



## Information Sharing Policy

### Policy statement

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.

### Consent

In most circumstances, Little Elms will seek consent from the parent to share information relating to an individual's personal information outside of the Little Elms organisation.

In some circumstances, 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:

- 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 is at risk of suffering, significant harm.
- To prevent significant harm arising to children and young people or adults, including the prevention, detection and prosecution of serious crime.

The responsibility for decision-making should not rely solely on one individual, but should have the back-up of the management and/or senior management team.

### Requesting Consent

There may be occasions where Little Elms requires advice and support from external agencies. In order to source this advice and support, we will be required to share personal information. In this event, we will always seek permission from the parent.

For example, where the nursery needs to make a request for Speech and Language support from the Local Authority to enhance the quality experience delivered to an individual child.

In these circumstances, we will speak with the parent and inform them what information we need to share in order to access the additional support. We will seek written consent by asking the parent to sign an Information Sharing Consent Form.

### Information Sharing Agencies

In line with government procedures, Little Elms may be required to share information relating to individuals (with or without consent) to one or a number of external bodies. Some of these may include:

- The Police
- Ofsted
- Children's Services
- Local Authority Designated Officer
- Local Authority Early Years Team
- Government Official



## Seven Golden Rules to Information Sharing

Little Elms follows guidelines set out in *Information Sharing - Advice for practitioners providing safeguarding services to children, young people, parents and carers* and follows the principles of the seven golden rules to information sharing.

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.
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.
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.
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.
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.
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).
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.

## Procedures for Information Sharing

When we receive a request for information relating to any individual from an external party, we will follow the below steps:

### *Checking Identity*

In all circumstances, it is vital that we check the identity of the individual who is requesting the information prior to giving away any information.

For example, if the nursery receives a telephone call from Children's Social Services requesting information about a specific child, the nursery should take details of the person's name, contact number and position and advise that they will call them back as soon as they have confirmed their identity. This will be checked by calling the Local Authority Children's Services team and confirming the identity of the caller.

If the request comes in via email, we will ensure the email address is relevant to the agency requesting the information. For example, if the request comes from Ofsted, we will check the email address is name@ofsted.gov.uk.

If a request comes in the post, we would call the governing body to check the authenticity of the letter prior to responding.



### *Identity Confirmed*

Once the identify of the person has been confirmed, we will follow the below steps:

- Ask the external body for advice on whether or not we need to share the request with the family and/or seek consent to share. This advice will be followed as provided. In the event advice is not provided, the Management Team will make a judgement based on the seven golden rules to information sharing.
- If the request for information has not already been placed in writing, we would request an email to be sent to the nursery specifying what information they require and within what timeframe.
- Any information shared must be logged onto the child's chronology, including the requesters name, organisation, position and contact number.

### *Associated Documents:*

- *Information Sharing – Advice for practitioners providing safeguarding services to children, young people, parents and carers.*
- *Information Sharing Consent Form*