



A Touch of the Wild

Information Sharing Policy

Date Created: September 2024

Policy Statement

A Touch of the Wild recognises that parents, staff and children and young people have a right to know that the information they share with us will be regarded as confidential, as well as being informed about circumstances and the reasons why, we are obliged to share such information.

This policy should be read in conjunction with the following policies and procedures:

- Confidentiality Policy
- Privacy Policy
- Safeguarding Policy

This policy applies to all children, young people and adults within our setting.

Responsibilities

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 to do so. Such situations may include (amongst others):

- When it is to prevent a crime from being committed or to intervene where one may have been;
- To prevent harm (physically or emotionally) to a child or adult;
- When not sharing the information could be worse than the outcome of sharing it.

At A Touch of the Wild the decision as to whether information should be shared is never made by an individual, instead such decisions are made as a management team following the following critical criteria:

- 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 is at risk of suffering, significant harm;
- To prevent significant harm arising to children or adults, including the prevention, detection and prosecution of serious crime.

Procedures

Our procedure is based on the seven golden rules to sharing information as set out in 'Information Sharing: advice for practitioners providing safeguarding services to children, young people, parents and carers' (March 2015), and the GDPR act of 2018:

- 1. Remember that the Data Protection Act 1998, General Data Protection Law 2018 and Human Rights Laws are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately.*
- 2. Be open and honest with the individual (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.*
- 3. Seek advice from other practitioners if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.*
- 4. Share with informed consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, there is good reason to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be certain of the basis upon which you are doing so. Where you have consent, be mindful that an individual might not expect information to be shared.*
- 5. Consider safety and well-being: Base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.*
- 6. Necessary, proportionate, relevant, adequate, accurate, timely and secure: Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely (see principles).*
- 7. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.*

The management team responsible for making decisions regarding information sharing will seek advice from Children's Services where they have doubts or are unsure whether information should be shared. In all cases the management team will:

- Record concerns;
- Consider the following questions when we need to share information:
 - 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 we have consent to share?
- Is there a statutory duty or court order that requires us to share the information?
- If consent is refused, or there are good reasons for not seeking consent (i.e. the child is at risk of significant harm), 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?
- Record decisions made along with the reasons why information will be shared and to whom and at all times follow the procedures for reporting concerns and record keeping as outlined in our Safeguarding and Child Protection Policy. This includes how and where information should be recorded and what should be shared with another agency when making a referral;
- Record the decision whether or not to share in the child's file.

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 may be overridden. We do this as follows:

- Providing a copy of our Information Sharing policy which set out our responsibility regarding gaining consent to share information and when it may be sought or overridden
- Providing a copy of our Safeguarding and Confidentiality policies which include the procedures for reporting concerns and record keeping.
- Ensuring parents have information about the other circumstances when information will be shared with external agencies such as transition to school or with regard to any special educational needs or disabilities that the child may have.
- Requesting parents to provide written consent to share information about their child with regards to special educational needs and/or disabilities with relevant agencies.

All undertakings are subject to the paramount commitment of A Touch of the Wild, which is the safety and well-being of the children in our setting.

Information Sharing Flow-Chart

