

# SAFEGUARDING ADOLESCENTS

## AGENCY PROCESSES

### Agency Process: Multi-Agency Planning and Information Sharing

#### Introduction

Multi-agency planning is where a variety of agencies, such as councils, schools, health and police jointly work together to agree and review areas of work, collaboration and responsibility. A key area of multi-agency planning for safeguarding adolescents is information sharing, as each agency is responsible for processing and controlling personal information responsibly and legally.

In many situations, agencies have a legal duty to share information. It is important for agencies to share this personal information for clear purposes, such as safeguarding or agreeing on appropriate provisions to address care needs.

To make sure that information is being shared appropriately and legally, multi-agency partnerships are required to have formal Information Sharing Protocols and Agreements, which set out what information can be shared, when it can be shared and how it can be shared.

Key organisations who have a duty under Section 11 of the Children Act 2004 to have arrangements in place to safeguard and promote the welfare of children include:

- The local authority
- NHS England
- Clinical Commissioning Groups
- NHS Trusts, NHS Foundation Trusts
- The local policing body
- British Transport Police Authority
- Prisons
- National Probation Service and Community Rehabilitation Companies
- Youth Offending Teams
- Bodies within the education and/or voluntary sectors
- Any individual to the extent that they are providing services in pursuance of Section 74 of the Education and Skills Act 2008

The General Data Protection Regulation (GDPR) and Data Protection Act 2018 place duties on organisations and individuals to process personal information fairly and lawfully; they are not a barrier to

sharing information, where the failure to do so would cause the safety or well-being of a young person to be compromised. Similarly, human rights concerns, such as respecting the right to a private and family life would not prevent sharing where there are real safeguarding concerns. All organisations should have arrangements in place, which set out clearly the processes and the principles for sharing information internally. In addition, these arrangements should cover sharing information with other organisations and practitioners, including third party providers to which local authorities have chosen to delegate children's social care functions, and Local Safeguarding Children Partnerships operating within the local authority area as well as safeguarding partners.

### **Myth-busting guide to information sharing**

Sharing information enables practitioners and agencies to identify and provide appropriate services that safeguard and promote the welfare of children. Below are common myths that may hinder effective information sharing ([Working Together to Safeguard Children 2018](#)).

#### ***Data protection legislation is a barrier to sharing information***

No – the Data Protection Act 2018 and GDPR do not prohibit the collection and sharing of personal information, but rather provide a framework to ensure that personal information is shared appropriately. In particular, the Data Protection Act 2018 balances the rights of the information subject (the individual whom the information is about) and the possible need to share information about them.

#### ***Consent is always needed to share personal information***

No – you do not necessarily need consent to share personal information. Wherever possible, you should seek consent and be open and honest with the individual from the outset as to why, what, how and with whom, their information will be shared. You should seek consent where an individual may not expect their information to be passed on. When you gain consent to share information, it must be explicit, and freely given. There may be some circumstances where it is not appropriate to seek consent because the individual cannot give consent, or it is not reasonable to obtain consent, or because to gain consent would put a child's or young person's safety at risk.

#### ***Personal information collected by one organisation/agency cannot be disclosed to another***

No – this is not the case, unless the information is to be used for a purpose incompatible with the purpose for which it was originally collected. In the case of [children in need](#), or children at risk of [significant harm](#), it is difficult to foresee circumstances where information law would be a barrier to sharing personal information with other practitioners.

#### ***The Common Law Duty of Confidentiality and the Human Rights Act 1998 prevent the sharing of personal information***

No – this is not the case. In addition to the Data Protection Act 2018 and GDPR, practitioners need to balance the Common Law Duty of Confidentiality and the Human Rights Act 1998 against the effect on individuals or others of not sharing the information.

### ***IT Systems are often a barrier to effective information sharing***

No – IT systems, such as the Child Protection Information Sharing project (CP-IS), can be useful for information sharing. IT systems are most valuable when practitioners use the shared data to make more informed decisions about how to support and safeguard a child.

### **The seven golden rules to sharing information**

1. Remember that the GDPR, Data Protection Act 2018 and human rights law are not barriers to justified information sharing, but instead 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 and 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. All information sharing should be 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, shared only with those individuals who need to have it, is accurate and up to-date, provided in a timely fashion and shared securely.
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 the impact on safeguarding adolescents?

Sharing information is an intrinsic part of any frontline practitioner's job when working with young people. 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 the need from escalating.

Effective sharing of information between practitioners and local organisations and agencies is essential for early identification of need, assessment, and service provision to keep children safe.

Practitioners should be proactive in sharing information as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of a child, whether this is when issues are first emerging, or where a child is already known to local authority children's social care (e.g. they are being supported as a [child in need](#) or have a [child protection plan](#)). Practitioners should be alert to sharing important information about any adults with whom that child has contact, which may impact the child's safety or welfare.

Information sharing is also essential for the identification of patterns of behaviour when a child has gone missing, when multiple children appear associated to the same context or locations of risk, or in relation to children in the secure estate where there may be multiple local authorities involved in a child's care.

Information sharing is essential for effective safeguarding and promoting the welfare of children and young people. It is a key factor identified in many Child Safeguarding Practice Reviews, where a lack of information sharing has resulted in missed opportunities to take action that keeps children and young people safe.

## Additional Resources and Information

### National

[Government guidance on Information sharing](#) - Information sharing advice for practitioners providing safeguarding services to children, young people, parents and carers.

### Local

[Hampshire, Isle of Wight, Portsmouth and Southampton \(HIPS\) Procedures](#) - Procedures, guidelines and information regarding safeguarding.

[Hampshire, Isle of Wight, Portsmouth and Southampton](#) - Guidance regarding information sharing

[Hampshire Safeguarding Children Partnership: Information Sharing](#) - Further guidance regarding information sharing.

[Hampshire County Council: Data protection and freedom of information for Children's Services and schools](#)

