

THE ISLAND DAY NURSERY

Information Sharing Duty Policy

Effective: 30 September 2026

Applies to: All staff, volunteers, students, agency workers, contractors

Legal Basis: Section 16LA Children Act 2004; Children's Wellbeing and Schools Act; EYFS Statutory Framework; Working Together to Safeguard Children; DfE Information Sharing Duty Guidance (10 September 2026)

1. Purpose

The Island Day Nursery is committed to safeguarding and promoting the welfare of every child. This policy ensures compliance with the **Information Sharing Duty** effective from **30 September 2026**, requiring early years providers to share relevant information proactively when it relates to safeguarding or promoting a child's welfare.

This policy provides clear guidance for staff on:

- What information must be shared
- When information must be shared
- How information must be shared lawfully and securely
- How decisions and actions must be recorded

2. Scope

This policy applies to all individuals working for or on behalf of The Island Day Nursery, including:

- Permanent and temporary staff
- Students and volunteers
- Agency workers
- Contractors and external professionals working on site

It covers:

- Safeguarding and child protection
- Welfare concerns
- SEND and inclusion
- Early Help and multi-agency work
- Transitions between rooms, settings, and into school

3. The Information Sharing Duty (Section 16LA)

From 30 September 2026, organisations **must share relevant information** when:

- It relates to safeguarding or promoting the welfare of a child
- Sharing is **necessary, proportionate**, and **in the child's best interests**
- Not sharing could cause detriment to the child

The duty applies even when:

- Consent is not appropriate or cannot be obtained
- Concerns do not meet the threshold of significant harm

- Information relates to adults or siblings where relevant to the child's welfare

4. When Staff Must Share Information

Staff must share information when they believe:

- A child may be at risk of harm or neglect
- A child's welfare may be compromised without timely sharing
- Another agency requires information to support early help, SEND support, or safeguarding
- Information could help identify emerging needs or prevent escalation

Examples include:

- Concerns about parenting capacity
- Domestic abuse indicators
- Attendance or punctuality patterns
- Developmental delays or regression
- Behaviour changes
- Health or medical concerns
- Information relevant to EHCP or Early Help assessments

5. What Information Should Be Shared

Staff must share:

- Factual observations
- Professional assessments
- Relevant historical information
- Information about adults or siblings where relevant
- Any information that supports safeguarding or welfare decisions

Information **must not** be withheld due to:

- Misunderstandings about GDPR
- Over-reliance on consent
- Fear of breaching confidentiality
- Uncertainty about thresholds

6. Legal Frameworks Supporting Sharing

Information sharing under this duty is lawful when aligned with:

- **Data Protection Act 2018 / UK GDPR**
- **Common Law Duty of Confidentiality**
- **Human Rights Act (Article 8)**

Consent is **not required** when sharing information for safeguarding or welfare purposes.

7. How Information Will Be Shared

The Island Day Nursery will:

- Follow local safeguarding partnership protocols
- Use secure systems for storing and transferring information
- Ensure information is accurate, proportionate, and shared with the correct agency

- Record:
 - What was shared
 - Why it was shared
 - Who it was shared with
 - Any follow-up actions

DfE template data-sharing agreements (Tier 1 strategic / Tier 2 operational) will be used where appropriate.

8. Multi-Agency Working

Information may be shared with:

- Local Authority Children's Services
- Health Visitors, GPs, ICBs
- Speech & Language Therapists
- Portage
- Schools receiving children
- Police (where appropriate)
- Other safeguarding partners

9. Information Sharing in Specific Circumstances

Pregnancy

Relevant information may be shared to support unborn babies and parents.

Transitions

The receiving setting or school must receive all relevant safeguarding, SEND, and welfare information.

Adolescence Transitions

Information may be shared when children move into youth or community services.

10. Anti-Discriminatory Practice

Information sharing decisions must be:

- Evidence-based
- Free from bias or assumptions
- Focused solely on the child's welfare

11. Staff Responsibilities

All staff must:

- Understand the Information Sharing Duty
- Report concerns immediately to the DSL
- Share information promptly when required
- Record concerns accurately
- Attend annual safeguarding and information-sharing training

12. DSL Responsibilities

The Designated Safeguarding Lead will:

- Oversee compliance with the duty
- Make decisions on complex information-sharing cases
- Liaise with external agencies
- Maintain secure records
- Ensure staff training is up to date
- Review local protocols annually

13. Policy Review

This policy will be reviewed:

- Annually
- After any safeguarding incident
- Following updates to statutory guidance

Persons responsible for implementing this policy:

- Erica Dunwell/Heather Bishop/Rosalind Moreno/Cara Bonner – Barton
- Erica Dunwell/ Heather Bishop/Jonathan Reed – Sandown
- Erica Dunwell/Becky Kujabi/Sam Hicks – Wootton
- **Review: August 2027**