

## **CONFIDENTIALITY AND INFORMATION-SHARING INCLUDING EYFS AND U2S**

All staff at Barnardiston Hall need to be aware of the following:

“Information sharing is vital to safeguarding and promoting the welfare of children and young people. A key factor identified in many serious case reviews (SCRs) has been a failure by practitioners to record information, to share it, to understand its significance and then to take appropriate action.” (Information Sharing. HM Government. July 2018)  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/721581/Information\\_sharing\\_advice\\_practitioners\\_safeguarding\\_services.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf)

Whilst adhering to the principle of limiting the spread of information to the minimum number of people, all staff at Barnardiston Hall who are closely involved with a child, for whom there are safeguarding concerns should know about the child’s circumstances, as they may affect practical matters such as:

- Who meets the child from School.
- Who gives permission to go on outings and educational visits.
- Who attends Parents’ Evenings/ School “occasions”.
- Who should, or should not, share a room at the School or on a trip.

Boarding, teaching, support assistants, therapy and visiting medical staff may all attend Child Protection Conferences where they are likely to hear detailed information about family circumstances and abusive incidents. They may also receive Minutes that record these meetings. Particular care is necessary to maintain the confidentiality of such information whilst ensuring that the issues which may impact upon the child’s school life are communicated to all relevant staff. However, the child’s feelings are central and he / she may prefer staff not to know about traumatic events in his / her life. The importance of discretion and sensitivity in handling such information cannot be overstated.

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 other practitioners, or your information governance lead, 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, 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.

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 (see 'Golden' Rules).

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 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. To effectively share information:

- all practitioners should be confident of the processing conditions which allow them to store, and share, the information that they need to carry out their safeguarding role. Information which is relevant to safeguarding will often be data which is considered 'special category personal data' meaning it is sensitive and personal.
- where practitioners need to share special category personal data, they should be aware that 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 a practitioner is unable to, 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.

## **DISSEMINATION OF INFORMATION**

Staff will be told in staff meetings of current child protection concerns that impact on their work. This will be the duty of the Headmaster. Such updates will take place on a termly basis or as a new concern is identified. Child protection issues will be on the agenda of at least one staff meeting per term.

Access to the detailed child protection files will only be through the DSL and the Alternate DSL.

Child Protection files will be passed on to the child's senior school's DSL as soon as possible, ensuring secure transit and confirmation of receipt is obtained. These schools are obliged to keep information for a period of 30 years after the child leaves full-time education. Barnardiston will keep a copy of information sent on file for a similar period, to ensure continuity of information should there be a breakdown of information-sharing or loss of records in the child's future.

## **SAFEGUARDING RECORDS**

The School's records on child protection and safeguarding concerns are kept locked in an Office and are separated from routine pupil records.

Access is restricted to the DSL and the Alternate DSL. A Local Authority Senior Designated Officer, Disclosure Officer or the Police may also require access when compiling Serious Case Reviews / Audits or disclosure reports where there are Care/Court proceedings in respect of the child or young person.

Removal of files from the premises requires written notification outlining the reason for disclosure, the full postal address of the auditor and organisation on behalf of which they carry out their work. Copies of files requested for criminal proceedings can only be provided by using Royal Mail special recorded delivery to the address given in the written request. (SCC Jan 2014 Managing Shared Information).

Records must be requested by the SDL for pupils joining the School.

Records must be copied and passed on the child's next school(s) where they will be stored for a period of 30 years after the child has left full time education.

If children do not turn up at the expected school, we will inform the LEA Children Missing Education (CME) Unit, that there is, potentially, a child at risk.

In the case of a child being subject of a Care Order, parents must inform the School of any contact arrangements, other than birth parents, who are involved in the child's care. This can include grandparents, relations, nannies or "car pool" arrangements about who might pick up the child from School.

In the case of divorced or separated parents, the School will not discriminate between parents unless we believe that the child is at risk of harm, in which case we must put Safeguarding the child ahead of parental wishes and will contact other agencies for advice.

Access arrangements are usually determined by Court Orders. They might include:

- Arrangements for who picks the child up from School.
- Who is not allowed to pick up the child from School. Parents are asked to provide a photograph of the people not allowed to pick up.
- From whom the child may or may not receive telephone calls.
- To whom reports are sent and who should attend parent/teacher meetings.