



**For the purposes of this document, Laura Green Trust, which is the governing body of Greenshoots Pre-School and Wraparound Care is hereafter referred to as Greenshoots.**

## **Information Sharing Policy**

### **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 circumstances, 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 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 decision should never be made as an individual, but with the back-up of the Trustees. 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 the 7 golden rules for information sharing as set out in *Information Sharing: Advice for practitioner providing safeguarding services to children, young people, parents and carers* (HMG 2018)

1. Remember that the General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately.
  - Our policy and procedures on information sharing provide guidance to appropriate sharing of information with external agencies.
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.

In our setting we ensure parents:

- receive information about our information sharing policy when starting their child in the setting and they sign a form to say that they *understand* circumstances when 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 / Child Protection policy; and
  - 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.
3. Seek advice from other practitioners, or your information governance lead, if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
    - A Preschool Manager or the Senior Practitioner contact the Plymouth Children's Gateway Service for advice where they have doubts or are unsure.
  4. Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgement, there is a lawful basis 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 clear of the basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared.
    - Guidelines for consent are part of this procedure.
  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.

In our setting we:

- record concerns and discuss these with the setting's *senior designated safeguarding officers* – **Natalie Landricombe and Eleanor Hallett** and/or *designated officer* from the Trust for child protection matters – **Lisa Bickford**. Record decisions made and the reasons why information will be shared and to whom; and
  - follow the procedures for reporting concerns and record keeping.
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).
    - Our 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.
  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.

- Provision for this is set out in our record keeping procedures.

## **Consent**

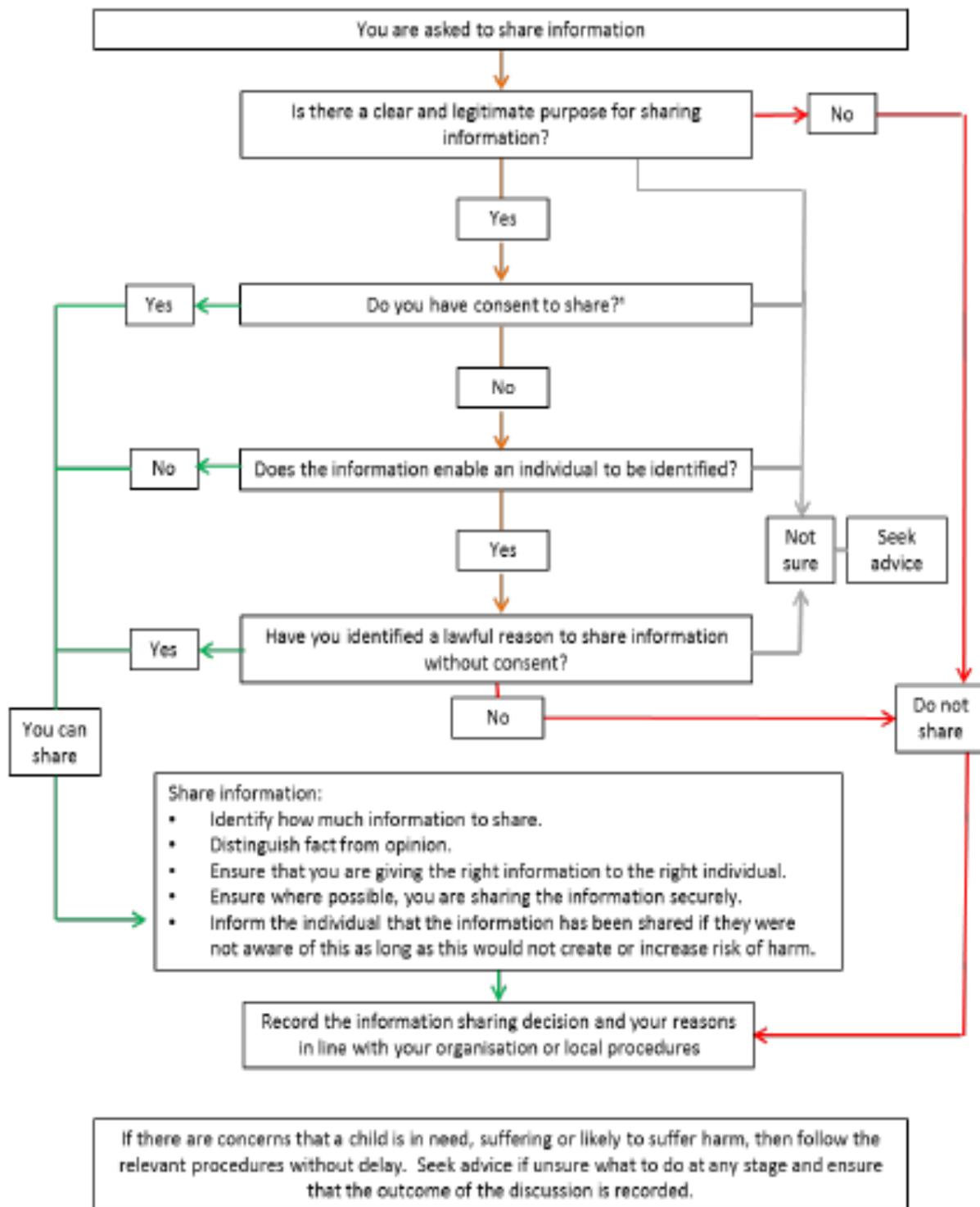
Parents have a right to be informed that their consent to share information will be sought in most cases, as well as the kinds of circumstances when their consent may not be sought, or their refusal to give consent may be overridden. We do this as follows:

- Our policies and procedures set out our responsibility regarding gaining consent to share information and when it may not be sought or overridden.
- We may cover this verbally when the child starts and include this in our welcome pack.
- Parents sign a form at registration to say they understand this.
- Parents are asked to give written consent to share information about any additional needs their child may have, or to pass on summative assessment information, to the next provider/school.
- Copies of signed forms are given to parents.

We consider the following questions when we need to share:

- 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 you have consent to share?
- Is there a statutory duty or court order to share information?
- If consent is refused, or there are good reasons not to seek consent, is there sufficient public interest to share information?
- If the decision is to share, are you sharing the right information in the right way?
- Have you properly recorded your decision?

## Flowchart of when and how to share information (HMG 2018)



1. Consent must be unambiguous, freely given and may be withdrawn at any time

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 / Child Protection policy.

### **Legal framework**

- Data Protection Act 2018
- Human Rights Act 1998

This policy was adopted on: \_\_\_\_\_

Signed on behalf of Laira GreenTrust - Greenshoots Pre-school and Wraparound Care

Chairperson, Laira Green Trust:

Greenshoots Manager (Strategy and Support):

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