



Department
for Education

Information sharing advice for safeguarding practitioners

Government consultation

Launch date 21 June 2023

Respond by 6 September 2023

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Introduction

This consultation seeks views on a revision to non-statutory guidance: ***Information sharing advice for practitioners providing safeguarding services to children, young people, parents and carers*** (“Information Sharing Advice”). The Information Sharing Advice:

1. outlines the responsibilities of agencies and organisations and the golden rules to promote effective information sharing;
2. summarises the key responsibilities of professionals who share and process personal information and/or have responsibility for deciding how to process it; and
3. explains the lawful bases that may be most appropriate for sharing personal information in a safeguarding context.

We are asking for your views on the revised Information Sharing Advice to ensure that it provides more clarity, is easily understood, and instils confidence to share information appropriately amongst practitioners. Your views are important and we want to hear them.

A draft version of the revised Information Sharing Advice has been published alongside this consultation, and the two documents should be read in conjunction.

Who this is for

- All individuals who are directly involved in safeguarding children, including frontline practitioners, managers and senior leaders.
- Individuals and organisations that work with children, young people, parents, carers and families, in sectors such as social care, education, health, justice and voluntary.

We use the term ‘practitioners’ in this advice to include all individuals who work with children, young people and their families in any capacity.

The consultation was issued on 21 June 2023.

Enquiries

If your enquiry is related to the content of the consultation you can contact the team by e-mail on:

InformationSharingAdvice.CONULTATION@education.gov.uk

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the DfE Ministerial and Public Communications Division by email: Consultations.Coordinator@education.gov.uk or by telephone: 0370 000 2288 or via the [DfE Contact us page](#).

Additional copies

Additional copies are available electronically and can be downloaded from [GOV.UK DfE consultations](#).

The response

The results of the consultation and the department's response will be [published on GOV.UK](#) in Autumn 2023.

About this consultation

This consultation seeks views on the revised ***Information sharing advice for practitioners providing safeguarding services to children, young people, parents and carers.***

The last substantive update of the Information Sharing Advice was in July 2018 to reflect the revised Data Protection Act 2018 and introduction of the UK General Data Protection Regulation (UK GDPR) .

Recent national reviews (such as the Independent Review of Childrens Social Care and the Child Safeguarding Practice Review Panel’s review ‘*Child Protection in England*’) have evidenced confusion, anxieties and poor practices of practitioners sharing information to protect children and recommended improved training and guidance for practitioners. In February 2023, the Government published *Stable Homes, Built on Love*, which responded to the recommendations, and has committed to revising and consulting on the Information Sharing Advice to address practitioners’ perceptions that there are legal impediments to sharing information.

We recognise how vital timely and effective information sharing is in safeguarding and promoting the welfare of children. Improvements to policy and practice are still required. The Health and Care Act 2022 commits the Secretary of State to report to Parliament in Summer 2023 on the government’s policy on information sharing in child safeguarding. This revised Information Sharing Advice forms part of the government’s response.

The revised Information Sharing Advice complements *Working Together to Safeguard Children 2018* (“*Working Together*”), which is statutory guidance. The section on information sharing in *Working Together* was amended in December 2020 to alter the focus on ‘consent’ as the primary legal basis for sharing information. This revision to the Information Sharing Advice seeks to align it more closely with the current text of *Working Together*. The findings of this consultation will feed into a future update of *Working Together*. The information sharing section of *Working Together* is not being updated and consulted on in the Summer 2023 consultation. Any future revisions to the information sharing section of *Working Together* will be subject to separate consultation.

The advice is relevant for all individuals who work with children and families in whatever capacity, and is not intended to replace profession-specific guidance, but to provide a shared set of advice that promotes joined up working and a shared language.

In the development of the revised draft Information Sharing Advice, we have engaged with a broad range of practitioners and local agencies that work with children and families and interested national organisations. We recognise the relevance and importance of the document to many sectors; therefore we hope this consultation can provide us with valuable feedback that will assist in the development of a final version of the Advice.

The purpose of the Information Sharing Advice is to:

- instil confidence in practitioners about the legal framework that supports the sharing of information for safeguarding and promotion of welfare purposes.
- provide a straight-forward guide to practitioners on the core principles of timely and effective information sharing, that can be applied to day-to-day decision making.
- support organisations to develop processes, policies and training for their practitioners about information sharing.

Following the consultation, we will update and publish the revised advice as *Information sharing advice for practitioners providing safeguarding services to children, young people, parents and carers 2023*.

Respond online

To help us analyse the responses please use the online system wherever possible. Visit [DfE consultations on GOV.UK](#) to submit your response.

Other ways to respond

If for exceptional reasons, you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, you may request and complete a word document version of the form.

By email

InformationSharingAdvice.CONULTATION@education.gov.uk

By post

Kerry Aspinall
Department for Education
Level 3
2 St Pauls Place
125 Norfolk Street
Sheffield
S1 2JF

Deadline

The consultation closes on 6 September 2023.

Consultation themes and questions

Privacy and Confidentiality

Privacy Notice

The personal data (name and address and any other identifying material) that you provide in response to this consultation is processed by the Department for Education as a data controller in accordance with the UK GDPR and Data Protection Act 2018, and your personal information will only be used for the purposes of this consultation. The Department for Education relies upon the lawful basis of article 6 (1) (e) of the UK GDPR, which allows us to process personal data when this is necessary for conducting consultations as part of our function.

We may share information we hold about you with certain organisations, where the law allows it or we have a legal obligation to do so. There may be some circumstances where we'll need to share information about you with others without your consent. For example, this might be to prevent or detect a crime, or to produce anonymised statistics for research purposes. In all cases, we'll comply with the Data Protection Act 2018.

The personal information will be retained for a period of 12 months following the closure of the consultation period, after which it will be securely destroyed.

You can read more about what the Department for Education does when we ask for and hold your personal information in our personal information charter, which can be found here: [Personal information charter - Department for Education - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/672222/Personal-information-charter-Department-for-Education-2020.pdf).

Confidentiality Notice

Information provided in response to consultations, including personal information, may be subject to publication or disclosure under the Freedom of Information Act 2000, the Data Protection Act 2018 or the Environmental Information Regulations 2004.

If you want all, or any part, of a response to be treated as confidential, **please explain why you consider it to be confidential**.

If a request for disclosure of the information you have provided is received, your explanation about why you consider it confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

About you

To help us analyse our responses, could you please tell us in what type of agency/organisation you work for?

- Local authority
- Health
- Police
- Education
- Voluntary
- Other

[If you chose 'Other' or wish to clarify your response, please describe the role that best describes you]

What is your role within your agency/organisation?

[Select one from]

- Front line practitioner
- Manager
- Senior leader (Director, Chief Executive)
- Corporate / Administrative
- Volunteer

Other Please specify

If you are responding on behalf of your agency/organisation, please provide the name below:

Would you like us to keep your responses confidential?

- Yes
- No

If yes, please explain why?

In sharing findings from this consultation, may we quote from your response?

- Yes – anonymously
- Yes – attribute to my organisation
- No

The Seven Golden Rules

See page 4 of the Information Sharing Advice

The Seven Golden Rules are designed to provide practitioners with a quick and straight-forward guide on the core principles of timely and effective information sharing, that can be applied to day-to-day decision making. They have been updated from the 2018 version of the Information Sharing Advice. Whilst they contain similar subject matter to the previous version of the “rules”, the content has been reframed and aligns with changed advice relating to the legal framework.

To what extent do you agree that the Seven Golden Rules are a helpful guide to enable practitioners to share information appropriately?

Select one from:

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree

How could we make the Seven Golden Rules more helpful?

Is there anything you find unclear or confusing in the Seven Golden Rules?

Legal Framework and Concepts

See pages 7-11 and Annex A (Data Protection) page 17-21 of the Information Sharing Advice

The draft Information Sharing Advice seeks to respond to practitioner confusion and concern about the legal frameworks that support information sharing. It explains data protection legislation and provides advice on the most relevant legal bases for sharing information for safeguarding purposes. It describes the nuances of the meanings of “consent” in data protection terms and in other contexts relevant to safeguarding (e.g. consent to engage with a service).

To what extent do you agree that the Information Sharing Advice clarifies how data protection legislation provides a framework for appropriate information sharing to safeguard children.

Select one from:

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Don't know

Please explain your answer:

To what extent do you agree that the Information Sharing Advice provides reassurance that data protection legislation is not a barrier to information sharing.

Select one from:

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree

Please explain your answer:

To what extent do you agree that “consent” is explained in a helpful way?

Select one from:

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree

Please explain your answer:

After reading the Information Sharing Advice, are you confident to share information where a child or young person was at risk or perceived risk of harm without relying on consent as the relevant legal basis?

Select one from:

- Yes
- No
- Don't know

Please explain your answer:

How could the advice on the legal frameworks and concepts be improved?

Practitioner responsibilities

See pages 12 – 16 of the Information Sharing Advice

The draft Information Sharing Advice provides practitioners with advice on their responsibilities for sharing information in a timely and effective way. The importance of information sharing in safeguarding is frequently emphasised and specific advice is discussed such as the responsibilities to:

- Share information early;
- Seek support when uncertain about what and when to share;
- Provide feedback to agencies who have shared information.

To what extent do you agree that the Information Sharing Advice sufficiently explains to practitioners their information sharing responsibilities?

Select one from:

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree

Please explain your answer:

How easily can the Information Sharing Advice be applied to the day-to-day role of practitioners so as to support them to share information appropriately?

Select one from:

- Very easy
- Easy
- Neutral
- Difficult
- Very Difficult

Please explain your answer:

All content

The questions below relate to all content included in the advice. The expectation is that the questions will be considered and answered after reading the entire document.

To what extent do you agree that the Information Sharing Advice supports you to share information to protect children.

Select one from:

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree

Please explain your answer:

Does the Information Sharing Advice complement other relevant guidance that applies to your organisation or profession?

Select one from:

- Yes
- No
- Don't know

Please explain your answer:

To what extent do you agree that the Information Sharing Advice is user friendly?

Select one from:

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree

Please explain your answer:

Is there anything you find unclear or confusing in the Information Sharing Advice?

Select one from:

- Yes
- No
- Don't know

Please explain your answer:

Is there anything missing from the Information Sharing Advice?

Select one from:

- Yes
- No
- Don't know

What would you like to see? Please provide details.

Equalities Impact Assessment

Section 149 of the Equality Act 2010 requires the Secretary of State, when exercising the functions of the Secretary of State, to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and those who do not;

Do you have any overall comments about the potential impact, whether positive or negative, of our proposed changes on those who share protected characteristics under the Equality Act 2010? Where you identify any negative impacts, we would also welcome suggestions of how you think these might be mitigated.

Select one from:

- Yes
- No
- Don't know

Please explain your answer:



Department
for Education

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