



Harvard Park Policies and Procedures:
Information Sharing – Safeguarding Children

20. Information Sharing – Safeguarding Children

'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.'

Information sharing: Advice for early years educator providing safeguarding services to children, young people, parents and carers (HMG 2024)

Policy statement

We recognise that parents/carers 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 record and share information about children and their families (data subjects) in line with the six principles of the United Kingdom General Data Protection Regulation (UK-GDPR), which are further explained in Our Privacy Notice that is given to parents/carers at the point of registration. The six principles state that personal data must be:

1. Processed fairly, lawfully and in a transparent manner in relation to the data subject.
2. Collected for specified, explicit and legitimate purposes and not further processed for other purposes incompatible with those purposes.
3. Adequate, relevant and limited to what is necessary in relation to the purposes for which data is processed.
4. Accurate and where necessary, kept up to date.
5. Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the data is processed.
6. Processed in a way that ensures appropriate security of the persona data including protection against accidental loss, destruction or damage, using appropriate technical or organisational measures.

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, or to prevent harm to a child or adult; or
- not sharing it could be worse than the outcome of having shared it.

The responsibility for decision-making should not rely solely on an individual but should have the back-up of the management team. The management team provide clear guidance, policy and procedures to ensure all staff and volunteers understand their information sharing responsibilities and can respond in a timely, appropriate way to any safeguarding concerns. 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 United Kingdom General Data Protection Regulation (UK-GDPR) principles as. Listed below are the 7 golden rules for sharing information in the Information Sharing Advice for practitioners providing safeguarding services to children, young people, parents and carers. We also follow the guidance on information sharing from the Hounslow Safeguarding Children's Partnership.

1. Remember that the United Kingdom General Data Protection Regulation (UK-GDPR) and Human Rights law are not barriers to justified sharing information as per the Children Act 1989 but provides a framework to ensure that personal information about living persons is shared appropriately.

- Our policy and procedures on information sharing provides guidance to appropriate sharing of information with external agencies as well as within the setting.

2. Be open and honest with the individual (and/or their family) from the outset about what, why, how and with whom information will, or could be shared, and seek their consent, unless it is unsafe or if we have legal obligation to do so. A Privacy Notice is given to parents/carers at the point of registration to explain this further.

In our setting we ensure parents/carers:

- Receive a copy of our privacy notice and are informed of our Information sharing policy when their child starts at 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 child or vulnerable adult.
- Have information about our Safeguarding Children and Child Protection policy; and
- Have information about other circumstances when information will be shared with external agencies, for example, regarding any special needs the child may have or transition to school or new setting.

3. Seek advice from other early years educators if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.

- Our early years educators discuss concerns about a child routinely in supervisions and any actions are recorded in the child's file.
- Our manager routinely seeks advice and support from their directors about possible significant harm.
- Our Safeguarding Children Policy sets out the duty of all members of our early years educators to refer concerns to our DSL, manager or directors, as designated 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.

4. Share with 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, that lack of consent can be overridden in the public interest. You will need to base your judgement on the facts of the case.

- We base decisions to share information without consent on judgements about the facts of the case and whether there is a legal obligation.
- Our guidelines for consent are part of this procedure.
- Our manager is conversant with this, and they can advise early years educators accordingly.

5. Consider safety and well-being: Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.

In our setting we:

- record concerns and discuss these with our designated safeguarding lead/or designated officer from the management team for child protection matters.
- record decisions made and the reasons why information will be shared and to whom; and
- follow the procedures for reporting concerns and record keeping as set out in our Safeguarding Children Policy.

6. Necessary, proportionate, relevant, 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 people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.

- Our Safeguarding Children Policy and Record Keeping Policy set out how and where information should be recorded and what information should be shared with another agency when making a referral.

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.

- Where information is shared, we record the reasons for doing so in the child's file; where it is decided that information is not to be shared that is recorded too.

Consent

When parents/carers choose our setting for their child, they will share information about themselves and their families. This information is regarded as confidential. Parents/carers have a right to be informed that we will seek their agreement to share information in most cases, as well as the kinds of circumstances when we may not seek their agreement or may override their refusal to give agreement. We inform them as follows:

- o Our policies and procedures set out our responsibility regarding gaining agreement to share information and when it may not be sought or overridden.
- o We may cover this verbally when the child starts or includes this in our prospectus.
- o Parents/carers sign a form at registration to confirm they understand this.
- o Parents/carers 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.
- o Upon request, Copies are given to parents of the forms they sign.

We consider the following questions when we need to share:

- o Is there legitimate purpose to sharing the information?
- o Does the information enable the person to be identified?
- o Is the information confidential?
- o If the information is confidential, do you have agreement to share?
- o Is there a statutory duty or court order to share information?
- o If consent is refused, or there are good reasons not to seek agreement, is there sufficient public interest to share information?

- o If the decision is to share, are you sharing the right information in the right way?
- o Have you properly recorded your decision?
- o Consent must be freely given and 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 as detailed in the Privacy Notice.
- o Consent may be explicit, verbally but preferably in writing, or implicit, implied if the context is such that sharing information is an intrinsic part of our service or it has been explained and agreed at the outset.

- Consent can be withdrawn at any time.
- We explain our Information Sharing Policy to parents/carers.

Separated Parents

- Agreement to share needs to 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.

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 our Safeguarding Children and Child Protection policy.

Legal framework

United Kingdom General Data Protection Regulation (2018)

Human Rights Act 1998

Further guidance

Information Sharing: Guidance for Early years educator and Managers (DFE 2008)

This Policies and Procedures pack was adjusted by Harvard Park.

Date meeting was held on 30/04/2026

Signed on behalf of the Directors and Proprietors

Nicki Saunders and Tracey Milstead