

Information Sharing Policy

“ 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 objective, it is important that the practitioners have a clear understanding of when information can be shared. It is also for them to understand the circumstances of when sharing is inappropriate. The Data Protection Act (1998) is not a barrier to sharing information, but is in place to ensure that personal information is shared appropriately.”

Richard Thomas, Information Commissioner

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

Policy Statement

At Just for Kidz we recognise that parents have the right to know the 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. This 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.

*Not sharing the information could be worse than the outcome of sharing the information.

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*The decision of sharing the information should never be put on an individual, but with back up of other relevant officers. The three criteria are:

1. Where there is **evidence** that the child is suffering, or is at risk of suffering significant harm.
2. Where there is **reasonable cause to believe** that a child may be suffering or at risk of suffering significant harm.
3. To **prevent** significant harm arising to children and young people or serious harm to adults, including the prevention, detection and prosecution of serious crime.

Early Years Foundation Stage key themes and commitments:

Procedures

Our procedure is based on the six points for Good Practice as set out in the Information Sharing: Practitioners Guide (HMG 2006)

1. Explain to families how, when and why information will be shared about them and to whom. The 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 at nursery, and they sign a form that they understand circumstances when information will be shared without 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 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 another setting.

2. We consider the safety and welfare of the child when making a decision about sharing information. If there are concerns regarding “significant harm”, the Childs well being and safety is paramount:

*We record concerns and discuss these with the nurseries designated person/officer. We also record decisions made, and the reasons why the information was shared and to whom.

*We follow the procedures for reporting concerns and record keeping.

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*3. Respect the wishes of children and parents not to consent to share confidential information. However, in the interest of the child, we are able to judge when it is reasonable to override their wish:

*Guidelines for consent are a part of this procedure

*Managers are conversant with this and are able to advise staff accordingly.

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*4. Seek advice when there are doubts about possible significant harm to a child or others:

*Practice manager or Safeguarding Officer contacts the Childs social care for advice where they have doubts or are unsure.

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*5. Information shared must be accurate and up to date, necessary for the purpose of it is being shared for and shared only with those who need to know and shared securely.

*Our safeguarding policy 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.

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*6. Reason for decisions to share information or not are recorded:

*Outlined in record keeping policy.

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*Consent

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*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 may not be sought, or their refusal to consent overridden.

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*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 or include this in registration.

*Parents will sign a form to outline they understand these matters.

*Copies of the signed form will be given to parents.

*Parents 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 setting.

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*We consider the following questions:

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*Is there legitimate purpose to share the information?

*Does the information enable the person to be identified?

*Is the information confidential?

*If the information is confidential, do you have the consent to share?

*Is there a statutory duty or court order to share information?

*If consent is refuse, or there are good reasons not to seek consent, is there sufficient public interest to share the information?

*If the decisions is to share, are you sharing the right information in the right way and to the right person?

*Have you properly recorded your decision?

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*All the undertakings above are subject to the paramount commitment of the nursery, which is the safety and well being of the child.

A Unique Child

Positive Relationships

Enabling Environment

Learning and Development

1.2 Inclusive practice

1.3 Keeping safe

2.1 Respecting each other

2.2 Parents as partners

3.4 The wider context

N/A