



Building Confidence in Practice Information Sharing to Safeguard Children and Adults

The Safeguarding Adults Boards and Safeguarding Children Partnerships of Leicester and Leicestershire and Rutland conduct reviews and multi-agency audits. The objective of this resource pack is to share learning on a specific topic to help build confidence in practice.

This resource pack aims to address effective sharing of information between practitioners, local organisations and agencies, essential for early identification of need, assessment, and service provision to keep children and adults safe.

It can be used:

- In team/unit meetings
- As part of a group/individual supervision



You can look at it as a whole or dip in and out of it at your convenience. Use the icons to navigate through. The home buttons redirect to the start of each section.

With many thanks, this resource is developed from work undertaken by Kent Safeguarding Children Multi-Agency Partnership

Information Sharing

What is it?

Legislation and Guidance
Children's

Legislation and Guidance
Adults'

Tips and Resources

Case Studies



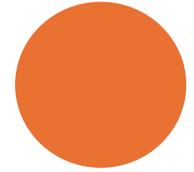


What is it?

Information sharing is essential for identifying patterns of behaviour, or circumstances in a child or adult's life that may be evidence that they are at risk of harm or are being harmed and need some form of support or protection. Practitioners should be proactive in sharing information as early as possible to help identify, assess, and respond to risks or concerns about the safety and welfare of children and adults.

The first and most important consideration is always whether sharing information is likely to support the safeguarding of a child or adult at risk of harm.

Effective sharing of information between practitioners, local organisations and agencies is essential for early identification of need, assessment, and service provision to keep children and adults at risk of harm safe.

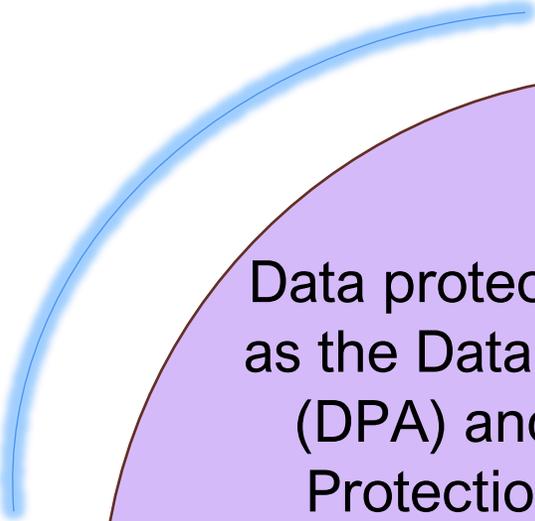


Sharing Information

When might I need to share information?

- To highlight safeguarding concerns about a child or adult (i.e. to Social Care's Front Door or to Leicestershire Police)
- In response to an information request (i.e. from Social Care to support an ongoing assessment or investigation)
- To provide an update on a child's / adult's / family's situation or progress (i.e. in multi-agency meetings)
- To share new information about an adult, child or family where there is multi-agency work ongoing (i.e. to a named lead practitioner)
- To triangulate and check information you have received about an adult, child or family





Data protection legislation such as the Data Protection Act 2018 (DPA) and UK General Data Protection Regulations (UK GDPR) does not prevent the sharing of information for the purposes of safeguarding children, young people and adults at risk of harm, when it is necessary, proportionate and justified to do so.



Case review learning however has often highlighted misinterpretation of data protection legislation, leading to it being prioritised above sharing safeguarding information. Professionals have at times been uncertain about sharing safeguarding information or making safeguarding referrals without consent.



It will never breach UK data protection law to share all of the information you need to with an appropriate person or authority in order to safeguard a child, young person or adult at risk of harm.

Fears about sharing information must not be allowed to stand in the way of effective safeguarding.



Basis for sharing information

The [Information Commissioner's Office \(ICO\)](#) explains that you must have a lawful basis in order to share personal information. There are six lawful bases, none of these bases is stronger than another:

- [Consent](#): the individual has given consent for you to process their personal data for a specific purpose.
- [Contract](#): the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- [Legal obligation](#): the processing is necessary for you to comply with the law, for example, statutory duties to safeguard or protect the welfare of a child as per the Children's Act 1989 and 2004 or adult as per the Care Act 2014.



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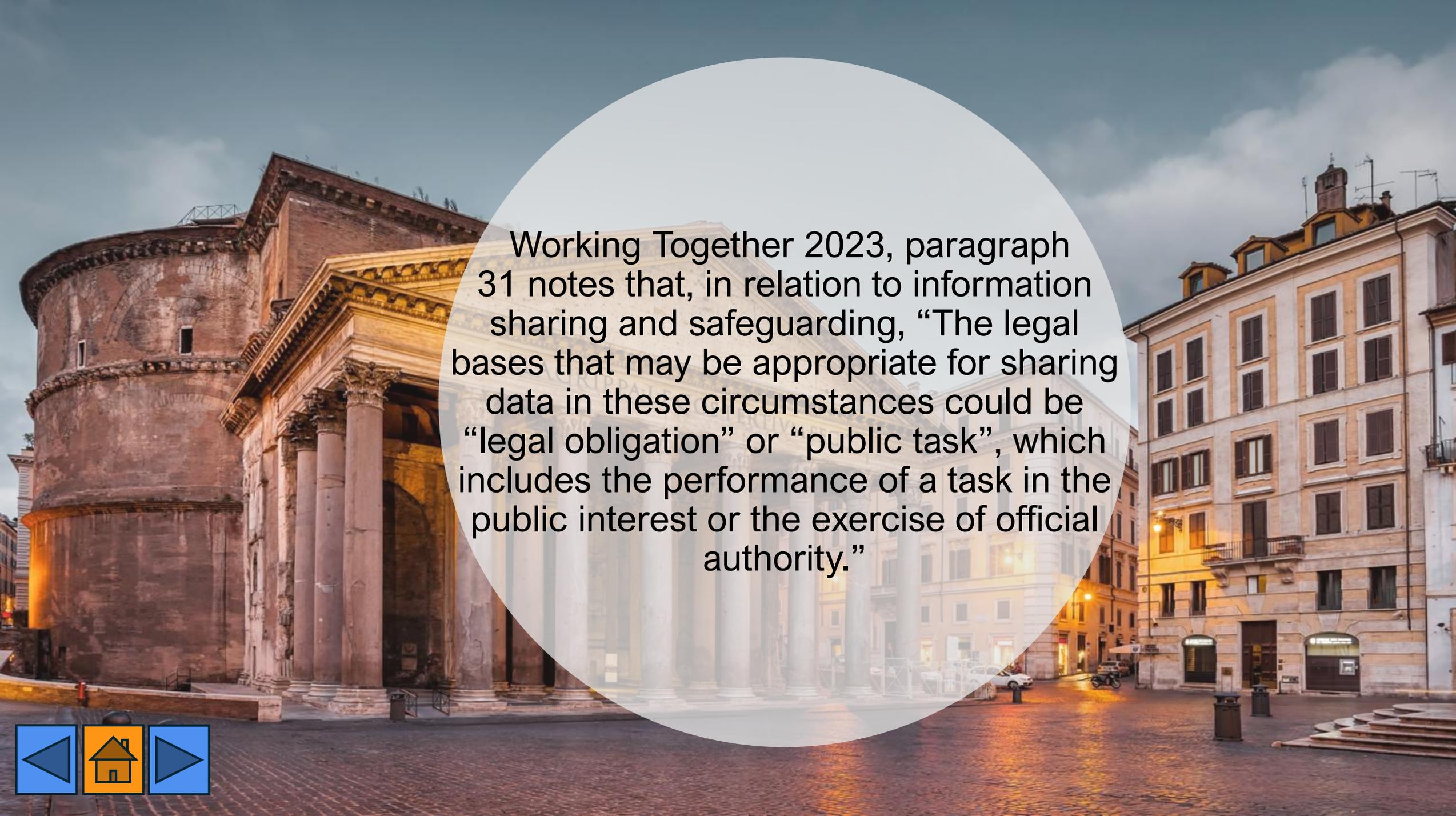
- Vital interests: the processing is necessary for you to protect someone's life.
- Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- Legitimate interest: the processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.



Basis for sharing information

The Information Commissioner's Officer has a [Lawful Basis Interactive Tool](#) which can provide you with more guidance.





Working Together 2023, paragraph 31 notes that, in relation to information sharing and safeguarding, “The legal bases that may be appropriate for sharing data in these circumstances could be “legal obligation” or “public task”, which includes the performance of a task in the public interest or the exercise of official authority.”





Legislation and Guidance

Children's



Working Together 2023

Chapter 1 of Working Together to Safeguard Children 2023 includes a dedicated section on Information Sharing. It highlights that the DPA and UK GDPR support the sharing of relevant information for the purposes of keeping children safe.



Working Together 2023

Key Points

Practitioners should be confident of the lawful bases and processing conditions under the DPA and UK GDPR that allow them to store and share information.

The DPA specifies "safeguarding of children and individuals at risk" as a processing condition that allows practitioners to share information, including without consent.

UK GDPR provides a number of bases for sharing personal information. It is not necessary to seek consent to share information for the purposes of safeguarding and promoting the welfare of a child provided that there is a lawful basis.

If a practitioner has concerns about a child's welfare or safety, then they should share the information with local authority children's social care and/or the police.

Practitioners should aim to be as transparent as possible by telling families what information they are sharing and with whom, provided it is safe to do so.



The Seven Golden Rules for sharing information

Information Sharing Advice for Safeguarding Practitioners¹ sets out seven golden rules for information sharing



¹ [“Information Sharing: Advice for practitioners providing safeguarding services for children, young people, parents and carers”](#) (Department for Education, May 2024, pages 4-5).



The Seven Golden Rules

1

All children have a right to be protected from abuse and neglect. **Protecting a child from such harm takes priority over protecting their privacy, or the privacy rights of the person(s) failing to protect them.** UK GDPR and DPA provide a framework to support information sharing where practitioners have reason to believe failure to share information may result in the child being at risk of harm.

2

When you have a safeguarding concern, wherever it is practicable and safe to do so, engage with the child and/or their carer(s), and **explain who you intend to share information with, what information you will be sharing and why.** You are not required to inform them, if you have reason to believe that doing so may put the child at increased risk of harm.

3

You do not need consent to share personal information about a child and/or members of their family, if a child is at risk or there is a perceived risk of harm. You need a lawful basis to share information under data protection law, but when you intend to share information as part of action to safeguard a child at possible risk of harm, consent may not be an appropriate basis for sharing.



The Seven Golden Rules

3.continued

It is good practice to ensure transparency about your decisions and seek to work cooperatively with a child and their carer(s) wherever possible. This means you should consider any objection the child or their carers may have to proposed information sharing, but you should consider overriding their objections if you believe sharing the information is necessary to protect the child from harm.

4

Seek advice promptly whenever you are uncertain or do not fully understand how the legal framework supports information sharing in a particular case. Do not leave a child at risk of harm because you have concerns you might be criticised for sharing information. Instead, find out who in your organisation/agency can provide advice about what information to share and with whom.

5

When sharing information, **ensure you and the person or agency/organisation that receives the information take steps to protect the identities** of any individuals who might suffer harm if their details became known to an abuser or one of their associates



The Seven Golden Rules

6

Only share relevant and accurate information with individuals or agencies/organisations that have a role in safeguarding the child and/or providing their family with support and only share the information they need to support the provision of their services.

7

Record the reasons for your information sharing decision, irrespective of whether or not you decide to share information. When another practitioner or organisation requests information from you, and you decide not to share it, be prepared to explain why you chose not to do so.

7.continued

Be willing to reconsider your decision if the requestor shares new information that might cause you to regard information you hold in a new light. When recording any decision, clearly set out the rationale and be prepared to explain your reasons if you are asked.



Information Commissioner's Office 10 Step Guide to Sharing Information to Safeguard Children

The Information Commissioner's Office (ICO) has developed a range of guidance to support information sharing for safeguarding purposes, including a [10 step guide](#)



Be clear about how data protection can help you share information to safeguard a child.

Identify your objective for sharing information, and share the information you need to, in order to safeguard a child.

Develop clear and secure policies and systems for sharing information.

Be clear about transparency and individual rights.

Assess the risks and share as needed.

Enter into a data sharing agreement.

Follow the data protection principles.

Share information using the right lawful basis.

Share information in an emergency.

Read the ICO data sharing code of practice.

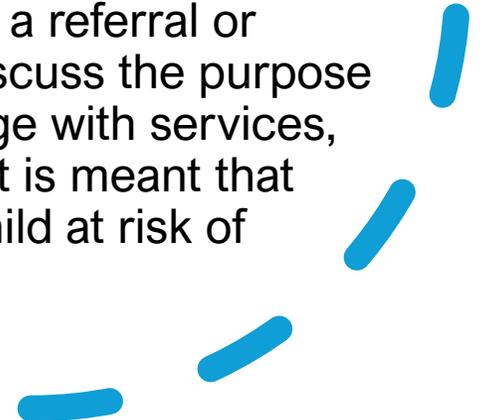


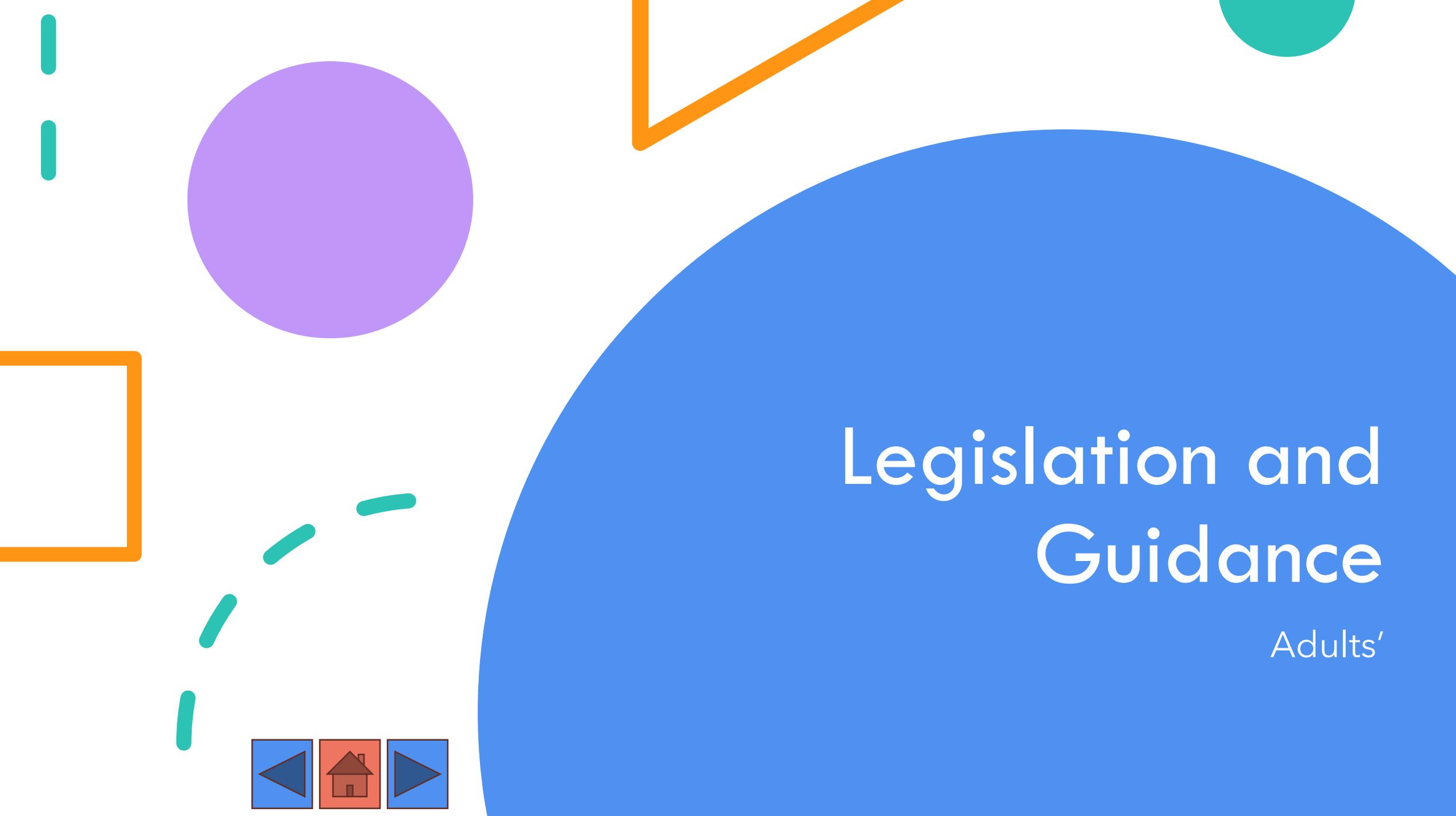
CONSENT

FOR

CHILDREN

- Consent is often not the most appropriate basis upon which to share safeguarding information because there is a high threshold for consent under UK GDPR and it can be rescinded at any time. A lack of consent also does not mean that safeguarding information cannot be shared, therefore another lawful basis may be most appropriate to rely upon for information sharing.
- It is however good practice to be open and transparent with children and families by:
 - Being clear about what information you need to share and with whom
 - Asking for their view on that information sharing
 - Considering any objections to information sharing (remembering that an objection will not necessarily override the need to safeguard a child)
 - Recording any objection to information sharing.
- Where you are sharing information in the form of a referral or request for support, it is also good practice to discuss the purpose of the referral and seek their agreement to engage with services, unless it is unsafe to do so. By 'unsafe to do so' it is meant that discussing with the parent/carer could put the child at risk of harm.





Legislation and Guidance

Adults'



Care Act 2014

An Act to make provision to reform the law relating to care and support for adults and the law relating to support for carers; to make provision about safeguarding adults from abuse or neglect; to make provision about care standards; to establish and make provision about Health Education England; to establish and make provision about the Health Research Authority; to make provision about integrating care and support with health services; and for connected purposes²

²<https://www.legislation.gov.uk/ukpga/2014/23/introduction>



Care Act 2014

In their guidance on Safeguarding adults: sharing information, the Social Care Institute for Excellence (SCIE) states that:

“The Care Act emphasises the need to empower people, to balance choice and control for individuals against preventing harm and reducing risk, and to respond proportionately to safeguarding concerns. The Act deals with the role of the safeguarding adults board (SAB) in sharing strategic information to improve local safeguarding practice. Section 45 ‘the supply of information’ covers the responsibility of others to comply with any request for information from the safeguarding adults board for the purposes of progressing an enquiry...

...Sharing information between organisations as part of day-to-day safeguarding practice is not covered in the Care Act because it is already covered in the common law duty of confidentiality, the Data Protection Act 2018, the General Data Protection Regulation (GDPR), the Human Rights Act and the Crime and Disorder Act. The Mental Capacity Act is also relevant as all those coming into contact with adults with care and support needs should be able to assess whether someone has the mental capacity to make a decision concerning risk, safety or sharing information.”



The Seven Golden Rules for sharing information

SCIE sets out the seven golden rules for information sharing regarding safeguarding adults.

<https://www.scie.org.uk/safeguarding/adults/practice/sharing-information/>



The Seven Golden Rules

1

Remember that the General Data Protection Regulation (GDPR) 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

Consider safety and wellbeing: base your information-sharing decisions on considerations of the safety and wellbeing of the person and others who may be affected by their actions.



The Seven Golden Rules

5

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.

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.



Care Act

Key Points

The law does not prevent the sharing of sensitive, personal information within organisations. If the information is confidential, but there is a safeguarding concern, sharing it may be justified.

The law does not prevent the sharing of sensitive, personal information between organisations where the public interest served outweighs the public interest served by protecting confidentiality – for example, where a serious crime may be prevented.

Adults have a general right to independence, choice and self-determination including control over information about themselves. In the context of adult safeguarding these rights can be overridden in certain circumstances.

Emergency or life-threatening situations may warrant the sharing of relevant information with the relevant emergency services without consent.

Frontline staff and volunteers should always report safeguarding concerns in line with their organisation's policy – this is usually to their line manager in the first instance except in emergency situations. All organisations must have a whistleblowing policy.

Information can be shared lawfully within the parameters of the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

See more:
<https://www.scie.org.uk/safeguarding/adults/practitioner/sharing-information/>



CONSENT

FOR

ADULTS

SCIE notes that “Some frontline staff and managers can be over-cautious about sharing personal information, particularly if it is against the wishes of the individual concerned. They may also be mistaken about needing hard evidence or consent to share information. The risk of sharing information is often perceived as higher than it actually is. It is important that staff consider the risks of not sharing safeguarding information when making decisions.”



TIPS AND RESOURCES



What do I do?

If you think you need to share information, answering the questions can help you to be confident about your information sharing decision:

- Who in my organisation can provide me advice and guidance if needed?
- What information do I need to share and with who?
- What is the lawful basis for sharing this information?
- Would it be unsafe for me to speak to the family about my concerns and the information I need to share?
- Have I spoken to the family about the information I need to share? Do they have any concerns or objections?
- Do any objections raised override the need to safeguard the adult or child?
- Is all of the information I plan to share necessary and accurate?
- How will I share the information securely, ensuring it is protected?
- Where do I need to make a record of my information sharing decision, rationale and action?





LLR Information Sharing Agreement

LLR ISA



Leicester, Leicestershire & Rutland Safeguarding Children Partnerships' and Safeguarding Adults Boards' Information Sharing Agreement (LLR SCPs' & SABs' ISA)

The **LLR SCPs' & SABs' ISA** provides openness and transparency in information sharing, as well as appropriate governance and support, which assists us to share personal information lawfully, safely, and securely.

<https://lrsb.org.uk/information-sharing-agreement>



Further Resources

- [Information Sharing Procedure](#) – Leicester, Leicestershire & Rutland **Safeguarding Children Partnerships'** Procedures Manual
- [Information Sharing Procedure](#) – Leicester, Leicestershire & Rutland **Safeguarding Adults Boards'** Multi-Agency Policies and Procedures
- [Information Sharing: Advice for practitioners providing safeguarding services for children, young people, parents and carers](#) (Department for Education, May 2024, pages 4-5).
- [UK Government: Information sharing advice for safeguarding practitioners](#)
- [UK Government: Working Together to Safeguard Children 2023](#)
- [ICO: 10 Step Guide to Information Sharing to Safeguard Children](#)
- [ICO: A guide to lawful basis](#)
- [ICO: Lawful basis interactive tool](#)
- [NSPCC: Multi -agency working and information sharing learning from case reviews](#)





CASE STUDIES

Read through these case studies thinking about what you would do



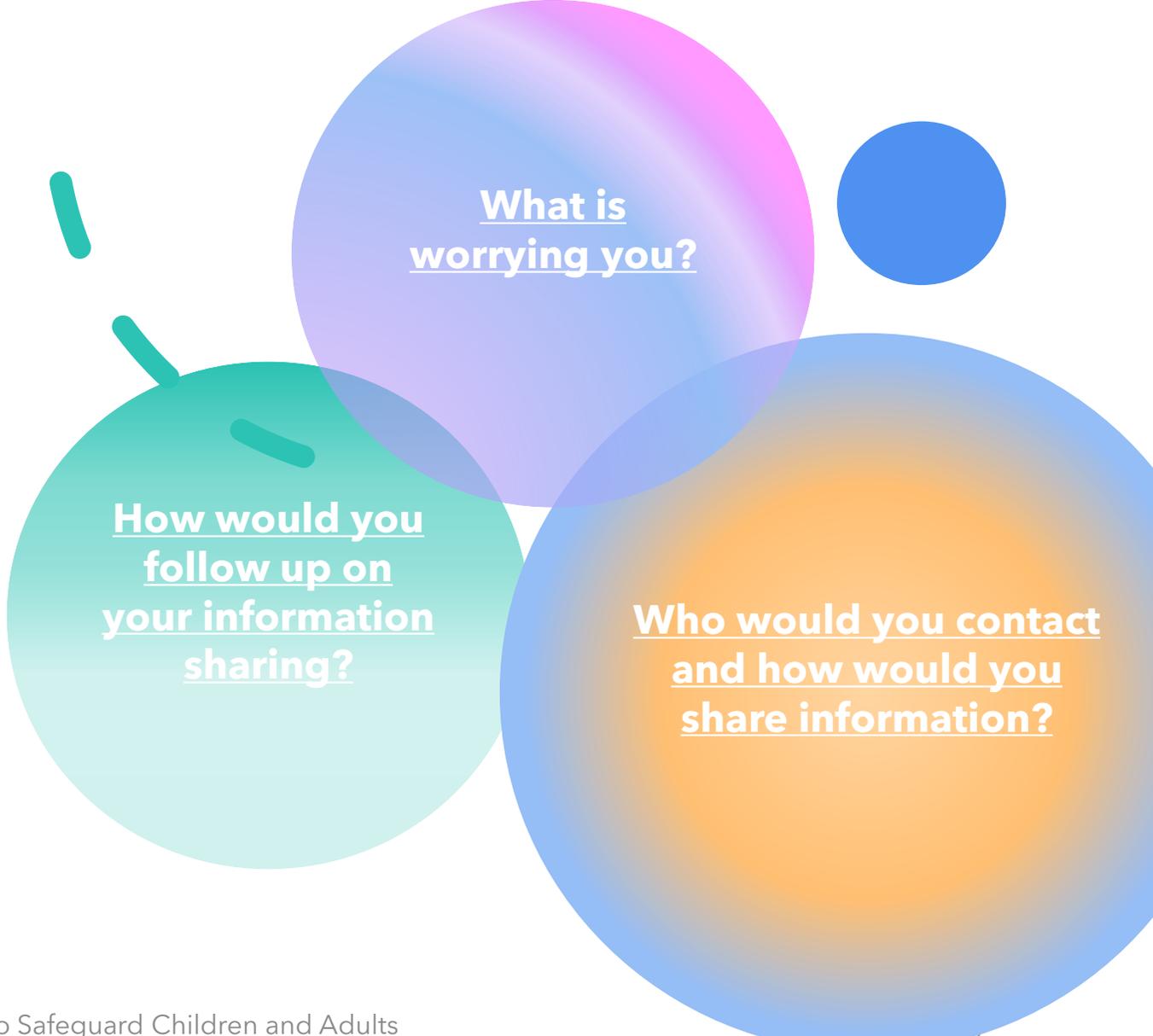
Jessie

Teenage girl

Jessie has been known to agencies for the last three years. In that time, she has been the subject of child protection processes because of concerns around neglect, parental mental health issues, parental substance misuse issues and domestic abuse. In the last year, she has been placed within the care of another close relative. She is no longer on a Child Protection Plan, with this being moved to a Child in Need Plan.

Jessie has spoken positively about life with her guardian, but has also talked about feeling sad, linking this to her previous experiences when living with her parents and also continued episodes of exposure to conflict, through the contact arrangements with her parents.

Recently, she has become more quiet and withdrawn and you've noticed scratches on Jessie's arms. You've offered support to her guardian, with her guardian telling you that they are seeking help via the GP for Jessie's self-harm.



What is worrying you?

How would you follow up on your information sharing?

Who would you contact and how would you share information?



Molly

Unborn Baby

Molly is due to be born in a couple of months' time. Molly's older siblings have been removed from her Mum's care. Her Mum has struggled with her mental health and alcohol use, and her address is reported to be outside of LLR. Her Father is a first-time father. There have been concerns about domestic abuse in their relationship. Both have significant learning difficulties. It does not seem that Molly's parents are engaging with antenatal support offered.

What is worrying you?

How would you follow up on your information sharing?

Who would you contact and how would you share information?



Godavari

Lady in her 80s

Godavari is a lady in her 80s. She lives at home with her two daughters, and one is her main carer. She has physical health problems that require care to be provided around her mobility, personal care and continence care. Her first language is Gujarati.

Recently, Godavari's health seems to have been deteriorating further - she seems to be dehydrated and struggling with pressure sores. She is refusing to get out of bed or to be admitted to hospital. Her daughter is reluctant to accept any more help for her mother.

What is worrying you?

How would you follow up on your information sharing?

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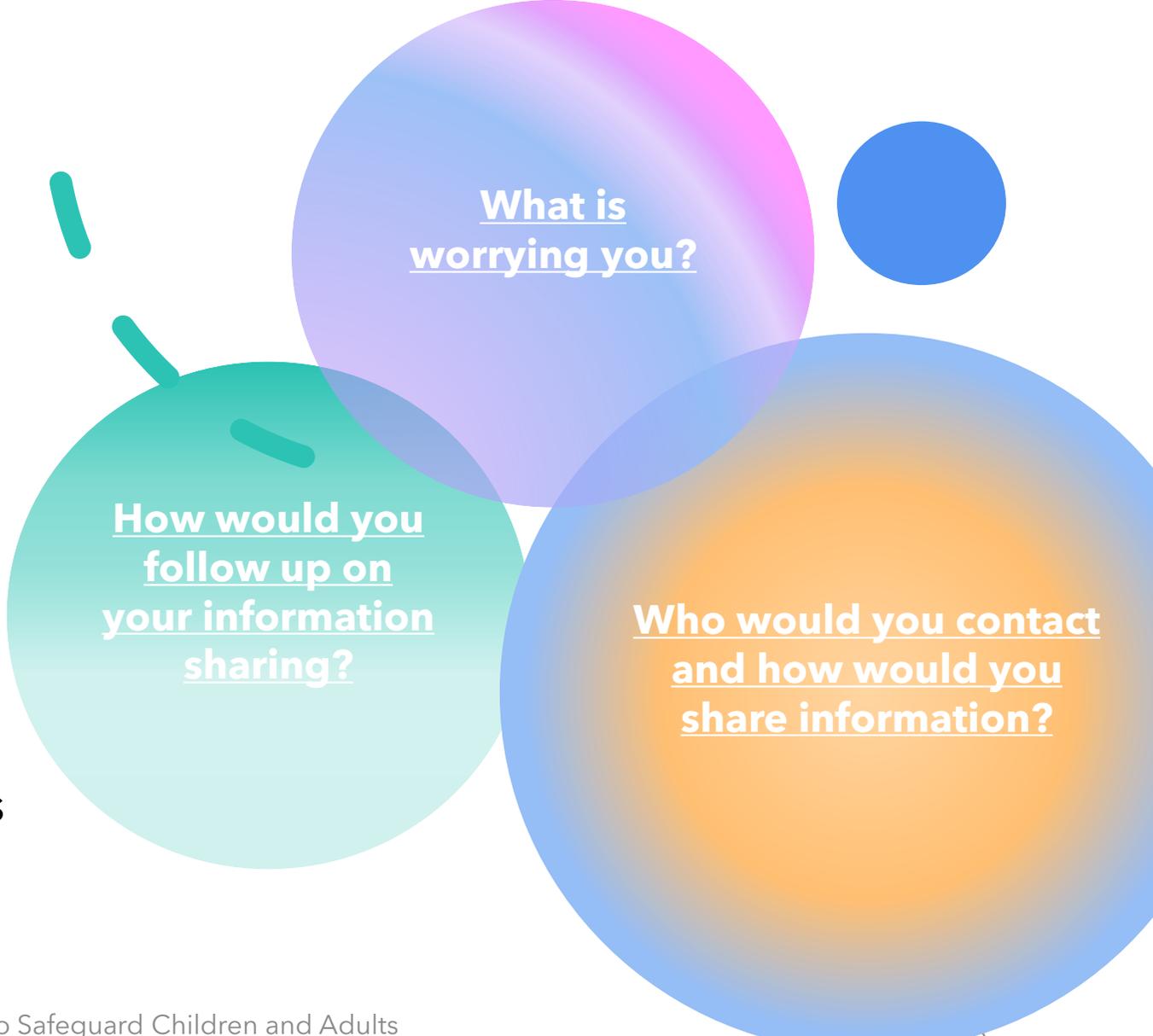


Trevor

Man in his 70s

Trevor is a man in his 70s who lives on his own. He self-neglects and there have been numerous concerns raised about him and his living conditions, including from his family members and his neighbours. These concerns have been about him being without electricity, heating and food.

In the past, he has refused offers of support and has been assessed as having the capacity to do so and not having care and support needs, but the situation seems to be getting worse. Trevor has been falling and refusing medical support. His house is also now a fire risk. All the original concerns still remain.



What is worrying you?

How would you follow up on your information sharing?

Who would you contact and how would you share information?



Jessie

- The change in Jessie's behaviour and the escalation to self-harm
- Whether Jessie's guardian is completely aware of and can cope with the potential scale of the problem
- You have not heard directly from Jessie recently – you have not heard her voice
- You are only aware of the GP's involvement via the guardian's self-reporting – there does not appear to be any reference to this in the records or from other agencies
- Whether Jessie and her guardian have access to all possible support routes while in the process of seeking mental health input
- Whether other agencies supporting Jessie are aware of these emerging and escalating issues and that information has been triangulated, as multi-agency planning is essential when a child has moved from a Child Protection Plan to a Child in Need Plan



What is
worrying you?



Molly

- You are not sure that all agencies involved with Molly's parents are aware of this pregnancy, because Molly's mother is reporting that she is living in another area. Should you check with other Local Authorities, should they be involved?
- You are concerned that Molly's parents are regularly cancelling appointments and visits and seem to be avoiding contact, and they might not realise the potential impact on their baby of avoiding antenatal help.
- You are worried that Molly's Mum's past experiences – her complex safeguarding history and the trauma associated with the removal of her older children – is affecting her engagement with antenatal support.



What is
worrying you?



Godavari

- The deterioration in Godavari's health and whether her daughter can continue to look after her at home.
- Whilst previously Godavari has been described as having capacity to make decisions about her care and support, you are concerned that, because of her deteriorating health, this is no longer the case, particularly around her refusal to go to hospital.
- You are worried that Godavari's daughter's reluctance to accept further help means that some of Godavari's needs are being neglected.

What is
worrying you?



Trevor

- You think the risk around Trevor is escalating and a Care Act assessment could now be required.
- Trevor is resistant to agency contact and support. Whilst he previously has been assessed as having capacity to make decisions around care and support, you think the situation might have changed because of his deteriorating health.
- Different agencies seem to have different information recorded about Trevor regarding his GP Practice and his next of kin.



Jessie

- Have a discussion with your supervisor/manager and/or your agency's safeguarding lead – it is helpful to talk through your concerns. Consider if you need to make any referrals.
- Raise your concerns with Jessie's Social Worker, who is the lead for her Child in Need Plan. Request that the information is taken into account in the appropriate multi-agency meeting (e.g. Multi-Agency Family Network Meeting / Child in Need Review). If you believe the issue is more urgent, ask for it to be addressed more quickly, without delaying until the date of the next meeting.
- Keep the lines of communication open with Jessie and her guardian. Inform them that you are sharing your concerns with others involved in supporting them.

Who would you contact
and how would you
share information?



Molly

- Have a discussion with your supervisor/manager and/or your agency's safeguarding lead – it is helpful to talk through your concerns. You should check with other Local Authorities; they should be involved.
- Raise your concerns with Molly's parents and discuss potential referrals for help, unless you think this action may place the welfare of the unborn child at further risk.
- Consider making a pre-birth referral to Children's Social Care. A pre-birth referral should be made as early as possible to give maximum time for building relationships and providing optimum support in the context of significant safeguarding history. Consent is not required if there are concerns that the parents may move to avoid contact with social workers or other professionals.

**Who would you contact
and how would you
share information?**



Godavari

- Have a discussion with your supervisor/manager and/or your agency's safeguarding lead - it is helpful to talk through your concerns. Ensure that an updated Mental Capacity Assessment is completed.
- Talk to Godavari about your concerns, if possible, without her family present. As her first language is Gujarati, consider the need for an interpreter. Seek permission from Godavari to speak to others. If she says 'no' and you are still worried she is at risk of neglect, you can still share information with relevant agencies.
- Also raise your concerns with Godavari's daughter / carer and tell her of your intention to raise your concerns with other agencies.
- Raise your safeguarding concerns with Adult Social Care.
- Make a referral about the dehydration and pressures sores with the appropriate Health professionals.

Who would you contact and how would you share information?



Trevor

- Have a discussion with your supervisor/manager and/or your agency's safeguarding lead - it is helpful to talk through your concerns. Ensure that an updated Mental Capacity Assessment is completed.
- Talk to Trevor about your concerns. Seek permission from him to speak to others. If he says 'no' and you are still worried he is at risk of serious harm, you can still share information with relevant agencies.
- Contact Adult Social Care with your safeguarding concerns about self-neglect.
- Contact the appropriate Health professional about your concerns about Trevor's deteriorating health.
- Make a referral to the Fire Service regarding the fire safety concerns.

**Who would you contact
and how would you
share information?**



Jessie

- Follow up any referrals you have made
- As a partner to the Child in Need Plan, work with the other partners to drive the plan and regularly review progress
- Be prepared to challenge the views of others and escalate concerns
- Maintain accurate record keeping, document any advice given and information shared with other agencies
- Continue to support Jessie, employ professional curiosity and re-evaluate risk and need

How would you follow up on your information sharing?



Molly

- Follow up any referrals you have made
- Continue to try to support Molly's parents to engage, taking into account their history and their learning needs
- Maintain focus on the potential impact on unborn Molly of the parents' resistant behaviour

How would you follow up on your information sharing?



Godavari

- Follow up any referrals you have made
- Be prepared to challenge the views of others and escalate concerns
- Maintain accurate record keeping, document any advice given and information shared with other agencies

How would you follow up on your information sharing?



Trevor

- Follow up any referrals you have made
- Be prepared to challenge the views of others and escalate concerns
- Maintain accurate record keeping, document any advice given and information shared with other agencies. Be clear and succinct in recording **what** you have done and **why**

How would you follow up on your information sharing?





Leicester
Safeguarding
Children Partnership

WORKING TOGETHER
TO KEEP CHILDREN SAFE

Leicester
Safeguarding
Adults Board

WORKING IN PARTNERSHIP
TO KEEP ADULTS SAFE

