

Information sharing

Policy statement

We recognise 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 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.
- When not sharing it could be worse than the outcome of having shared it.

This decision will never be made by an individual, but with the back-up of the management. The two critical criteria are:

- Where there is evidence or reasonable cause to believe that the child is 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 following rules for information sharing as set out in our policy and procedures on Information Sharing. This provides guidance to appropriate sharing of information both within the setting and with external agencies. We are open and honest with the person (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.

In our setting we ensure parents:

- Read and sign the privacy notice found on our website
- **Receive information about our Information Sharing Policy when starting their child in the setting and that they sign our Registration 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.**
- Have information about our Safeguarding Children and Child Protection Policy.
- 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.
- Our staff discuss concerns about a child in supervision and any actions are recorded in the safeguarding file.
- **Our Safeguarding Children and Child Protection Policy sets out the duty of all members of our staff to refer concerns to our designated safeguarding lead person, who will contact children's social care for advice where they have doubts or are unsure.**
- Our manager seeks advice if they need to share information without consent to disclose.

In our setting we:

- Record concerns and discuss these with our Designated Safeguarding Lead or Deputy Safeguarding Lead .
- Record decisions made and the reasons why information will be shared and to whom.
- Follow the procedures for reporting concerns and record keeping as set out in our Safeguarding Children and Child Protection Policy.
- Our Safeguarding Children and Child Protection Policy set out how and where information should be recorded and what information should be shared with another agency when making a referral.

Consent

When parents choose our setting for their child, they will share information about themselves and their families. This information is regarded as confidential. Parents have a right to be informed that we will seek their consent to share information in most cases. 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.
- Parents complete our Registration Form at first registration and we aim for them to be updated annually 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 consider the following questions when we need to share:
 - Is there legitimate purpose to us 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 *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.

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.