

## 5.7 Information sharing

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## 5.7 Information sharing

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### **Policy Statement**

Miss B's Nursery recognises that sharing information appropriately is an important part of safeguarding and supporting children and families. Staff working with children must sometimes make decisions about when and how to share information with others in order to ensure that children receive the right support at the right time.

This policy follows the guidance set out in “**Information Sharing: Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carers**” (HM Government, May 2024). The guidance emphasises that effective information sharing can help professionals respond quickly to concerns and ensure that children's needs are met.

Miss B's Nursery understands that parents and carers have the right to expect that the information they share with the nursery will be treated respectfully and kept confidential. Families are informed about how information is used and the circumstances in which it may be shared with other professionals or agencies.

However, there are occasions when confidential information must be shared without consent if doing so is in the **public interest**. This may occur when:

- Sharing information may help prevent a crime
- Sharing information may help protect a child or vulnerable adult from harm
- Failing to share information could place someone at greater risk.

When considering whether information should be shared, the following key criteria are considered:

- evidence that a child is suffering, or may be suffering, **significant harm**
- reasonable cause to suspect that a child may be at risk of harm
- the need to prevent significant harm to children or adults, including the prevention or detection of serious crime.

This approach supports children's rights under the **United Nations Convention on the Rights of the Child (UNCRC)**, including:

- **Article 3** – The best interests of the child must always be a primary consideration
- **Article 16** – Children have the right to privacy and protection of personal information
- **Article 19** – Children have the right to protection from harm and abuse
- **Article 36** – Children should be protected from exploitation and harmful situations.

### **Procedures through the Seven Golden Rules for Information Sharing**

Miss B's Nursery follows the **Seven Golden Rules for Information Sharing**, as outlined in the HM Government guidance (May 2024). The nursery also follows the relevant safeguarding guidance provided by the **West Sussex Safeguarding Children Partnership (WSCP)**.

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#### **5.7.1 Golden Rule 1 – Understanding the Legal Framework**

The **UK GDPR, Data Protection Act 2018**, and **human rights legislation** do not prevent appropriate information sharing. Instead, they provide a framework that ensures personal information about individuals is handled responsibly.

Miss B's Nursery uses these legal frameworks to guide decisions about when and how information should be shared within the nursery or with external agencies.

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#### **5.7.2 Golden Rule 2 – Being Open and Transparent**

Where appropriate, staff will be open and honest with individuals and families about how information may be shared and why it may be necessary.

Parents and carers are informed that:

- They can access the nursery's **Information Sharing Policy**
- They can access the **Safeguarding and Child Protection Policy**
- Information may be shared with other professionals when necessary to support a child's needs or to ensure a safe transition to school.

However, in some situations, it may be unsafe or inappropriate to seek consent before sharing information.

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#### **5.7.3 Golden Rule 3 – Seeking Advice**

If staff are unsure whether information should be shared, they may seek advice from senior staff or safeguarding leads without initially revealing the identity of the child involved, where possible.

At Miss B's Nursery:

- Staff discuss concerns during supervision sessions
- Actions and decisions are recorded in the child's file

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- Safeguarding concerns are referred to the **Designated Safeguarding Lead (DSL)**.

The DSL may seek advice from **West Sussex Children's Services** if necessary.

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### **5.7.4 Golden Rule 4 – Seeking Consent Where Possible**

Where appropriate, information should be shared with the individual's or family's consent.

However, under the **UK GDPR and the Data Protection Act 2018**, information may be shared without consent if there is a lawful basis to do so, such as when there are concerns about safety or safeguarding.

The **Designated Safeguarding Lead (DSL)** supports staff in making these decisions.

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### **5.7.5 Golden Rule 5 – Prioritising Safety and Wellbeing**

Decisions about information sharing are always based on the **safety and well-being of the child**.

At Miss B's Nursery, staff:

- record any safeguarding concerns
  - Discuss concerns with the DSL
  - record decisions about sharing information and the reasons for those decisions
  - Follow the procedures outlined in the nursery's **Safeguarding and Child Protection Policy**.
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### **5.7.6 Golden Rule 6 – Sharing Information Appropriately**

When information is shared, staff ensure that it is:

- necessary
- proportionate
- relevant
- accurate
- up to date
- shared in a timely manner
- shared securely with appropriate individuals.

The nursery's **Safeguarding Policy** and **Children's Records Policy** provide guidance on how information should be recorded and shared when referrals to external agencies are made.

### 5.7.7 Golden Rule 7 – Recording Decisions

All decisions about information sharing must be recorded.

This includes:

- the decision made
- the reasons for the decision
- What information was shared
- who it was shared with
- the purpose of sharing the information.

If a decision is made **not** to share information, the reasons for this decision must also be documented.

### 5.7.8 Consent

Parents and carers share information about themselves and their families when enrolling their child at Miss B's Nursery. This information is treated as confidential.

Parents are informed that:

- The nursery will usually seek consent before sharing information
- There are circumstances where consent may not be sought or may be overridden if safeguarding concerns arise.

Parents receive information about this policy when their child starts at the nursery. By completing the application process, parents confirm that they understand and agree to the nursery's policies and procedures.

Where appropriate, parents may also be asked to give **written consent** for information to be shared with professionals who support their child's development, such as SEND services.

When deciding whether information should be shared, staff consider the following questions:

- Is there a valid reason to share the information?
- Does the information identify an individual?
- Is the information confidential?
- If confidential, has consent been given?

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- Is there a legal obligation to share the information?
- If consent has been refused, is there sufficient public interest to justify sharing the information?
- If sharing information, is it being shared appropriately and securely?
- Has the decision been recorded properly?

Consent must always be **informed**, meaning the person giving consent understands:

- Why the information will be shared
- What information will be shared
- Who will receive the information
- The purpose of sharing it
- any potential implications.

Consent may be given verbally or in writing, although written consent is preferred where possible.

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### **5.7.9 Consent Where Parents Are Separated**

Where parents live separately, consent to share information normally only needs to be obtained from **one parent**. In most cases, this will be the parent with whom the child primarily resides.

If there is a disagreement between parents, the nursery will carefully consider the circumstances and act in the best interests of the child.

The **safety and well-being of the child remain the nursery's highest priority** in all decisions relating to information sharing.

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