
 - 1) Is there a clear and legitimate purpose for sharing information?
 - 2) Does the information enable a living person to be identified?
 - 3) Is the information confidential?
 - 4) Do you have consent to share?
 - 5) Is there sufficient public interest to share the information?
 - 6) Are you sharing information appropriately and securely?
 - 7) Have you properly recorded your information sharing 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 policy 1.2 Safeguarding children and child protection.

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

<i>This policy was originally adopted at a meeting of Nomansland Pre-school</i>	
<i>Held on</i>	<i>28 April 2010</i>
<i>Last review/update approved</i>	<i>March 2020</i>
<i>Date to be reviewed</i>	<i>March 2021</i>
<i>Signed on behalf of the management committee</i>	
<i>Name of signatory</i>	<i>Nikola Bishop</i>
<i>Role of signatory</i>	<i>Chair</i>