

SHARING INFORMATION WHEN SAFEGUARDING CHILDREN UNDER 18

The following guidance is based on the document 'Information Sharing – Advice for practitioners providing safeguarding services to children, young people, parents and carers' issued in July 2018 by HM Government. You can read the document at

<https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>

The seven golden rules to sharing information, the Data Protection Act 2018 and General Data Protection Regulation (GDPR) will also apply when considering sharing information about an adult with care and support needs who is more at risk of abuse and less able to protect themselves from such abuse

The Church of England policies and practice guidance require anyone who works or volunteers for the church to ALWAYS share all concerns, allegations and disclosures in accordance with its procedures (tell your Parish Safeguarding Co-ordinator or the Bishop's Safeguarding Adviser). This guidance applies when considering when and how to share with external organisations.

Poor or non-existent information sharing is a factor repeatedly identified as an issue in Serious Case Reviews (SCRs) carried out following the death of or serious injury to, a child or young person. In some situations, sharing information can be the difference between life and death.

Fears about sharing information cannot be allowed to stand in the way of the need to safeguard and promote the welfare of children at risk of abuse or neglect. Everyone must take responsibility for sharing the information they hold and cannot assume that someone else will pass on information, which may be critical to keeping a child safe.

The most important consideration is whether sharing information is likely to support the safeguarding and protection of a child.

Some Myths

The GDPR and Data Protection Act 2018 are barriers to sharing information	No – both provide a framework to collect and share information so that the rights of the individual are properly considered and balanced against the need to share information about them.
Consent is always needed to share personal information	No – if you have a legitimate reason to share, such as the safety or well-being of a person is at risk, you can share without consent. You should tell the person you are sharing the information, when safe.
Personal information collected by one organisation cannot be disclosed to another organisation	No – unless the information is to be used for a purpose incompatible with the purpose it was originally collected for. If you've collected information in relation to protecting a person from harm it will not be incompatible to share the information to protect the person from harm.

The seven golden rules to sharing information

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 your Parish Safeguarding Co-ordinator or the Bishop's Safeguarding Adviser, 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.
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.

The General Data Protection Regulation (GDPR) and Data Protection Act 2018.

The General Data Protection Regulation (GDPR) and the Data Protection Act 2018 introduce new elements to the data protection regime, superseding the Data Protection Act 1998.

The GDPR and Data Protection Act 2018 place greater significance on organisations being transparent and accountable in relation to their use of data. Details of how the personal data your church collects, stores and shares will be included in your Church Council's Privacy Notice.

The GDPR and Data Protection Act 2018 do not prevent, or limit, the sharing of information for the purposes of keeping children and young people safe.

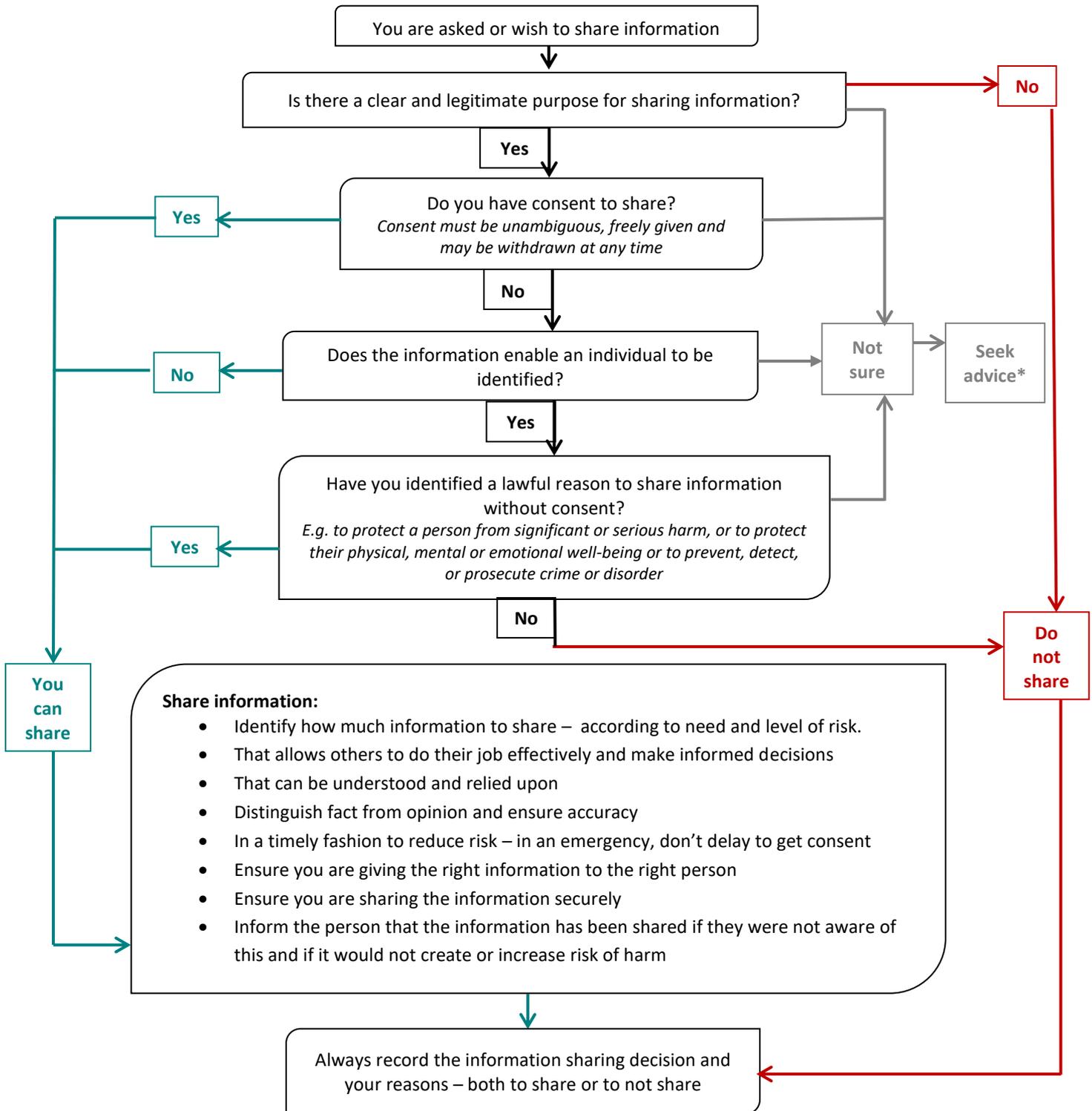
Information which is relevant to safeguarding will often be data which is considered 'special category personal data' meaning it is sensitive and personal.

Where you need to share special category personal data, the Data Protection Act 2018 includes 'safeguarding of children and individuals at risk' as a condition that allows practitioners to share information **without consent**.

Information **can be shared legally without consent**, if you are unable to, or cannot be reasonably expected to, gain consent from the individual, or if to gain consent could place a child at risk.

Relevant personal information can be shared lawfully if it is to keep a child or individual at risk safe from neglect or physical, emotional or mental harm, or if it is protecting their physical, mental, or emotional well-being.

Flowchart of when and how to share information



*Seek advice from the Bishop’s Safeguarding Adviser if you are not sure what to do at any stage

NEVER keep abuse secret

ALWAYS report any concerns, however small they may seem, all disclosures and all allegations

TELL your Parish Safeguarding Co-ordinator or Vicar or, if the concern is about them, tell the Bishop’s Safeguarding Adviser
If a situation is not safe and someone is in danger or needs immediate help call the police or contact the duty social care team where the person lives