

Stratford-sub-Castle Church of England VC Primary School

*Learning for life in a positive and caring
Christian community*

Information Sharing Policy #4

The *Information Sharing Policy* was reviewed during the Spring Term 2018
This document is the result of that review.

DATE AGREED BY FULL GOVERNING BODY:	26/03/2018
REVIEW DATE:	March 2020
AUTHOR:	Mrs Kay Bridson & Mr Peter Habert
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SIGNED:	
TO BE READ IN CONJUNCTION WITH:	<p><i>This policy should be read alongside the following School Policies:</i> <i>Data Protection Policy</i> <i>Whistle blowing Policy</i> <i>Safeguarding Policy</i> <i>Child Protection Policy</i> <i>Tackling Extremism and Radicalisation Policy</i></p> <p><i>This policy should be read alongside the following Government Policies:</i> <i>Working Together to Safeguard Children 2015</i> <i>Keeping children safe in education 2016</i> <i>Home Office: Disclosure and Barring Services</i> <i>Information sharing: advice for practitioners</i> <i>Channel Duty Guidance</i></p>

Information Sharing Policy #4

INDEX

1. Policy statement
2. Legality
3. Being alert to signs of abuse and neglect and taking action
4. Staff are reminded of the seven rules to information sharing:
5. The Principles
6. When and how to share information
7. Consent
8. Purpose for Information Sharing
9. The type of information we routinely share
10. Non routine sharing of information
11. Monitoring and recording
12. Data retention and deletion

Appendix 1	Information sharing glossary
Appendix 2	Useful information
Appendix 3 and 3a	Sharing of information that falls outside of safeguarding a child at Stratford-sub-castle school or is non routine sharing of information

Working together to safeguard children 2015 says:

- 'effective safeguarding systems are those where all professionals share appropriate information in a timely way and can discuss any concerns about an individual child with colleagues and local authority children's social care'
- 'no single professional can have a full picture of a child's needs and circumstances and, if children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action'
- 'fears about sharing information cannot be allowed to stand in the way of the need to promote the welfare and protect the safety of children '

1. Policy Statement

Stratford-sub-Castle Primary School fully recognises its responsibilities to share information.

This policy is to help staff understand what to do and the most effective ways of sharing information.

This is particularly relevant if:

- a child and/or family require a service
- staff believe a child is in need, including children at risk of suffering harm
- a child or adult is or could be the subject of extremism / radicalisation

We believe that sharing information is an intrinsic part of our job when working with children and young people and the decisions about how much information we share, with whom and when, can have a profound impact on children's lives.

Changes to data protection legislation (General Data Protection Regulation, from 25 May 2018) shall be monitored and implemented in order to remain compliant with all requirements.

2. Legality

Data sharing is undertaken in compliance with:

- General Data Protection Regulation (GDPR)
- section 11 of the Children Act 2004 (to have arrangements in place to safeguard and promote the welfare of children)
- section 175 of the Education Act 2002 (which applies to local authority education functions and to governing bodies of maintained schools)
- Education and skills Act 2008
- The Learning and Skills Act 2000 (S117)

In addition, the Local Safeguarding Children's Board (LSCB) may ask us to comply with a request for information, as outlined in section 14B of the Children Act 2004. This can only take place when the information requested is for the purpose of enabling or assisting the LSCB to perform its functions.

3. Being alert to signs of abuse and neglect and taking action

All staff members are alert to the signs and triggers of child abuse and neglect. See the School Child Protection Policy. Staff members:

- are also aware of signs of extremism and radicalisation. See the school policy on Tackling Extremism and Radicalisation.
- understand children may disclose abuse, in which case the decision to share information is clear. In other cases, for example, neglect, the indicators may be more subtle and appear over time. In these cases, decisions about what information to share, and when, will be more difficult to judge. The Headteacher will make decisions about information sharing in these cases
- are aware of the potential for children to be sexually exploited for money, power or status and individuals adopt an open and inquiring mind to what could be underlying reasons for behaviour changes in children of all ages

Security of information sharing must always be considered and should be proportionate to the sensitivity of the information and the circumstances. If it is thought that a crime has been committed and/or a child is at immediate risk, the police will be notified without delay.

4. The seven rules to information sharing:

- the Data Protection Act, GDPR 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

- 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
- seek advice from other practitioners if there are any doubts about sharing the information concerned, without disclosing the identity of the individual where possible
- share with informed consent, where appropriate. 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, there is good reason 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 certain of the basis upon which you are doing so. Where you have consent, be mindful that an individual might not expect information to be shared)
- consider safety and well-being: Base information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
- information should be **necessary, proportionate, relevant, adequate, accurate, timely and secure:** (Ensure that the information shared is necessary for the purpose for which it is shared, 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)
- record the 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.

5. The Principles

The principles set out below are to help staff share information with other agencies. Staff use their judgement when making decisions on what information to share and when and should follow school procedures or consult with their manager if in doubt. **The most important consideration is whether sharing information is likely to safeguard and protect a child.**

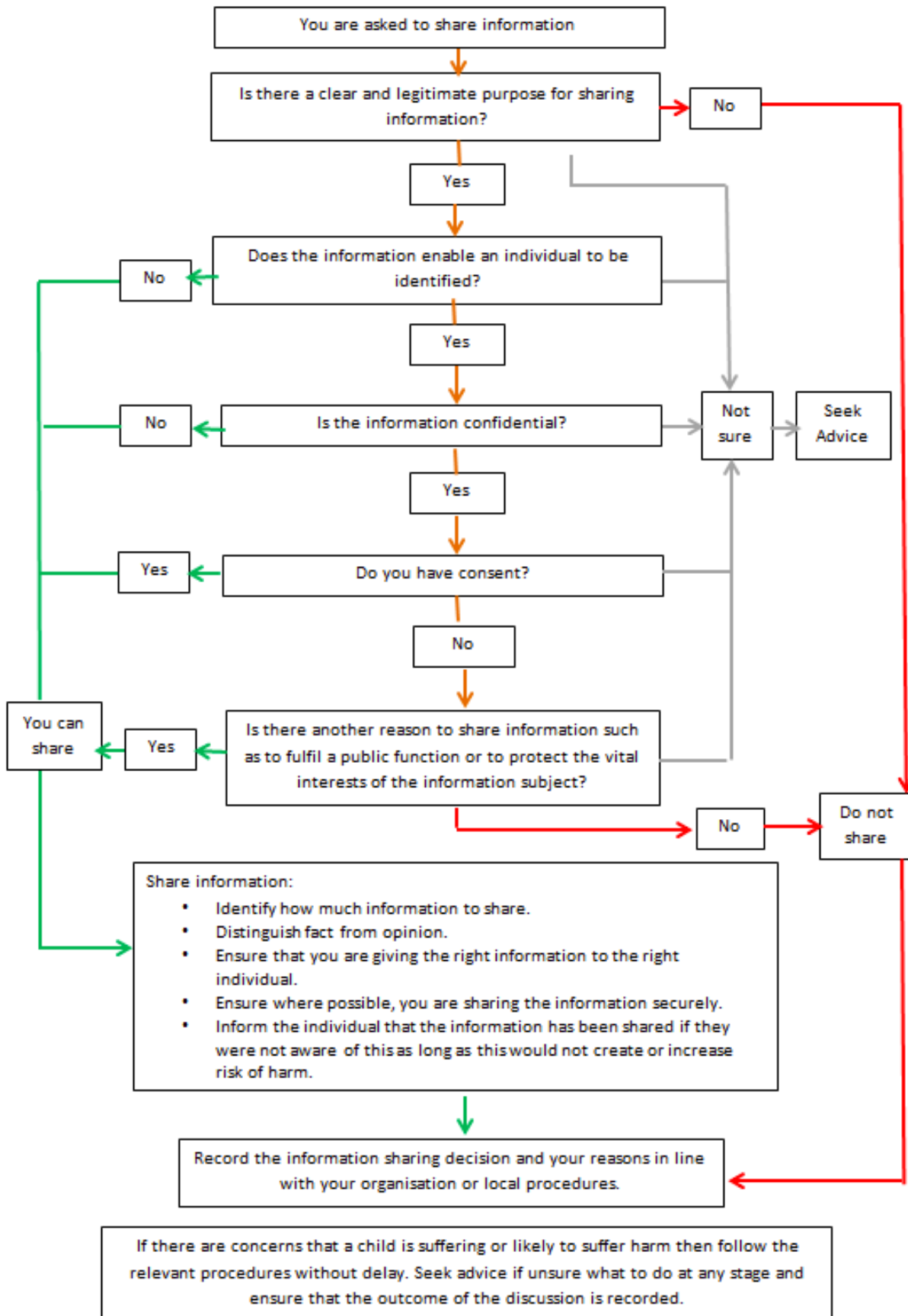
- **necessary and proportionate** When taking decisions about what information to share, you should consider how much information you need to release. The GDPR requires you to consider the impact of disclosing information on the information subject and any third parties. Any information shared must be proportionate to the need and level of risk
- **Relevant** Only information that is relevant to the purposes should be shared with those who need it. This allows others to do their job effectively and make sound decisions
- **Adequate** Information should be adequate for its purpose. Information should be of the right quality to ensure that it can be understood and relied upon.
- **Accurate** Information should be accurate and up to date and should clearly distinguish between fact and opinion. If the information is historical then this should be explained
- **Timely** Information should be shared in a timely fashion to reduce the risk of harm. Timeliness is key in emergency situations and it may not be appropriate to seek consent for information sharing if it could cause delays and therefore harm to a child. Practitioners should ensure that sufficient information is shared, as well as consider the urgency with which to share it.
- **Secure** Wherever possible, information should be shared in an appropriate, secure way. Practitioners must always follow their organisation's policy on security for handling personal information.

- **Record** Information sharing decisions should be recorded whether or not the decision is taken to share. If the decision is to share, reasons should be cited including what information has been shared and with whom, in line with organisational procedures. If the decision is not to share, it is good practice to record the reasons for this decision and discuss them with the requester. In line with each organisation's own retention policy, the information should not be kept any longer than is necessary. In some circumstances this may be indefinitely, but if this is the case there should be a review process.

6. When and how to share information

When asked to share information, we will consider the following questions to help us decide if and when to share. If the decision is taken to share, we will consider how best to effectively share the information. See flowchart:

Flowchart of when and how to share information (Taken from: Information sharing advice for practitioners 2015)



7. Consent

- We do not necessarily need the consent of the information subject to share their personal information. Where consent is not required, we must establish the lawful basis for sharing information. The School's Data Protection Policy explains how this should be carried out.
- Where consent is required, the School's Data Protection Policy explains how and in what manner this should be requested.
- We will seek consent where an individual may not expect their information to be passed on and they have a genuine choice about this.
- more stringent rules apply to sensitive personal information, when, if consent is necessary then it should be explicit. But even without consent, or explicit consent, it is still possible to share personal information if it is necessary in order to carry out our role, or to protect the vital interests of the individual where, for example, consent cannot be given.
- also, if it is unsafe or inappropriate to do so, i.e. where there are concerns that a child is suffering, or is likely to suffer significant harm, you would not need to seek consent. A record of what has been shared must be kept

8. Purpose of Information Sharing

The purposes for sharing information between Stratford-sub-Castle Primary School and other schools and agencies are:

- to support and help a child in need, including children at risk of suffering harm (Police, children social services, social worker, MASH team)
- a child or adult is or could be the subject of extremism / radicalisation (*Prevent* team, Channel support team. Police and social services)
- a child and/or family require a service
- to inform agencies on the progress of the child academically and socially
- to promote the health of the child
- to ensure that we are doing our best for the child
- to help prevent crime
- to help prevent extremism and terrorism

9. The type of information we routinely share with other schools, the Local authority and other agencies is as follows, a pupil's:

- forename, surname, date of birth
- parent , carer, guardian names
- home address
- SEND notes/reports
- school name and attainment
- school annual reports to parents
- PEP plans as required
- core group, child protection meeting and Child in Need meeting reports
- other information / reports about the child where required and appropriate

The same type of information is routinely shared with us

10. Non routine sharing of information

Information may be given or requested which is outside of our routine Sharing of information (as in 9 above) for the following reasons:

- sharing information via a request for information from an agency or person that we do not routinely provide information to. The request will be recorded on the form at Appendix 3 and 3a
- we may refer to other agencies following a concern or threat that staff have identified and that does not pose a direct risk to children at our school or their siblings. A referral to an agency in this instance will be recorded on the form at Appendix 3 and 3a

11. Monitoring and recording

For all requests for information that is non routine the form at appendix 3 be used and once completed the form will be held in the information sharing folder

The form will be completed and a record of:

- the decision and the reasons for it
- whether it is to share information or not.
- If a decision is made to share, then the form will record what has been agreed, with whom and for what purpose

12. Data retention and deletion

Stratford-sub-Castle School is required to keep information on children and young people in line with the DfE's Management Information guidance. The School's Data Protection Policy provides more information on this aspect.

Appendix 1

Information Sharing Glossary

Term	Definition
Anonymised information	Information from which a person cannot be identified, either from that information alone or from that information combined with other information already held by the recipient.
Channel	Channel forms a key part of the <i>Prevent</i> strategy (see below). The process is a multi-agency approach to identify and provide support to individuals who are at risk of being drawn into terrorism.
Confidential information	Information not normally in the public domain or readily available from another source, it should have a degree of sensitivity and value and be subject to a duty of confidence.
Consent	Agreement freely given to an action based on knowledge and understanding of what is involved and its likely consequences. All consent must be informed. The person to whom the information relates should understand why particular information needs to be shared, who will use it and how, and what might happen as a result of sharing or not sharing the information.
Explicit consent	Consent given orally or in writing.
Lead information officer	A senior manager in each agency, responsible for decisions relating to information sharing within the agency, who can determine controversial issues.
Personal data	Information about any identified or identifiable living individual and includes their name, address and telephone number as well as any reports or records.
Prevent	<p>The <i>Prevent</i> strategy, published by the Government in 2011, is part of the overall counter-terrorism strategy, CONTEST. The aim of the <i>Prevent</i> strategy is to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. In the Act this has simply been expressed as the need to “prevent people from being drawn into terrorism”.</p> <p>The key factor in deciding whether or not to share confidential information without consent is proportionality: i.e. is the information professionals wish to, or are asked to share, a balanced response to the need to safeguard a child or another person, or to prevent or detect a serious crime.</p>
Proportionality	
Public interest	The interests of the community as a whole, or a group within the community or individuals.
Public interest test	The process a professional should use to decide whether to share confidential information without consent. It requires consideration of the competing public interests e.g. the public interest in protecting children, promoting their welfare or preventing crime and disorder and the public interest in maintaining public confidence in the confidentiality of public services, and to balance the risks of not sharing against the risk of sharing.
Secondary disclosure	Disclosure by the person to whom data has been disclosed to another agency or person e.g. if a GP provides data to a school and the school passes it to LA Children's Social Care.

Appendix 2

Useful information

Anti-Terrorist hotline 0800 789 321

The confidential Anti-Terrorist Hotline is staffed around the clock by specialist counter-terrorism police officers and staff.

Police 999

If there is an immediate threat

Police 101

If the threat is not immediate or advice and guidance is needed including Extremism or Radicalisation

Wiltshire Local authority

tracy.daszkiewicz@wiltshire.gov.uk If advice and guidance is needed from the local authority on Prevent /Extremism or Radicalisation

Appendix 3

SHARING OF INFORMATION THAT FALLS OUTSIDE OF SAFEGUARDING A CHILD AT STRATFORD-SUB-CASTLE SCHOOL OR IS NON- ROUTINE SHARING OF INFORMATION

Date and time of staff concern	Date:	Time:
Name of person giving concern (description if name unknown)		
If the person who is giving concerns has links with a child at our school, staff must follow the school Child Protection Policy		
If you are worried a child or adult may be in immediate risk call the police on 999 now	Detail here Name of contact? Log Number?	
Nature of concern: Example: Overheard conversation, Inappropriate propaganda material, Inappropriate material, Unlawful / possible unlawful act, suspicious activity, Observation		
Describe in as much detail the concern / behaviour:		
Date and time of information request	Date:	Time:
Details of person requesting information.	Name:	Contact details:
Nature of information request:		
Name of staff reporting and date / time	Name:	Sign:
Pass this form and information to Headteacher Kay Bridson.	Date:	Time

Appendix 3a

SHARING OF INFORMATION THAT FALLS OUTSIDE OF SAFEGUARDING A CHILD AT STRATFORD-SUB-CASTLE SCHOOL OR IS NON-ROUTINE SHARING OF INFORMATION

Headteacher state below what actions have been taken?		
<p>Following staff concerns if you are worried a child or adult may be in immediate risk call the police on 999 now.</p> <p>Or if there is no immediate risk, refer to police. Ring 101</p> <p>Or, refer to social services.</p> <p>Or, refer to other agency</p> <p>Note actions/analysis below.</p>	<p>Name of contact? Log Number? Department/Contact details</p>	<p>Date / time?</p>
<p>Regarding the sharing of information request. State your actions below. If unsure seek legal advice:</p>		
<p>Describe in as much detail as possible: 1) Your assessment and analysis of the need to share information and your actions 2) the decision and the reasons for it. 3) whether the decision is to share information or not. 4) If a decision is made to share, then this form will record what has been agreed, with whom and for what purpose 5) Any follow up actions needed and who is responsible for doing these / and when?</p>		
<p>Name:</p>	<p>Date:</p>	<p>Time</p>
<p>Sign:</p>		

