

Information Sharing Guidance

Definitions and Legal Guidance

NB: Guidance in this area is based on the 2018 revised guidance for practitioners working with Children and Young People. This HM Government advice is non-statutory and has been produced to support leaders in the decisions they take to share information, which reduces the risk of harm to cadets and promotes their well-being.

Sharing information is an intrinsic part of any leader's role when working with cadets. The decisions about how much information to share, with whom and when, can have a profound impact on individuals' lives.

Information sharing helps to ensure that an individual receives the right services at the right time and prevents a need from becoming more acute and difficult to meet. Poor or non-existent information sharing is a factor repeatedly identified as an issue in Serious Case Reviews (SCRs) carried out following the death of or serious injury to, a child.

Every leader must take responsibility for sharing the information they hold and cannot assume that someone else will pass on information, which may be critical to keeping a child safe.

National VPC Statement

The VPC adhere to the seven Golden Rules of Sharing Information

1. 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 leaders, or your force 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, and where possible, 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 by their actions.
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 principles).
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.

What is Consent and Informed Consent?

Obtaining informed and explicit consent for information sharing is very important and ideally should be obtained from the start. In many cases, informed and explicit consent will be a legal requirement.

You may not need to seek consent if it:

- can be legitimately implied from the context (e.g., GP referral to a hospital specialist)
- is inappropriate to seek it (e.g., if you have a statutory duty to share)
- may be unsafe to seek it (e.g., seeking consent might increase the risk to the cadet);
- causes an unjustified delay in investigating allegations of significant harm to a child;
- prejudices the prevention, detection or prosecution of a serious crime

Leaders must ensure that the cadets giving the consent fully understand what they are consenting to and the implications of giving or not giving their consent. Working with them within a leader's relationship to build trust, respect and confidence should help to ensure that this conversation is not a difficult one. Being open and honest, including being clear about information sharing and respecting their wishes wherever possible, will help to maintain this trust and confidence.

Your work with the cadet or family should help you decide how best to explain this to them and to check that they have fully understood.

Find Related Guidance

[Information Sharing](#): Advice for practitioners providing safeguarding services to children, young people, parents and carers