

FOI Status: Public	CHILDREN AND YOUNGER ADULTS DEPARTMENT	Version: 3.0 Review Due: October 2011
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DERBYSHIRE CHILDREN AND YOUNG PEOPLE'S TRUST – INFORMATION SHARING AGREEMENT AND PRACTITIONERS GUIDANCE

1. Approval and Authorisation

Completion of the following section signifies the review and approval of this process:-

Name	Job Title	Date
Authored by:- Denise Abrehart	Business Services Manager	2006
Approved by:- Ian Johnson	Head of Children's Social Care	2006
Authorised by:- Bruce Buckley	CAYA Strategic Director	2006

2. Change History

Version	Date	Reason	Name
Version 3.0	October 2010	Update and Re-write	Mandy Stafford-Wood

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1. Derbyshire Children and Young People's Trust Information Sharing Agreement

Increasingly, integrated working occurs across services with the aim of delivering more effective intervention at an earlier stage. Early intervention aims to prevent problems escalating and increase the chances of achieving positive outcomes.

Whether integrated working is through specific multi-agency structures or existing services, success for those at risk of poor outcomes depends upon effective partnership working and appropriate information sharing between services.

1.1 Objectives

The primary objectives of this protocol are to improve the speed and efficiency of information sharing between members of Derbyshire Children and Young People's Trust to ensure children and young people receive the services they need. This is supported by the following:

- [Children Act 2004 Sections 10 \(Duty to co-operate to improve the welfare of children\) and 11 \(Arrangements to safeguard and promote welfare\).](#)
- [Working Together to Safeguard Children 2010.](#)

The protocol takes into account the effect of relevant legislation, guidance, plus common law upon the way in which information is shared and used.

1.2 Status of Agreement

This service specific information sharing agreement forms a Second Tier agreement under the overarching Derbyshire Partnership's Information Sharing Protocol and seeks to give practitioners across all children's services clear practical guidance to understand when, why and how to share information legally. The agreement will be reviewed annually by the Derbyshire Children and Young People's Trust and any partner can request changes. A copy of the Derbyshire Partnership Forum Information Sharing Protocol can be accessed through the following link.

[Derbyshire Partnership Forum Information Sharing Protocol](#)

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1.3 Definitions

Throughout this document the following terms are used generically to allow ease of reading:

Parent – a parent or carer who holds parental responsibility as defined by the Children Act 1989. NB: the consent of main carers who do not hold parental responsibility should be obtained as a matter of good practice.

Child – In this document a child is anyone who has not yet reached their 18th birthday.

1.4 Overarching Consideration of the Sharing of Information

In all situations the overriding consideration as to whether to share information should be the safety and welfare of the child.

“Ensuring that children and young people are kept safe and receive the support they need when they need it is vital. Where information sharing is necessary to achieve this objective it is important that practitioners have a clear understanding of when information can be shared. It is also important for them to understand the circumstances when sharing is inappropriate. The Data Protection Act is not a barrier to sharing information, but it is in place to ensure that personal information is shared appropriately”.

Richard Thomas, Information Commissioner (2006)

Good practice indicates that obtaining parental, or where appropriate, the child's consent, should be a first consideration. However, a lack of consent should never compromise the safety or welfare of a child. Consideration should be given to seeking the views of the parent / child as to why consent may be being withheld.

1.5 Data Retention, Review and Disposal

The flow of personal information shared under this agreement will be reviewed and retained in accordance with recipient's records management policies and disposed of confidentially and securely.

1.6 Data Quality

The quality of the data making up the information to be shared must comply with National Information Governance Standards.

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1.7 Complaints and Breaches

All complaints or breaches relative to this agreement will be notified to the designated Data Protection Manager of the relevant organisation in accordance with their respective policy and procedures.

1.8 Subject Access Requests

Each organisation party to this agreement will maintain subject access requests procedures which comply with the Data Protection Act 1998.

1.9 Links to Other Policy and Guidance

- The statutory guidance on [Section 10 of the Children Act 2004](#) for agencies covered by the duty to co-operate to improve well-being of children.
- The statutory guidance on [Section 11 of the Children Act 2004](#) on the duty to safeguard and promote the welfare of children.
- The statutory guidance [Working Together To Safeguard Children \(HMG, 2010\)](#), which sets out how organisations and individuals should work together to safeguard and promote the welfare of children.
- [What to do if you are worried a child is being abused \(HMG, 2006\)](#).
- [The Education and Inspections Act 2006](#), which sets out the duty to promote the well-being of pupils to governing bodies of maintained schools.
- [The Child Health Promotion Programme \(DH, 2008\)](#).
- [Derbyshire Safeguarding Children Board](#) policies, procedures, protocols and guidance.

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2. Derbyshire Children and Young People's Trust Information Sharing Practitioners Guidance

2.1 Introduction

Information sharing is key to delivering better, more efficient public services that are co-ordinated around the needs of the individual. Appropriately sharing information about children and young people is essential to enable early intervention and preventative work, for safeguarding and promoting welfare and for wider public protection. Information sharing is a vital element in improving outcomes for all.

It is most important that people remain confident that their personal information is kept safe and secure and that practitioners maintain the privacy of the individual, whilst sharing information to deliver better services. It is therefore important that practitioners can share information appropriately as part of their day-to-day practice and do so confidently.

Practitioners recognise the importance of information sharing and there is already much good practice. However, in some situations they feel constrained from sharing information by uncertainty about when they can do so lawfully, especially in early intervention and preventative work where information sharing decisions may be less clear than in safeguarding or child protection situations.

To feel confident about making information sharing decisions, it is important that you:

- Understand and apply good practice in sharing information at an early stage as part of preventative or early intervention work.
- Understand what information is and is not confidential, and the need in some circumstances to make a judgement about whether confidential information can be shared, in the public interest, without consent. Whilst gaining consent remains good practice you need to remember ***'No inquiry into a child's death or serious injury has questioned why information was shared. It has always asked the opposite.'*** (G. Nunnery, Solicitor, Lewisham).
- Understand what to do when you have reasonable cause to believe that a child may be suffering, or may be at risk of suffering, significant harm, and are clear of the circumstances when information can be shared where you judge that a child is at risk of significant harm.
- Understand that the sharing of confidential or sensitive information should be seen in context in that you will be sharing such information with colleagues who are also used to dealing with and sharing both confidential and sensitive information.

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2.2 When to Share Information

There are many different circumstances which would give rise to the need to share information such as:

- **Sharing information where there are concerns about significant harm to a child or young person** – It is critical that where you have reasonable cause to believe that a child or young person **may be suffering or may be at risk of suffering significant harm**, you should always consider referring your concerns to children's social care or the police, in line with Derbyshire Safeguarding Children Board procedures which can be accessed via the following link:

[Derbyshire Safeguarding Children Board Procedures](#)

In some situations there may be a concern that a child or young person may be suffering, or at risk of suffering significant harm, or of causing significant harm to another child, or serious harm to an adult. However, you may be unsure whether what has given rise to your concern constitutes 'a reasonable cause to believe'. In these situations, the concern must not be ignored. You should always talk to someone to help you decide what to do – a lead person on safeguarding, your manager, an experienced and trusted colleague or another practitioner who knows the person. You should protect the identity of the child or young person wherever possible until you have established a reasonable cause for your belief.

- **Sharing information to support transitions** – There are many transition points in the life of an individual. Transitions include a child moving from nursery into primary school; from primary to secondary school; and moving into adulthood. Significant transitions can also occur when an individual leaves long-term care, hospitalisation or prison. In all of these cases, information sharing is important to ensure that the person gets the support that they require, through and after the transition.
- **Sharing information where there are concerns about significant harm or serious harm to third parties** – Where you have concerns that the actions of some may place children at risk of significant harm or adults at risk of serious harm, it may be possible to justify sharing information with or without consent for the purposes of identifying people for whom preventative interventions are appropriate.
- **Sharing information where you have a statutory duty or court order** – Where you have a statutory duty or court order to share information you must do so unless, in the case of a court order, your organisation is prepared to challenge it.

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- **Sharing information in an emergency situation** – The nature of emergency situations will vary but information sharing is always a vital part of providing services to the people affected by them. Whilst the principles and legislative basis underpinning the sharing of information are broadly the same in an emergency situation, it is more likely than not that it will be in the interests of the individuals for personal data to be shared.

Timeliness is a key consideration in emergency situations. It may not be appropriate to seek consent for information sharing if delays could incur as a result. You should always consider how much information needs to be shared to achieve the objective and the most appropriate way in which to do so given the urgency of the situation. Security of information sharing must still be considered but should be proportionate to the sensitivity of the information and the circumstances.

2.3 Consent

You should explain to children, young people and families at the outset, openly and honestly, what and how information will, or could be shared and why, and seek their agreement. You should, where possible, respect the wishes of children, young people or families who do not consent to share confidential information. However, you may still share information, if in your judgement on the facts of the case; there is sufficient need to override that lack of consent. The key factor in deciding whether or not to disclose confidential information is proportionality and pressing need.

Sharing confidential information without consent in the public interest is normally justified in the following circumstances:

- 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 through the prevention, detection and prosecution of serious crime.

Whose Consent should be sought?

The consent of both young people and their parents to share information should be sought wherever possible. However, where there is a disagreement between the parent and young person then the practitioner will make a judgement about whether to share information using the principles set out in [Section 1.4](#) of the Information Sharing Agreement.

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Parents – Where one parent consents to information about a child being shared, but another objects, then the principles of safety, welfare and proportionality set out in [Section 1.4](#) will apply.

Children and Young People – The following criteria should be used to assess whether a particular child has sufficient understanding to give or refuse consent, however, children aged 12 or over may generally be expected to have sufficient understanding. (This is what is known as Fraser / Gillick competence).

Can the child understand the question being asked of them?

Does the child have a reasonable understanding of:

- What information might be shared;
- The main reason for sharing the information; and
- The implications of sharing or not sharing the information.

Can the child or young person:

- Appreciate and consider alternative courses of action;
- Weigh up one aspect of the situation against another;
- Express a clear personal view on the matter, as distinct from repeating what someone else thinks they should do; and
- Be reasonably consistent in their view.

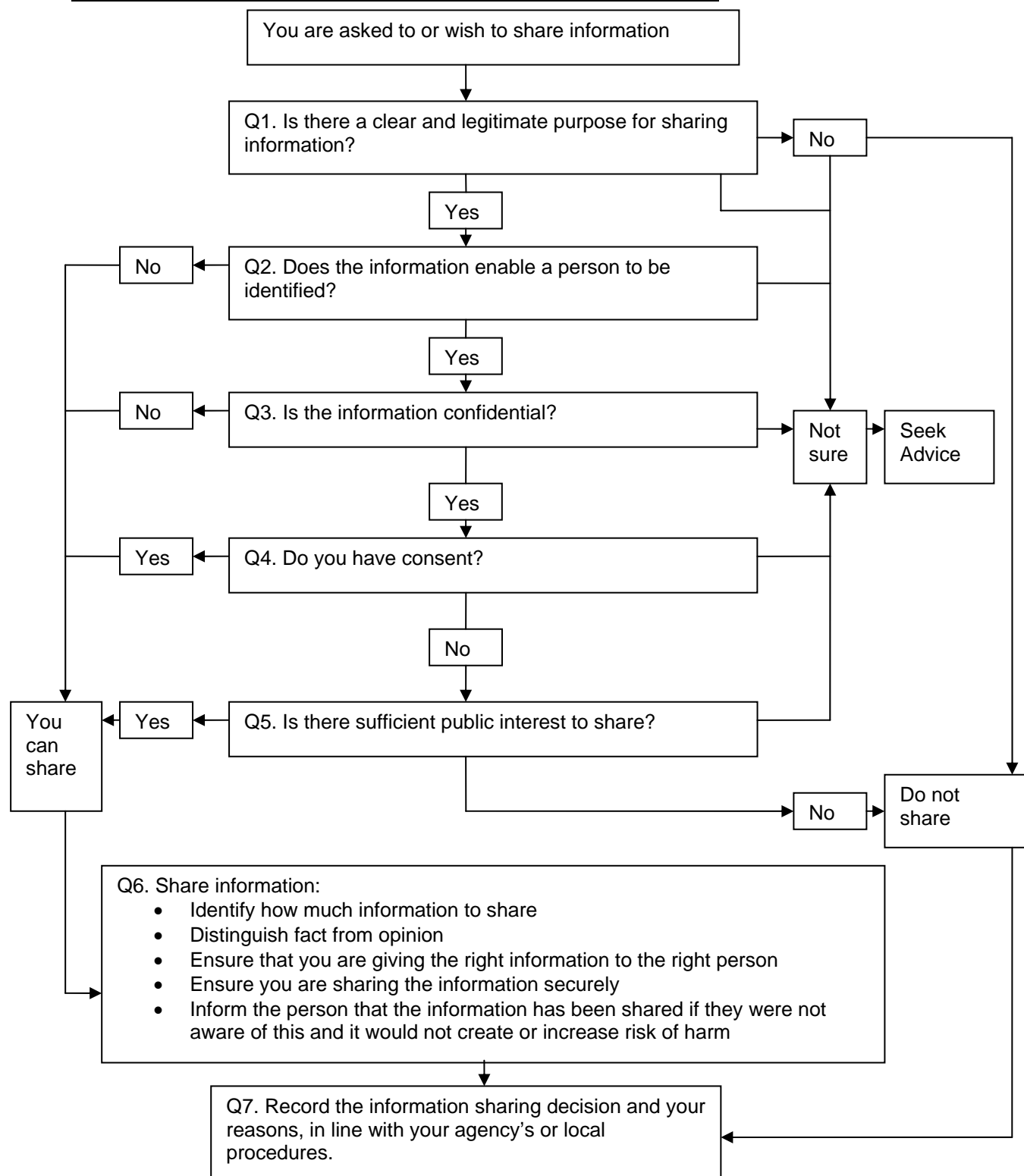
Where you have judged a child is not competent to consent, a person with parental responsibility should be asked to consent on their behalf. Where there is conflict you should always aim to act in the best interests of the child even where this means overriding refusal to consent and consideration should take place as to with whom and where the information is being disclosed.

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2.4 Seven Golden Rules for Information Sharing

1. **Remember that the Data Protection Act is not a barrier to sharing information** but provides a framework to ensure that personal information about living persons is shared appropriately.
2. **Be open and honest** with the person (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** if you are in any doubt, without disclosing the identity of the person where possible.
4. **Share with consent where appropriate** and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent can be overridden in the public interest. You will need to base your judgement on the facts of the case.
5. **Consider safety and well-being:** Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.
6. **Necessary, proportionate, relevant, 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 people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
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.

2.5 Flowchart of Key Questions for Information Sharing



If there are concerns that a child may be at risk of significant harm or an adult may be at risk of serious harm, then follow the relevant procedures without delay.
Seek advice if you are not sure what to do at any stage and ensure that the outcome of the discussion is recorded.

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Appendix 1 Further Information to Inform Decision Making

(To be read in conjunction with the Flowchart of Key Questions for Information Sharing)

Question 1: Is there a clear and legitimate purpose for sharing information?

- 1.1 If you are asked, or wish, to share information about a person you need to have a good reason or a clear and legitimate purpose to do so. This will be relevant to whether the sharing is lawful in a number of ways.
- 1.2 If you work for a statutory service, for example, education, social care, health or justice, the sharing of information must be within the functions or powers of that statutory body. It is likely that this will be the case if you are sharing the information as a normal part of the job you do for that agency. This will also be the case if you work in the private or voluntary sector and are contracted by one of the statutory agencies to provide services on their behalf.
- 1.3 Whether you work for a statutory or non-statutory service, any sharing of information must comply with the law relating to confidentiality, data protection and human rights. Establishing a legitimate purpose for sharing information is an important part of meeting those requirements. There is more information about the legal framework for sharing information in the document *Information Sharing: Further guidance on legal issues*.

[Department for Education](#)

Sharing Information where you have a statutory duty or a court order:

- 1.4 In some situations you are required by law to share information, for example in the NHS where a person has a specific disease about which environmental health services must be notified. There will also be times when a court will make an order for certain information or case files to be brought before the court.
- 1.5 These situations are relatively unusual and where they apply you should know or be told about them. In such situations, you must share the information, even if it is confidential and consent has not been given, unless in the case of a court order, your organisation is prepared to challenge it and is likely to seek legal advice.

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- 1.6 Consent from the individual is not required in these situations. Wherever possible, subject to considerations set out in [Section 2.2](#) you should inform the individual concerned that you are sharing the information, why you are doing so, and with whom.

Question 2: Does the information enable a living person to be identified?

- 2.1 In most cases the information covered by the guidance will be about an identifiable living individual. It may also identify others, such as a child, partner, parent or carer. If the information is anonymous, it can be shared. However, if the information is about an identifiable individual or could enable a living person to be identified when considered with other information, it is personal information and is subject to the Data Protection Act 1998 and other laws.
- 2.2 Wherever possible, you should be open about what personal information you might need to share and why. In some situations, it may not be appropriate to inform a person that information is being shared or seek consent to this sharing.

Question 3: Is the information confidential?

- 3.1 Confidential information is:

- Personal information of a private or sensitive nature;
- Information that is not already lawfully in the public domain or readily available from another public source; and
- Information that has been shared in circumstances where the person giving the information could reasonably expect that it would not be shared with others.

This is a complex area and you should seek advice if you are unsure.

There are different types of circumstances that are relevant to confidentiality. One is where a formal confidential relationship exists, as between a doctor and patient, or between a social worker, counsellor or lawyer and their client. Here it is generally accepted that information is provided in confidence. In these circumstances all information provided by the individual needs to be treated as confidential. This is regardless of whether or not the information is directly relevant to the medical, social care or personal matter that is the main reason for the relationship.

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Another circumstance is, for example, in an informal conversation, where a pupil may tell a teacher a whole range of information but only asks the teacher to treat some specific information confidentially. In this circumstance, only the information specific to the pupil's request would be considered to be confidential. There are also circumstances where information not generally regarded as confidential (such as name and address) may be provided in the expectation of confidentiality and therefore should be considered to be confidential information.

- 3.2 Sometimes people may not specifically ask you to keep information confidential when they discuss their own issues or pass on information about others, but may assume that personal information will be treated as confidential. In these situations you should check with the individual whether the information is or is not confidential, the limits around confidentiality and under what circumstances information may or may not be shared with others.
- 3.3 Confidence is only breached where the sharing of confidential information is not authorised by the person who provided it or, if about another person, by the person to whom it relates. If the information was provided on the understanding that it would be shared with a limited range of people or for limited purposes, then sharing in accordance with that understanding will not be a breach of confidence. Similarly, there will not be a breach of confidence where there is consent to the sharing.
- 3.4 Information about an individual or family is confidential to the agency holding it, and not to individual practitioners. However both the agency and individual practitioners have a responsibility to maintain the confidentiality of the information. They should only share confidential information with other practitioners in the same agency or team for genuine purposes. This should be explained clearly to the individual or family at the start of the involvement.
- 3.5 Public bodies that hold information of a private or sensitive nature about individuals for the purposes of carrying out their functions may also owe a duty of confidentiality, as people have provided information on the understanding that it will be used for those purposes. In some cases the agency may have a statutory obligation to maintain confidentiality.

Question 4: Do you have consent to share?

- 4.1 Consent issues can be complex and a lack of clarity about them can sometimes lead practitioners to assume incorrectly that no information can be shared. This section gives further information to help you understand and address the issues. It covers:

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- What constitutes consent?;
- Whose consent should be sought?; and
- When consent should not be sought?

What constitutes consent?

- 4.2 Consent must be 'informed'. This means that the person giving consent needs to understand why information needs to be shared, what will be shared, who will see their information, the purpose to which it will be put and the implications of sharing that information.
- 4.3 Consent can be 'explicit' or 'implicit'. Obtaining explicit consent for information sharing is best practice and ideally should be obtained at the start of the involvement, when working with the individual or family to agree what support is required. It can be expressed either verbally and recorded or in writing, although written consent is preferable since that reduces the scope for doubt or misunderstanding. Implicit consent can also be valid in many circumstances. Consent can legitimately be implied if the context is such that information sharing is intrinsic to the activity or service, and especially if that has been explained or agreed at the outset.
- 4.4 It is best practice to set out clearly your agency's policy on sharing information when the service is first accessed. The approach to securing consent should be transparent and respect the individual. Consent must not be secured through coercion or inferred from lack of response to a request for consent.
- 4.5 If there is a significant change in the use to which the information will be put compared to that which had previously been explained, or a change in the relationship between the agency and the individual, consent should be sought again. Individuals have the right to withdraw consent at any time.

Whose consent should be sought?

- 4.6 You may also need to consider whose consent should be sought. Where there is a duty of confidence, it is owed to the person who has provided the information on the understanding it is to be kept confidential. It is also owed to the person to whom the information relates, if different from the information provider. A child or young person, who has the capacity to understand and make their own decisions, may give (or refuse) consent to sharing.
- 4.7 Children aged 12 or over may generally be deemed to have sufficient understanding (this is presumed in law for young people aged 16 and older). When assessing a child's understanding you should explain the

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issues to a child in the way that is suitable for their age, language and likely understanding. Where applicable, you should use their preferred mode of communication.

- 4.8 The following criteria should be considered in assessing whether a particular child or young person on a particular occasion has sufficient understanding to consent, or to refuse consent, to sharing of information about them:

Can the child or young person understand the question being asked of them?

Do they have a reasonable understanding of:

- What information might be shared;
- The main reason or reasons for sharing the information; and
- The implications of sharing that information, and of not sharing it?

Can they:

- Appreciate and consider the alternative courses of action open to them;
- Weigh up one aspect of the situation against another;
- Express a clear personal view on the matter, as distinct from repeating what someone else thinks they should do; and
- Be reasonably consistent in their view on the matter, or are they constantly changing their mind?

- 4.9 Considerations about whether a child has sufficient understanding are often referred to as Fraser guidelines, although these were formulated with reference to contraception and contain specific considerations not included above.

- 4.10 In most cases, where a child cannot consent or where you have judged that they are not competent to consent, a person with parental responsibility should be asked to consent on behalf of the child. If a child or young person is judged not to have the capacity to make decisions, their views should still be sought as far as possible.

- 4.11 Where parental consent is required, the consent of one such person is sufficient. In situations where family members are in conflict you will need to consider carefully whose consent should be sought. If the parents are separated, the consent would usually be sought from the parent with whom the child resides. If a care order is in force, the local authority will share parental responsibility with parent(s) and practitioners should liaise with them about questions of consent.

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- 4.12 If you judge a child or young person to be competent to give consent, then their consent or refusal to consent is the one to consider, even if a parent or carer disagrees. Where parental consent is not required, you should encourage the young person to discuss the issue with their parents. However, you should not withhold the service on the condition that they do so.
- 4.13 These issues can raise difficult dilemmas. Wherever appropriate you should try to work with all involved to reach an agreement or understanding of the information to be shared. You must always act in accordance with your professional code of practice where there is one and consider the safety and well-being of the child, even where that means overriding refusal to consent. You should seek advice from your manager or nominated advisor if you are unsure.

Where consent should not be sought?

- 4.14 There will be some circumstances where you should not seek consent from the individual or their family, or inform them that the information will be shared. For example, if doing so would:
- Place a person (the individual, family member, yourself or a third party) at increased risk of significant harm;
 - Prejudice the prevention, detection or prosecution of a serious crime; or
 - Lead to an unjustified delay in making enquiries about allegations of significant harm to a child.
- 4.15 You are not required to seek consent when you are required by law to share information through a statutory duty or court order. In these situations, subject to considerations set out in [Section 2.2](#) you should inform the individual concerned that you are sharing the information, why you are doing so, and with whom.

Question 5: Is there sufficient public interest to share the information?

- 5.1 Even where you do not have consent to share confidential information, you may lawfully share it if this can be justified in the public interest. Seeking consent should be the first option. However, where consent cannot be obtained or is refused, or where seeking it is inappropriate or unsafe as explained at [4.14](#) the question of whether there is sufficient public interest must be judged by the practitioner on the facts of each case. **Therefore, where you have a concern about a person, you should not regard refusal of consent as necessarily precluding the sharing of confidential information.**

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- 5.2 A public interest can arise in a wide range of circumstances, for example, to protect children from significant harm, protect adults from serious harm, promote the welfare of children or prevent crime and disorder. There are also public interests, which in some circumstances may weigh against sharing, including the public interest in maintaining public confidence in the confidentiality of certain services.
- 5.3 The key factors in deciding whether or not to share confidential information are necessity and proportionality, i.e. whether the proposed sharing is likely to make an effective contribution to preventing the risk and whether the public interest in sharing information overrides the interest in maintaining confidentiality. In making the decision you must weigh up what might happen if the information is shared against what might happen if it is not and make a decision based on professional judgement. The nature of the information to be shared is a factor in this decision making, particularly if it is sensitive information where the implications of sharing may be especially significant for the individual or for their relationship with the practitioner and the service. For more on the legal background see *Information Sharing: Further guidance on legal issues*.

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- 5.4 It is not possible to give guidance to cover every circumstance in which sharing confidential information without consent will be justified. You must make a judgement on the facts of the individual case. Where there is a clear risk of significant harm to a child or serious harm to an adult, the public interest test will almost certainly be satisfied. There will be other cases where you will be justified in sharing limited confidential information in order to make decisions on sharing further information or taking action – the information shared should be necessary for the purpose and be proportionate.
- 5.5 There are some circumstances in which sharing confidential information without consent will normally be justified in the public interest. These are:
- When there is evidence or reasonable cause to believe that a child is suffering, or is at risk of suffering, significant harm;
 - When there is evidence or reasonable cause to believe that an adult is suffering, or is at risk of suffering, serious harm; or
 - To prevent significant harm to a child or serious harm to an adult, including through prevention, detection and prosecution of serious crime.

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- 5.6 If you are unsure whether the public interest justifies disclosing confidential information without consent, you should seek advice from your manager or a nominated individual in your organisation or local area whose role it is to support you in these circumstances. Where possible you should not disclose the identity of the person concerned.
- 5.7 All organisations working with children will have a nominated person who undertakes a lead role for safeguarding children. If the concern is about possible abuse or neglect of a child or young person, you should discuss your concerns with your manager or the nominated person within your organisation or area. If you still have concerns, you should refer your concerns to children's social care and/or the police in line with the Derbyshire Safeguarding Board procedures.
- 5.8 You should discuss any concerns with the family and, where possible, seek their agreement to making referrals to children's social care **only where such discussion and agreement-seeking will not place a child at increased risk of significant harm, or any other individual at increased risk of serious harm, or lead to interference with any potential investigation.** The child's safety and well-being must be the overriding consideration in making any such decisions.
- 5.9 If you decide to share confidential information without consent, you should explain to the person that you intend to share the information and why, unless it is inappropriate or unsafe to do so.

Question 6: Are you sharing information appropriately and securely?

- 6.1 If you decide to share information, you should share it in an appropriate and timely way, act in accordance with the principles of the Data Protection Act 1998, and follow your organisation's policy and procedures. In relation to sharing information at the front-line, you will need to ensure that you:
- Share only the information necessary for the purpose for which it is being shared.
 - Understand the limits of any consent given, especially if the information has been provided by a third party.
 - Distinguish clearly between fact and opinion.
 - Share the information only with the person or people who need to know;
 - Check that the information is accurate and up-to-date.
 - Share it in a secure way in accordance with your individual agency's information security standards, for example, confirm the identity of the person you are talking to; ensure that a conversation or phone call cannot be overheard; use secure email wherever possible; ensure that the intended person will be on hand to receive a fax.

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- Establish with the recipient whether they intend to pass it on to other people, and ensure they understand the limits of any consent that has been given.
- Inform the person to whom the information relates and, if different, any other person who provided the information, if you have not done so already and it is safe to do so.

6.2 In deciding what information to share, you also need to consider the safety of other parties, such as yourself, other practitioners and members of the public. If the information you want to share allows another party to be identified, for example, from details in the information itself or as the only possible source of the information, you need to consider if sharing the information would be reasonable in all circumstances. Could your purpose be met by only sharing information that would not put that person's safety at risk?

Question 7: Have you properly recorded your information sharing decision?

- 7.1 You should record your decision and the reasons for it, whether or not you decide to share information. If the decision is to share, you should record what information was shared and with whom.
- 7.2 You should work within your agency's arrangements for recording information and within any local information sharing procedures in place. These arrangements and procedures must be in accordance with the Data Protection Act 1998 – the key provisions of which are summarised in *Information Sharing: Further guidance on legal issues*.

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