

## Information Sharing and Consent

Working Together 2018- *Myth Busting Guide to Information Sharing*

You have concerns about a child's welfare and are wondering whether you should share these concerns with someone else

If you have consent from the parent or carer to share that's fine, but you **do not need consent** to share if you are concerned about a child's welfare enough to believe that without sharing the child may come to harm.

### When Sharing Information Remember

1. Only share what information is necessary, relevant and proportionate.
2. Distinguish fact from opinion.
3. Ensure you are providing the right information to the right individual.
4. Share securely.
5. You may tell them either before or after but make sure that you inform the parent or carer you have or will share information unless doing so may put someone at risk of harm

Record the information sharing decision and your reasons for sharing / or not sharing in line with your organisations local procedures

### Myth: The Data Protection Act 1998 is a barrier to sharing information

X - The act does not prohibit the collection and sharing of personal information, but provides a framework to ensure that information about a living individual is shared appropriately.

### Myth: Personal information collected by one organisation cannot be disclosed to another

X - unless the information is to be used for a purpose incompatible with the purpose that it was originally collected for. In the case of a child at risk of significant harm, it is difficult to foresee circumstances where sharing personal information with other practitioners would be incompatible with the purpose for which it was originally collected

### Myth: Consent is always needed to share personal information

You do not necessarily need the consent of the individual to share their information. Where possible, you should seek consent, and should be clear about why and with whom it will be shared. In situations, where there are concerns that a child is suffering, or is likely to suffer significant harm, information may be shared without consent

### Myth: The common law duty of confidence and the Human Rights Act 1998 prevent the sharing of personal information.

X - Practitioners need to balance the common law duty of confidence and the rights within the Human Rights Act 1998 against the effect on individuals or others or not sharing the information.