



Villa Real School
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Information Sharing Protocol for Schools Policy

Responsibility: Jill Bowe

Date: March 2021

Signed & Adopted by the Governing Body:

Chair of Governors

Date: 24.05.2021

Date to be reviewed: March 2022

Purpose and Aim

Villa Real School's whole-school Information Sharing Policy aims to provide clear direction to staff and others about expected codes of behaviour in the sharing of information of a confidential nature. The policy also aims to make explicit the school's commitment to the development of good practice and sound procedures to keep children and adults safe in our school. This is inclusive of the expectations from the Data Protection Act 2018 and General Data Protection Regulations 2018. This policy should be read alongside the School Code of Conduct for staff and for Approved Visitors.

Information Sharing

Information sharing is vital to safeguarding and promoting the welfare of children and young people. A key factor identified in many serious case reviews (SCR's)/National Practice Reviews has been a failure by practitioners to record information, to share it, to understand its significance and then take appropriate action. This protocol aims to set out clear standards required by everyone.

The seven golden rules of information sharing

Villa Real School follows the Government golden rules of information sharing and these are embedded into everyday practice:

- 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.

Legislation guidelines

The Education Act 2002, section 175 (for maintained schools and settings), the Education (Independent School Standards) Regulation 2014 (for Academies/Free Schools) and the Education non maintained Special schools (England) Regulation 2015 sets out the need for all schools/settings to have appropriate safeguarding arrangements in place.

The legislation also sets out the duty to work co-operatively with external organisations. Although the legislation for Data Protection and Human Rights is in place, the learning from serious case reviews is clear, 'Where there are concerns about the safety of a child, the sharing of information in a timely and effective manner between organisations can reduce the risk of harm' (Information Sharing, 2015) and therefore both internal and external procedures should always be in place for sharing information.

Section 10 and 14B of the Children Act 2004, is explicit in highlighting the need for all agencies to share information with each other, the Local Authority and the Local Safeguarding Children Partnerships.

The General Data Protection Regulations, 2018 states that if you are creating records about the children and/or adults that take part in your services or activities, you need to make sure they understand what records you hold, why you need to hold them and who you might share their information with (for example as part of a multi-agency child protection team) (Information Commissioner's Office, 2017(a) and 2017(b)). If you are keeping records for child protection reasons, you don't always need to gain consent from the adults and/or children concerned. Therefore, information may still be held and retained as long as there is an agreed purpose for it and where applicable, consent has been given.

Information sharing internally within the school/setting

All staff should be fully aware of the expectations when sharing information about children, adults and their families. Any information that is shared could be requested by the individual or another agency in the future. Therefore, information held must be accurate, factual and does not include personal interpretation or recommendations.

Information sharing externally to parents and multi-agency partners

The same principles of sharing information internally, will apply to those members of staff who due to their role and responsibility have permission to share information with parents and multi-agency partners. All conversations should be recorded on CPOMS. Each school or setting should have clear and consistent protocols for this discharge and here at Villa Real we also use Egress. Electronic or Virtual meetings take place utilising Teams after security concerns regarding Zoom. The law after Brexit states that; we, as a school, can transfer personal data, if it is covered by an adequacy decision, an appropriate safeguard or an exception.

Information sharing for child protection

Information Sharing is necessary in the safeguarding and protection of children and all staff within school must follow the school's Child Protection Policy where there is any evidence that a child is at risk of significant harm, through observation or disclosure from the child.

Significant harm is defined in The Children's Act 1989 as the ill-treatment (including sexual abuse and physical abuse) or the impairment of health (physical or mental) or development (physical, intellectual, emotional, social or behavioural) as compared to a similar child.

Note: harm now includes the impairment of a child's health or development as a result of witnessing the ill treatment of another person.

(Adoption and Children Act 2002)

Internal reporting for child protection

At any point, if staff believe, in their professional opinion, a child is at risk of significant harm they must inform the Designated Safeguarding Lead (s) immediately.

The Designated Safeguarding Leads are Jill Bowe, Louise Burns, Paula Emmerson, Natalie Fitzpatrick and Jamie Hall.

Information sharing is also necessary where there are concerns around the behaviour or practice of adults within the setting either employed staff, contractors or visitors. If there are any issues raised about the conduct of any adult on site either towards a child or another adult this must be reported directly to the Head Teacher/Principal (See Confidential Reporting/ Whistleblowing Policy)

The Headteacher is Jill Bowe.

External reporting for child protection

The role of the DSL is to make a decision based on the information shared about the risk of harm to the child. If the child is deemed to be at risk of significant harm from a person who has care, custody or control of them then an external referral will be made Durham First Contact on 03000 267 979.

Firstly, this will be verbally, followed up in writing. The DSL may also wish to involve the police if the concern is of a criminal nature.

If the child is not deemed at risk of significant harm but is in need of support and help a referral to Early Help can be made with consent and agreement from parents. This involves help and support without the need for statutory intervention.

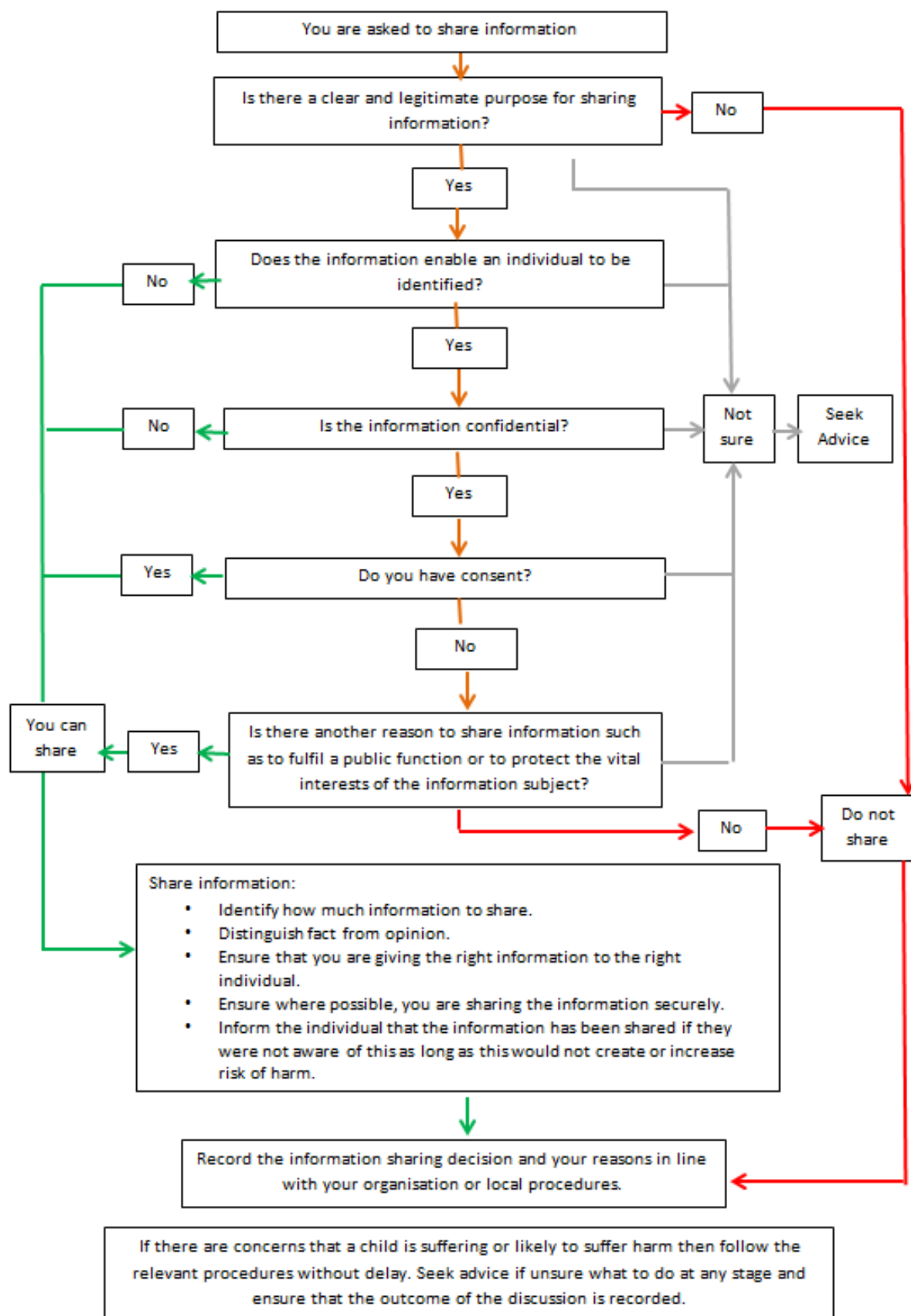
Under Keeping Children Safe in Education 2020 it states 'If in exceptional circumstances, the designated safeguarding lead (or deputy) is not available, this should not delay appropriate action being taken'.

External Information Sharing for Allegations/Complaints

The role of the Head Teacher is to make a decision about the risk of harm towards a child from another adult employed, working or visiting the school. If a child or adult discloses harm by another adult then the Head Teacher must contact the Designated Officer, within the LA for immediate advice. LADO Contact Number – 03000 268835

If the disclosure/allegation is made against the Headteacher then it must be reported to the Chair of Governors; Suzanne Bailey who will contact the (LA) Designated Officer. If the disclosure/allegation is made against the school/setting/regime the Local Authority and OFSTED should be notified. In addition, the Local Safeguarding Partnership can require an individual or body to comply with a request for information, as outlined in Section 14B, Children Act 2004. This can only take place when the information requested is for the purpose of enabling or assisting the Local Safeguarding Partnership to perform its functions.

The following flow chart can support you in understanding when and how to share information:



Conclusion

Information regarding children who are vulnerable and their families will have to be recorded and stored in the best interests of those individuals. Where possible and at every opportunity children and adults should be informed of this and their consent gained and recorded alongside their consent to share this information with others. In some circumstances e.g. child protection, consent may not be given but the statutory nature of the case requires that it is recorded. In all circumstances information should be treated confidentially, recorded factually and accurately and stored for an agreed period of time (see retention schedule). Parents and children have a right to know and understand what information is recorded about them and why and may request to see it. Any information that is shared must be appropriately redacted and pertain only to those individuals of whom the request has been made.

Please note that this protocol should be read in conjunction and be consistent with the:

Child Protection Policy

Peer on Peer/Child on Child Abuse Policy

Weapons Policy

Looked After Children Policy

Allegation Management Policy

Complaints Policy

Whistleblowing Policy

Intimate Care Policy

Medication Policy

Use of Reasonable Force Policy

Record Retention Policy

Children Act, (2004)

Working Together to Safeguard Children (2018)

Keeping Children Safe in Education (2020)

Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (2018)

Data Protection Act 2018, NDPR 2018