

Information Sharing

Advice for practitioners providing
safeguarding services for children,
young people, parents and carers

April 2024

The DfE have recently published an updated version of their Information Sharing guidance (previous release July 2018). There have been some significant changes made to the document which have been summarised for education (including early years providers) practitioners on this sheet.

So what is new since 2018?

Most notably, the document is 12 pages longer—which eludes to the fact that the guidance now provides addition, clearer advice around information sharing. There are several links/references to the [ICO website](#) and advice (mainly as footnotes) and the overall guidance places a greater focus on the legal frameworks that will support practitioners with their decision making and reasoning regarding the sharing of information. The 7 Golden Rules for Sharing Information are the first thing that you will see when you open the guidance and page 8 is explicitly clear that GDPR does not prevent the sharing of information for the purposes of safeguarding children.

Working Together to Safeguard Children and Keeping Children Safe in Education

The guidance states that it should be read alongside Working Together to Safeguard Children 2023 and that Keeping Children Safe in Education 2023 should also be considered for education practitioners. The guidance uses the Working Together to Safeguard Children 2023 definitions of 'a child' and 'safeguarding'. Much like the updated Working Together to Safeguard Children 2023 statutory guidance, this document places a greater emphasis on early interventions and a shared responsibility through effective multi agency information sharing.

Legal Frameworks and a Lawful Basis

As mentioned, the 2024 guidance places a greater emphasis on the legal frameworks that will support practitioners with their decision making regarding information sharing. Part of this is around understanding what 'Lawful Basis' means. The document explains that the 6 lawful bases set out in article 6 of the GDPR, all carry equal weight and that you must identify at least one of them as your basis for sharing information. For those that work in public sector roles (i.e. schools), the most likely lawful basis that you would identify would be either '**public task**' or '**legal obligation**'. For those in the PVI sector (i.e. early years provisions), you would likely identify '**legitimate interest**' as your lawful basis.

The document also gives advice around consent—what it means in certain contexts and also that '**consent**' is not usually the most appropriate lawful basis to identify in a safeguarding context, as consent can be ambiguous and can be withdrawn by an individual at any time.

Information is provided about how the Common Law of Confidentiality and Human Rights Act 1998 affect information sharing. It supports practitioners to understand how information sharing to safeguard children can still happen despite these laws as long as there is a concern for children's safety.

Advice is provided for practitioners around retaining trusted relationships with children and families through being supportive, upfront and transparent—whilst also remembering that it may not be safe or appropriate to notify individuals that you intend to share their personal information.

Effective Information Sharing: Your Responsibilities

There is now a section that provides guidance around your responsibilities and what you can expect from other agencies. Responsibilities are set out at senior leader level (head teachers, managers, Designated Safeguarding Lead/Deputy DSL) and a teacher/practitioner level. Advice is provided around Data Sharing Agreements (DSA) and Data Protection Impact Assessments (DPIA), as well as guidance around practitioners informing the people whose information you have shared. Further information and examples of abuse and neglect to look out for are provided in this section, alongside advice about sharing information in an emergency situation.

One of the most pertinent pieces of advice from this section make it clear that **preventing harm can be the sole basis for sharing information—you don't have to wait for section 17 (CIN) or section 47 (CP) of The Children's Act 1989 to be evoked.**

Annex A—further information about Data Protection, including Data Protection definitions

Annex B—Comprehensive list of links to useful resources and advice

Click [here](#) for the link to the document