



Barrowford

Primary School

Learn to Love, Love to Learn

**Freedom of
Information**

Dated: September 2019

Review Date: September 2020

Reviewed by: Rachel Tomlinson
Headteacher: Rachel Tomlinson

Practitioners understand their organisations position and commitment to information sharing. They have confidence in the continued support of their organisation where they have used their professional judgment and shared information professionally.

Policy Statement

We at Barrowford School recognise that parents have a right to know information they share will be regarded as confidential as well as be informed about the circumstances, and reasons, when we are obliged to share information.

We obliged to share confidential information without authorisation from the person who provided it or to whom it relates if it is in the public interest. That is when:

- It is to prevent a crime from being committed or intervene where one might have been, or to prevent harm to a child or adult; or
- Not sharing it could be worse than the outcome of having shared it. The decision should never be made as an individual, but with the back-up of management committee officers. The three critical criteria are:
- Where there is evidence that the child is suffering, or is at risk of suffering, significant harm.
- Where there is reasonable cause to believe that a child may be suffering or at risk of suffering significant harm.
- To prevent significant harm arising to children and young people or serious harm to adults, including the prevention, detection and prosecution of serious crime.

Procedures.

Our procedures are based on the 7 golden rules for information sharing as set out on Information Sharing: Guidance for Practitioners and Managers (2018).

1. Remember that 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 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 where possible, respect the wishes of those who do not consent to having their information shared.

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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 upto-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.

Consent

Parents have a right to be informed that their consent to share information will be sought in most cases, as well as the kind of circumstances when their consent may be sought, or their refusal to give consent may be overridden. We do this as follows:

Our Policies and procedures set out our responsibility regarding gaining consent to share information and when it may not be sought or overridden.

- We may cover this verbally when a child starts or include this in our prospectus.
- Parents sign a form at registration to say they understand this.

Parents are asked to give written consent to share information about any additional needs their child may have, or to pass on child development summaries to the next provider/ school.

- Copies are given to parents of the forms they sign.

We consider the following questions when we need to share:

- Is there a legitimate purpose to sharing the information?
- Does the information enable the person to be identified?
- Is the information confidential?
- If the information is a confidential, do you have the consent to share?
- Is there a statutory duty or court order to share information?

If consent is refused, or there are good reasons not to seek consent, is there sufficient public interest to share information?

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If there decision is to share, are you sharing the right information in the right way? –
Have you properly recorded your decision?

All the undertakings above are subject to the paramount commitment of the setting, which is to the safety and well-being of the child. Please also see our Safeguarding Child Protection policy.