



Safeguarding and Welfare Requirement: Information and Records

Providers must maintain records and obtain and share information to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met

10.7 Information sharing

Policy statement

At Pirton Pre School we recognise that parents 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 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 i.e.:

- It is to prevent a crime from being committed or to 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.
- Where there is evidence that the child is suffering, or 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.

The decision will never be made by one individual but in consultation with the Manager, and Chair of the committee.

Procedures

At Pirton Pre School we ensure parents:

- Have access to our Information Sharing Policy when starting their child in the setting and that they sign the 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 a child or vulnerable adult.

- Have information about our Safeguarding Children and Child Protection Policy.
- Have information about the other 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.

The staff team discuss concerns about a child routinely at weekly staff meetings if appropriate and any actions are recorded in the child's file.

Our Safeguarding Children and Child Protection Policy sets out the duty of all members of our staff to refer concerns to the settings DSL or DSO, who will contact children's Services on 0300 123 4043 for guidance.

We base decisions to share information without consent on judgements about the facts of the case and whether it is 'in the public interest'. We will always seek advice regarding the need to share information without consent to disclose.

At Pirton Pre School we will:

- Record concerns and discuss these with our designated person and/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.
- Follow the procedures for reporting concerns and record keeping as set out in our Safeguarding Children and Child Protection Policy.

The Safeguarding Children and Child Protection Policy and Children's Records Policy set out how and where information should be recorded and what information should be shared with another agency when making a referral. 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.

Parents have a right to be informed that we will seek their consent to share information in most cases, as well as the kinds of circumstances when we may not seek their consent, or may override their refusal to give consent. We inform them 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.
- All our policies and procedures are accessible to parents.
- Parents sign the Registration Form at registration to confirm that they understand this.

- We ask parents 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.
- Where parents are separated, we would normally only seek consent from one parent; the parent with whom the child resides. Where there is a dispute, we will consider this carefully.

Consent must be *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.

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.

Our Information Sharing Policy is available to parents at all times

Legal framework

- Data Protection Act (1998)
- Human Rights Act (1998)

<i>This policy was adopted at a meeting of Pirton Pre-School Committee.</i>	
Held on (date)	
Signed on behalf of the Management Committee / Proprietor	
Role of signatory (e.g. chairperson)	