Torbay Safeguarding Children Partnership;
Information Sharing Protocol 2026

Purpose

Practitioners working in agencies or organisations that have contact with children and families may only have a partial view of what is happening in their lives. Sharing information helps to build up a fuller picture and is therefore an intrinsic part of any practitioner's job when working in this field. You must not assume someone else will pass on information.

Similarly, it is also important to share information with agencies that may be formulating a risk assessment about whether a particular individual poses a risk to children. Decisions about how much information to share, with whom and when, can have a profound impact on individuals' lives. If you have concerns about a child, it is important to act on those concerns.

Working Together to Safeguard Children 2026 stipulates that The Data Protection Act 2018 and UK General Data Protection Regulation (UK GDPR) supports the sharing of relevant information for the purposes of keeping children safe.

Under the new UK Government Information Sharing Duty - Statutory guidance for safeguarding organisations and their practitioners that came into effect on 30th September 2026, responsibility for sharing information in order to keep children safe from harm, and/or promote their welfare is the responsibility of all safeguarding partners and relevant agencies across England. To support and facilitate this, template Data Sharing Agreements have been issued by the Department for Education as part of, and alongside, the statutory guidance on the Information Sharing Duty. Two templates have been issued, operating at different levels:

a) The **Tier 1 Template DSA** Information sharing to safeguard children and young people - GOV.UK operates at the strategic, multi-agency level and covers the overall framework for information sharing for safeguarding and promoting the welfare of children across the partnership.

b) The **Tier 2 Template DSA** Information sharing to safeguard children and young people - GOV.UK CP Inprovides a more detailed agreement that sets out the specific arrangements that may be needed for a particular information sharing initiative (for example, a Multi-Agency Safeguarding Hub, or a specific programme).

Principles

All safeguarding partners must agree to the following principles:

Child-Centred Approach The welfare of the child is paramount. Decisions about information sharing must place the child's safety, wellbeing, and best interests at the centre of decision-making.

Timely Sharing Information must be shared promptly where there are concerns about a child's welfare or safety, particularly where delay could increase risk. Working Together 2026 reinforces the importance of effective data and information sharing between agencies.

Necessity and Proportionality Only information that is relevant, necessary, and proportionate to the purpose should be shared.

Accuracy Practitioners should ensure information is accurate, up to date, factual, and clearly distinguished from opinion.

Transparency Children, young people, and families should normally be informed when information is shared, unless doing so would place a child or another person at increased risk or prejudice a criminal investigation.

Equality and Anti-Discriminatory Practice Information sharing decisions must be free from discrimination and should recognise the impact of racism, inequality, and disproportionality on children and families. Working Together 2026 places greater emphasis on anti-racist and anti-discriminatory practice.

Definitions

Information sharing in a safeguarding/welfare context means the appropriate and secure exchange of personal information, between practitioners and other individuals with a responsibility for children, in order to keep them safe from harm and/or promote their welfare.

Safeguarding and promoting the welfare of children is defined in Working Together to Safeguarding Children 2026 as:

- providing help and support to meet the needs of children as soon as problems emerge.

- protecting children from maltreatment, whether that is within or outside the home, including online.
- preventing impairment of children's mental and physical health or development.
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care.
- promoting the upbringing of children with their birth parents, or otherwise their family network through a kinship care arrangement, whenever possible and where this is in the best interests of the children.
- taking action to enable all children to have the best opportunities in line with the outcomes set out in the Children's Social Care National Framework.

    - Outcome 1: Children, young people and families stay together and get the help they need
    - Outcome 2: Children and young people are safe in and outside their homes
    - Outcome 3: Children and young people are supported by their family network
    - Outcome 4: Children in care and care leavers have stable, loving homes

The Information Commissioner's Office (ICO) recognises in their 10-step guide to sharing information to safeguard children, that there is no single definition of safeguarding but highlights the inclusion of;

- preventing harm;
- promoting the welfare of a child; and
- identifying risk in order to prevent harm

This allows for intervention in immediate situations demanding the safeguarding of children and also sharing information for prevention and early intervention in less immediate or high-risk situations.

When you can share information

You do not need consent to share personal information about a child and/or members of their family if a child is at risk, there is a perceived risk of harm, or the sharing of information will promote the welfare of the child.

You do need a lawful basis to share information under data protection law, but when you intend to share information as part of any action to safeguard a child at possible risk of harm, or promote their welfare, consent may not be an appropriate basis for sharing.

It is good practice to ensure transparency about your decisions and seek to work cooperatively with a child and their carer/s wherever possible. This means you should consider any objection the child or their carer/s may have to proposed information sharing, but you should consider overriding their objections if you believe sharing the information is necessary to protect the child from harm or promote their welfare.

If you are a practitioner, manager, or organisation:

- You must follow your agency's policy and guidance.
- If you choose a different approach, you should be able to explain and justify why.
- Regulators, inspectors, courts, and safeguarding reviews will consider whether you or your organisation followed the statutory guidance.

What if you are unsure if you can share information?

Do not leave a child at risk of harm, or impaired welfare, because you have concerns that you might be criticised for sharing information. Instead, find out who in your agency can provide advice about what information to share and with whom. This may be your manager/supervisor, designated safeguarding lead, data protection/information governance lead (e.g. Data Protection Officer), Caldicott Guardian, or relevant policy or legal team. You should also consult the new statutory Information Sharing Duty guidance issued in September 2026.

Secure Handling of Information

All agencies working under this protocol must:

- Use secure systems for transmitting information.
- Restrict information access to authorised personnel only.
- Maintain appropriate technical and organisational security measures.
- Comply with record retention and destruction requirements.

- Report data breaches in accordance with organisational procedures.

Recording Requirements

Practitioners must record:

- The information shared.
- The purpose of sharing.
- The recipient agency or individual.
- Whether consent was obtained.
- Reasons where information was shared without consent.
- The outcome of the decision and any actions agreed.

Records should be contemporaneous, clear, and defensible.

Escalation

Where professional disagreement exists about the need to share information or safeguarding risk:

- Practitioners should attempt resolution through professional discussion.
- Unresolved disagreement should be escalated through line management.
- TSCP Professional Differences procedures should be followed where appropriate.

Further Support/Guidance

The following information relates to key documents and guidance that provide additional support to you in your role;

Information Sharing Duty - Statutory guidance for safeguarding organisations and their practitioners **.** This new guidance introduced on 30th September 2026 is to be used by all practitioners working with children and families and any other agencies deemed necessary for both safeguarding children and promoting their welfare.

Tri.x multi-agency information sharing guidance. The tri.x online South-West procedures manual contains the agreed multi-agency procedures for agencies working with children and families in Torbay.

Working Together to Safeguard Children (2026) Chapter 1; a shared responsibility page 20, is the section of Working Together that focusses on information sharing.

UK GDPR, Article 6(1)(e) provides a lawful basis for processing information where 'processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller'. This can apply if you are either:

- carrying out a specific task in the public interest which is laid down by law; or
- exercising official authority (for example, a public body's tasks, functions, duties or powers) which is laid down by law.

Review

The TSCP Information Sharing Protocol will be reviewed:

- Annually; or
- Sooner if required by significant legislative or statutory guidance changes; or
- Following relevant safeguarding practice reviews, audits, or other identified learning.

Date of next review 30/10/2027