

Information Sharing

Introduction

One of the key principles embedding best practice in relation to safeguarding is ensuring that information relating to concerns is shared with/or between relevant bodies in order to protect potentially vulnerable children and young people. Organisations will need to consider the sharing of information about children and young people, and about adults working and volunteering for them. As sports organisations have developed their case management systems in response to concerns about children and young people, records have been kept and shared with other agencies as required. With the introduction of more robust recruitment processes including criminal records checks (Criminal Records Bureau (CRB), Disclosure Scotland and AccessNI) it has become the norm for most national governing bodies (NGBs), county sports partnerships (CSPs) and other sports organisations to use self disclosures, seek references, and access vetting checks. This has led to an increasing amount of information being held by sport bodies.

The purpose of this briefing is to clarify the position in relation to what information about an individual can be shared by one sporting body with another.

With regards to case information that warrants referral to, and investigation by, a statutory agency it is appropriate for the sports organisation to give the statutory agency details of any other relevant organisations that may need to be aware of a concern. For example if somebody is coaching at a sports club but is suspended following an allegation, if you are aware that they coach for another sport the statutory agency may feel that it is relevant to contact that sports organisation to make them aware of the allegation.

The Data Protection Act

The Data Protection Act provides a framework to ensure that personal information is handled properly; it is not a barrier to sharing information. It gives individuals the right to know what information is held about them.

For more information on the Data Protection Act visit the [Information Commissioner's Office website](#).

Human Rights Act 1998

The Human Rights Act 1998 gives further legal effect in the UK to the fundamental rights and freedoms contained in the European Convention on Human Rights. These rights not only impact matters of life and death, they also affect the rights you have in your everyday life: what you can say and do, your beliefs, your right to a fair trial and other similar basic entitlements.

For more information on the Human Rights Act 1998 visit the [Direct gov website](#).

Information Sharing: Pocket Guide

The Department for Children, Schools and Families (DCSF) has developed an Information Sharing Pocket Guide which includes seven golden rules for information sharing:



- Data protection is not a barrier to sharing information – *but provides a framework to ensure information is shared appropriately*
- Be open and honest – *with the person from the outset about why, what, how and with whom information will, or could be shared*
- Seek advice – *if you are in any doubt, without disclosing the identity of the person where possible*
- Share with consent where appropriate – *and, where possible, respect the wishes of those who do not consent to share confidential information*
- Consider safety and well-being – *base your information sharing decision on considerations of the safety and well-being of the person and others whom may be affected by their actions*
- Necessary, proportionate, relevant, accurate, timely and secure – *ensure information you share is necessary for the purpose for which you are sharing it, is shared only with those who need to have it, it accurate and is shared securely*
- Keep a record – *of your decision and the reasons for it.*

The guide also includes a flow chart of key questions to ask before sharing information. The full resource is available to order or download at www.teachernet.gov.uk/publications

Sharing information arising from concerns about the welfare or safety of a child or young person or the behaviour of an adult or another young person who may represent a risk to them

In order to ensure that children and young people are effectively safeguarded it is important that concerns are shared with appropriate people and agencies.

When considering with whom information should be shared, refer to your organisation's child protection/safeguarding procedures which should include guidance on this. These will guide you as to the appropriate person/people within your organisation with whom to share these concerns, generally those people with designated responsibility for safeguarding. As this information is highly sensitive, it is important that it is not shared more broadly than this, and guidance is sought from the designated person about who within the organisation needs to know these details.

In addition to the sharing of information within your organisation, concerns may need to be shared with external agencies. Again, it is important to apply your internal procedures to guide you concerning who makes these contacts and who should be informed of this information. It is also useful to employ the principles mentioned above in the DCSF guide to inform these decisions.

Remember, you may only have one part of a jigsaw of concerns – information that you hold may help to inform statutory agencies (Children's Social Care/Police) to enable them to keep that child or young person safe from harm.





Sharing information arising from recruitment processes

In order to ensure the protection of children it is recognised that information relating to the background of someone involved in a position of responsibility with children must be considered when recruiting or appointing.

There are clear guidelines about limitations to the amount of information that can be shared between organisations. **Contents of a CRB, Disclosure Scotland or AccessNI disclosure cannot be shared from one NGB or CSP to another.**

The CPSU would advise that to safeguard children it may be appropriate to contact another organisation and though not sharing a Disclosure Certificate contents, use the following wording to communicate your concerns;

"This person has applied to join our organisation in a role that would involve contact with children. As a result of our selection/recruitment process, which includes formal safeguarding checks, he/she has been deemed unsuitable for this post. I strongly suggest that your organisation undertakes a relevant check immediately"



The Independent Safeguarding Authority (ISA)

The ISA will have protocols and information sharing agreements in place with the police and professional regulatory bodies, enshrined by law. This will be a two-way information sharing regime.

If the ISA is presented with information that would not lead to a bar but relates to criminal behaviour or professional misconduct then it can share this information accordingly with the appropriate bodies.

The ISA will notify employers if a person's ISA registration status changes (where the employer has registered an interest in the person in question and still has an appropriate interest) but will not give the reason why – this will only be obtained through an Enhanced CRB Disclosure.

Visit the [ISA website](#) for further information, including the Vetting and Barring Scheme [Referral Guidance](#).

Sign up now to the CPSU E-Newsletter - We can email you the latest information about child protection in sport, simply complete the [online registration form](#).

(May 2010)

