



Safeguarding and Welfare Requirement: Information and Records

Providers must maintain records and obtain and share information to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met.

10.10 Information Sharing

Policy Statement

At **Impact Montessori Nursery**, we recognise that effective information sharing is an essential part of safeguarding and promoting the welfare of children.

No single practitioner or organisation is likely to have a complete picture of a child's needs and circumstances. Timely and appropriate information sharing enables practitioners to identify concerns at an early stage, assess needs and risks, provide appropriate support and take action to safeguard children. The 2026 *Working Together to Safeguard Children* guidance emphasises that practitioners should be proactive in sharing information as early as possible where this may help identify, assess or respond to concerns about a child's safety or welfare. GOV.UK

The **Information Sharing Duty under section 16LA of the Children Act 2004 comes into force on 30 September 2026**. It applies to early years providers and is supported by statutory DfE guidance. GOV.UK

Our approach is to ensure that information is shared **lawfully, securely, proportionately and appropriately**, while recognising that uncertainty about consent, confidentiality or data protection must not become an automatic barrier to safeguarding.

The welfare and safety of the child remains our paramount consideration.

Confidentiality and Data Protection

Parents and carers have a right to expect that information they provide to the nursery will be treated appropriately and confidentially. We will be open and transparent about how information is collected, used and shared wherever it is safe and appropriate to do so.

We process and share personal information in accordance with applicable data protection legislation and the principles of the UK GDPR and Data Protection Act 2018.

Personal information must be:

1. Processed lawfully, fairly and transparently.
2. Collected for specified, explicit and legitimate purposes.
3. Adequate, relevant and limited to what is necessary.
4. Accurate and kept up to date where necessary.
5. Kept only for as long as necessary.
6. Processed securely and protected against unauthorised or unlawful processing, loss, destruction or damage.

Our Privacy Notice provides parents and carers with further information about how we process their personal data.

Data protection legislation is not an automatic barrier to appropriate safeguarding information sharing.

Where staff are unsure whether information should be shared, they must seek advice from the Designated Safeguarding Lead (DSL) or nursery manager.

Our Information Sharing Principles

Impact Montessori Nursery will:

- Put the child's safety, welfare and best interests at the centre of information-sharing decisions.
- Share information proactively and at the earliest appropriate opportunity where it may help safeguard or promote a child's welfare.
- Recognise that information sharing can be important even where concerns are at an early or emerging stage.
- Share information that is relevant, necessary, accurate and proportionate.
- Share information securely and only with those who need it for an appropriate purpose.
- Consider both the potential consequences of **sharing information and not sharing information**.
- Be open and transparent with children, parents and carers wherever it is safe and appropriate.
- Respect confidentiality while recognising that safeguarding responsibilities may require information to be shared without consent.
- Keep a clear record of significant information-sharing decisions.
- Work collaboratively with other professionals and agencies to develop a fuller picture of the child's circumstances.

The new statutory guidance supports a cultural shift towards **confident and appropriate information sharing**, rather than practitioners being overly cautious because of concerns about data protection or consent. GOV.UK

Information Sharing Without Consent

Consent is **not an automatic requirement for safeguarding information sharing**.

Where information is required to safeguard or promote a child's welfare, we will consider the appropriate lawful basis for sharing and the circumstances of the case.

We may share information without parental consent where, for example:

- there is a safeguarding concern;
- sharing is necessary to protect a child from harm;
- information is required to assess or respond to a child's welfare or safeguarding needs;
- there is a statutory duty or other lawful basis to share;
- seeking consent could place the child or another person at greater risk;
- seeking consent could prejudice a safeguarding enquiry or investigation; or
- the potential harm arising from not sharing information is greater than the potential impact of sharing it.

Where it is safe and appropriate, parents and carers will be informed about information sharing. However, **we will not delay necessary safeguarding action while waiting for consent**.

Consent

Where consent is the appropriate basis for sharing information, consent should be:

- freely given;
- informed;
- specific and clear about what information may be shared, with whom and for what purpose; and

- capable of being withdrawn.

Consent may be provided verbally or in writing, depending on the circumstances and our procedures.

Parents may be asked to provide consent for appropriate routine information sharing, for example when sharing information with another setting or school as part of a child's transition.

However, consent will not be used as a barrier to necessary safeguarding information sharing.

What Staff Should Do

All staff have a responsibility to identify and report concerns.

Where a practitioner becomes aware of information that may be relevant to a child's welfare or safeguarding, they should:

1. **Notice** – recognise changes, concerns, disclosures or information that may be significant.
2. **Record** – record factual information accurately and promptly.
3. **Report** – inform the DSL or deputy DSL in accordance with our safeguarding procedures.
4. **Share appropriately** – provide the relevant information to the DSL and any appropriate professional or agency.
5. **Record the decision** – ensure significant information-sharing decisions and actions are documented.

Staff should not investigate safeguarding concerns themselves or decide that information is unimportant because it appears minor in isolation.

Small pieces of information can become significant when combined with information held by other professionals.

Working Together to Safeguard Children 2026 specifically emphasises proactive information sharing to build a complete picture of a child's circumstances. GOV.UK

Seeking Advice

Staff should speak to the DSL or nursery manager whenever they are unsure about information sharing.

The DSL will consider:

- What information do we have?
- Is it relevant to the child's safety or welfare?
- Why does the other person or agency need the information?
- Is the information accurate?
- Is the amount of information proportionate?
- What could happen if we share it?
- What could happen if we do not share it?
- Is there a lawful basis or statutory duty for sharing?
- Is it safe and appropriate to inform the child or family?
- How should the information be shared securely?

Where appropriate, advice may be sought from children's social care, the local safeguarding partnership or another relevant safeguarding professional.

Sharing with Other Agencies

Where necessary and appropriate, we may share information with agencies including:

- Children's Social Care;
- Police;
- Health Visitors and other health professionals;
- Early Help or family support services;

- Local safeguarding partners;
- Schools and other early years settings;
- SEND and specialist services; and
- Other professionals involved in safeguarding or supporting the child and family.

Information will be shared through appropriate and secure channels and in accordance with local safeguarding arrangements.

Effective multi-agency working requires practitioners to share information so that professionals working with the same child can develop a fuller understanding of the child's experiences and needs. GOV.UK

Accuracy and Proportionality

Information shared must be:

- **Necessary** – required for the purpose.
- **Proportionate** – no more information than is reasonably required.
- **Relevant** – connected to the child's welfare or the purpose for which it is being shared.
- **Accurate** – factual and, where possible, verified.
- **Timely** – shared without unnecessary delay.
- **Secure** – transferred and stored using appropriate methods.

Staff should distinguish clearly between:

- what they have personally observed;
- what a child has said;
- what a parent or carer has said;
- information received from another professional; and
- professional opinion or interpretation.

Recording Information-Sharing Decisions

Where significant information is shared, the nursery will record:

- what information was shared;
- when it was shared;
- who it was shared with;
- why it was shared;
- the lawful basis or safeguarding rationale where appropriate;
- any advice received;
- what action was taken; and
- any relevant decision not to share information and the reason for that decision.

Safeguarding records will be maintained securely in accordance with our Safeguarding and Child Protection Policy and Children's Records Policy.

Confidentiality

Staff must respect the confidentiality of children and families.

However, **confidentiality must never be treated as an absolute barrier to safeguarding.**

Staff must not promise a child, parent, carer or colleague that information will be kept secret where there is a possibility that it may need to be shared to safeguard a child.

Separated Parents

Where parents are separated, the nursery will consider parental responsibility and the circumstances of the individual case when determining how information is shared.

Where information relates to safeguarding, the child's welfare will remain the primary consideration.

Where there is disagreement between parents, staff should seek advice from the DSL or nursery manager rather than making assumptions about whether information can or cannot be shared.

Where a child is looked after, we will work with the relevant local authority and other professionals in accordance with the child's care and safeguarding arrangements.

Responsibilities of the DSL and Management

The DSL and management team are responsible for ensuring that:

- staff understand their information-sharing responsibilities;
- staff receive appropriate safeguarding and information-sharing training;
- safeguarding concerns are acted upon promptly;
- appropriate information is shared with relevant agencies;
- information-sharing decisions are appropriately recorded;
- staff receive advice when they are uncertain;
- secure systems are used for sharing and storing information; and
- this policy remains consistent with current statutory guidance and local safeguarding arrangements.

Responsibility for safeguarding decisions should be appropriately supported by the DSL and management team. Staff should never feel that they must make difficult information-sharing decisions without access to appropriate advice.

Escalation

If a member of staff believes that a safeguarding concern or information-sharing issue has not been appropriately addressed, they must raise the matter with the DSL, nursery manager or another appropriate senior person.

Where necessary, concerns should be escalated in accordance with local safeguarding partnership procedures.

Staff Training

All staff will receive safeguarding training and will understand their responsibilities regarding information sharing.

Training will include:

- confidentiality and information sharing;
- consent;
- UK GDPR and data protection;
- the new Information Sharing Duty;
- identifying and recording safeguarding concerns;
- when and how to contact the DSL;
- secure information sharing; and
- multi-agency working.

Staff will be reminded that **uncertainty should lead to seeking advice, not simply withholding information.**

Key Message for Staff

If information could help safeguard or promote a child's welfare, don't let uncertainty about consent, confidentiality or GDPR prevent appropriate information sharing.

Share the right information, with the right person, for the right reason, at the right time and in a secure way.

Legal and Statutory Framework

This policy should be read alongside:

- **Children Act 1989**
- **Children Act 2004**, including the Information Sharing Duty under section 16LA
- **Children's Wellbeing and Schools Act 2025**
- **UK General Data Protection Regulation (UK GDPR)**
- **Data Protection Act 2018**
- **Human Rights Act 1998**
- **Working Together to Safeguard Children 2026**
- **Information Sharing to Safeguard Children and Young People – DfE statutory guidance 2026**
- Local Safeguarding Children Partnership procedures
- Impact Montessori Nursery Safeguarding and Child Protection Policy
- Impact Montessori Nursery Privacy Notice
- Impact Montessori Nursery Children's Records Policy

The DfE's statutory information-sharing guidance was updated on **10 September 2026** and states that the new duty comes into force on **30 September 2026**. It applies to early years providers and replaces the previous DfE information-sharing guidance. GOV.UK+1

This policy was adopted by: Impact Montessori Nursery

Date: _____17th September 2026_____

Review date: _____

Signed on behalf of the provider: _____

Name: _____

Role: _____