

General Welfare Requirement:

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

Safeguarding Children**Information Sharing**

“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. The Data Protection Act is not a barrier to sharing information but is in place to ensure that personal information is shared appropriately”

Richard Tomas, Information Coordinator

Introduction to ‘Information Sharing: Practitioners Guide (HMG 2006)

Policy statement

We recognise that parents have a right to know that information they share will be regarded as confidential as well as be informed about the consequences, 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 when one may have been or to prevent harm to a child or an 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 back-up of the management.

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*

EYFS key themes and commitments

A Unique Child	Positive Relationships	Enabling Environments	Learning and Development
1.1 Inclusive Practice 1.3 Keeping safe	2.1 Respecting each other 2.2 Parents as partners	3.4 The wider context	

Procedures

Our procedures are based on the 6 points for Good Practice as set out in 'Information Sharing: Practitioners Guide, (HMG 2006)

1. *Explain to families how, when and why information will be shared about them and with whom. That consent is normally obtained, unless it puts the child at risk or undermines a criminal investigation.*
 - *We ensure parents receive information about our information sharing policy when starting their child in the centre and they sign a form to say that they understand circumstances when information may be shared with 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 and Child Protection Policy*
 - *We ensure parents 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 transition to school.*

2. *Consider the safety and welfare of the child when making a decision about sharing an information – if there are concerns regarding 'significant harm' the child's well being and safety is paramount*
 - *We record concerns and discuss these with the Nursery Director. All decisions made should be recorded along with the reasons why information will be shared and to whom*
 - *We follow the procedures for reporting concerns and record keeping*

3. *Respect the wishes of children and parents not to consent to share confidential information. However, in the interests of the child, we are able to judge when it is reasonable to override their wish.*
 - *Guidelines for consent are part of this procedure*
 - *The Nursery Director is conversant with the procedure for this and are able to advise staff accordingly.*

4. *Seek advice whenever there are doubts about possible significant harm to a child or other*
 - *The Nursery Director will see the advice of the owner on these matters*

5. *Information shared should be accurate and up to date, necessary for the purpose it is being shared for and shared only with those who need to know and shared securely*
 - *Our Safeguarding Children and Child Protection Procedure and record keeping procedures set out how and where information should be recorded and what information should be shared with another agency when making a referral*

6. *Reasons for decisions to share information, or not, are recorded*
 - *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 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*
- *Parents sign a form at registration stating they understand and accept all policies and procedures that Little Wonders have in place.*
- *We consider the following questions:*
 - *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 you have consent to share it?*

- *If consent is refused, or there are good reasons not to seek consent, is there sufficient public interest to share the 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 Little Wonders, which is to the safety and well being of the child. Please also see our Safeguarding Children and Child Protection Policy.

Legal framework

- *Data Protection Act 1998*
- *Human Rights Act 1998*

Further guidance

- *Information Sharing: A Practitioners Guide*
- *www.everychildmatters.gov.uk/_files/ACB1BA35C20D4C42A1FE6F9133A7C614.pdf*

**This policy was adopted at a meeting of Little Wonders Nursery School
Held on: 1st September 2016
Date to be Reviewed: 1st September 2017**

Signed on behalf of the Management Committee:

Name of Signatory: Tamara Tucker

Role of Signatory: Nursery Manager