

Information Sharing to Safeguard Children Guidance

(Taken from the Information Commissioner's Office official guidance)

This is a guide on data protection considerations when sharing personal information for child safeguarding purposes. It aims to help you feel confident about sharing information when you need to safeguard a child or young person at risk of harm. It gives you practical advice on data protection as part of the safeguarding process. It is based on the Information Commissioner's Office guidance. The ICO's role is as the regulator of information rights, not of safeguarding practices.

Data protection law **allows you to share information** when required to identify children at risk of harm and to safeguard them from harm. Data protection law doesn't prevent you from doing this. It simply helps you to share information in a fair, proportionate and lawful way.

It can be more harmful not to share information that is needed to protect a child or young person.

Safeguarding children is everyone's responsibility – not just practitioners in child safeguarding.

In this guide, the 'safeguarding of children' and references to children include children and young people up to the age of 18.

Who is this guidance for?

Senior Leaders or Committee Members in organisations, although they might not work directly with children on a day-to-day basis.

Managers who hold key responsibilities for ensuring their staff share information appropriately.

Club Welfare Officers or Safeguarding Leads, as well as people who are less directly involved.

Coaches and Referees or those who work or volunteer for England Squash in any capacity.

The 'Ten Steps' Guide

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

You will not receive a fine or other penalty, when you share information in good faith to help identify and safeguard a child you believe is at risk of harm. It will never breach UK data protection law to share all the information you need to with an appropriate person or authority in order to safeguard a child.

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

Be clear about your purpose for sharing the information. Safeguarding a child is a compelling reason for sharing information. You can share all the information you need to, with an appropriate person or authority, in order to safeguard a child.

- You may be able to share a minimal amount of information to achieve your purpose, such as accessing direct support for a service to benefit the child. In this scenario, it's appropriate only to share this minimal information.
- However, there will be times where multiple organisations are involved in an intervention, or where there are concerns about serious harm. In these cases, it may be necessary to share information more widely, or to share more information on a child's circumstances.

3. Develop clear and secure policies and systems for sharing information

Build a culture of compliance and good practice throughout your organisation to help you share information securely. Train everyone in your organisation in safeguarding and data protection to the level they need. Ensure staff, contractors and volunteers all understand what they need to do to share information to safeguard children.

4. Be clear about transparency and individual rights

Be clear about what happens to personal information at every stage; about how you'll inform people about this, and how you'll handle requests by people to access their information rights.

In any sharing arrangement, ensure you have policies and procedures that allow people to exercise their individual rights under data protection law:

- the right to access information held about them (the right of subject access);
- the rights to have their information rectified, erased or restricted;
- the right to object;
- the right to portability of their information; and
- the right not to be subject to a decision based solely on automated processing.

However, if you're sharing information for safeguarding purposes, you might not be obliged to allow people to exercise all these rights. For example, if giving access to a person to information you hold about them would be likely to cause serious harm to a child.

5. Assess the risks and share as needed

When you are making a decision about sharing information about a child, it is very important to assess the risks. In an urgent situation or in an emergency, where there is limited time to assess risk, you can go ahead and share that information based on what is necessary and proportionate in the circumstances at the time to safeguard the child.

6. Enter into a data sharing agreement

It is very unlikely that you will be regularly sharing information with agencies, but it is helpful to know the benefits of drawing up a data sharing agreement if you are in this situation. Benefits include helping you and the party or parties you are planning to share the information with to:

- be clear about what information you are sharing;
- be clear how it will happen; and
- demonstrate that you are responsible for complying with data protection law (the accountability principle).

7. Follow the data protection principles

The seven data protection principles lie at the heart of data protection; follow them when handling or sharing personal information. They are all important.

- Lawfulness, fairness and transparency
- Purpose limitation (share only for your clear, specified, legitimate purposes)
- Data minimisation (share information that is adequate, relevant and limited to what is necessary for your purposes)
- Accuracy (and keep the information up to date)
- Storage limitation (keep the information no longer than necessary for your purposes)
- Integrity and confidentiality (ensure appropriate security)
- Accountability (demonstrate your compliance with the principles)

8. Share information using the right lawful basis

Sharing information is always lawful when you choose the right lawful basis for you and for the circumstances. A lawful basis is a valid reason in data protection law for processing personal information. Using the right lawful basis means you can share all the information you need to, with an appropriate authority or individual, in order to safeguard a child.

You can use the ICO's [lawful basis interactive guidance tool](#) to help you to choose the appropriate lawful basis for sharing information.

9. Share information in an emergency

In an emergency, don't hesitate to share information to safeguard a child. You might not have time to follow all the usual processes. Make a record of what you shared, who with, and why, as soon as possible. Some situations might be urgent, but not an emergency. Take a proportionate approach in the circumstances. Plan ahead for emergency or urgent situations so that everyone knows what to do and the processes to follow when time is of the essence.

10. Read the ICO data sharing code

It would be good practice to use this 10 Step Guide in conjunction with the ICO's further resources:

- [Data sharing code of practice](#)
- [Data sharing page](#)