

## information sharing

**Working with children and young people every day, schools hold a lot of information about them and their families. There are occasions when this needs to be shared with other agencies.**

Data Protection Law and the General Data Protection Regulation (GDPR) do not act as a barrier to information sharing, instead providing a framework through which information can be shared lawfully.

A common feature in Serious Case Reviews is that information has not been shared or was shared too late.

‘Practitioners should be proactive in sharing information as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of children’

Working Together, 2018

### When can information be shared?

Information can be shared with other agencies at any time, so long as you have the freely given, informed consent of the person the information is about (or in the case of a child, the consent of their parent).

Freely given means that the person was able to give consent without fear of something else happening if they did not give consent (e.g. if a person is told that if they did not give consent then a child protection referral would be made, consent would not be freely given).

Informed means that the person who gave consent knew what they were consenting to, what the consequences of consenting were and what the consequences of not consenting would be.

If, at any time when seeking consent to share information you are concerned that the person you are seeking consent from does not understand what is being asked, stop and seek advice from your DSL / Senior Leadership Team.

### Can information be shared without consent?

Yes, there are certain situations where you can share information without consent. These centre around if you have concerns that a child is at risk of, or has suffered significant harm (i.e. if you need to make a child protection referral or are involved in child protection enquiries) or if seeking consent would increase the risk to a child or an adult (i.e. by speaking to a parent to get consent there is an increased risk that a child would be harmed, for example as punishment for agencies finding out what was happening at home).

You can also be asked to share information without consent for the purposes of prevention or detection of a crime - if you are asked to disclose information that you have as a result of your role / job then seek advice from your DSL / Senior Leadership Team.

### Recording decisions

It is important that when you are asked to share information you record that the request has been made and what your decision was in relation to this request.

If you do decide to share information then you need to also record whether this was with consent. If there was no consent, record your reasons for not getting consent.

You also need to record the type of information that you shared, and the method by which you shared the information (e.g. secure email, recorded delivery, etc.) and whether you confirmed receipt or not.

Whilst it will take up a few minutes of time, recording is vital as there are occasions when cases are reviewed and information sharing decisions are looked at. These reviews may happen many years down the line and the likelihood of you remembering a decision you made in relation to a particular request are small. A clear record means that you do not have to remember each decision.

For guidance as to where and how to record information sharing decisions speak to your DSL / Senior Leadership Team.