# SAFEGUARDING POLICY ADDENDUM September 2026

## The Information Sharing Duty

The Children's Wellbeing and Schools Act 2026 has introduced a new Information Sharing Duty, inserted into the Children Act 2004 as section 16LA. Statutory guidance setting out how organisations must comply with this duty has been published by the Department for Education and comes into force on 30 September 2026.

The duty represents a significant shift in approach. Previously, staff were advised that they could share information for safeguarding purposes **where appropriate.** The new duty establishes a clear legal expectation that relevant information must be shared where it may help another organisation to safeguard and promote the welfare of a child. In short, **"you must share".**

This duty sits alongside, and should be read together with, Keeping Children Safe in Education, Working Together to Safeguard Children, the Children's Social Care National Framework and relevant guidance from the Information Commissioner's Office on data sharing for safeguarding purposes.

Staff should apply the following principles when considering whether to share information:

- A child's safety and welfare is the primary consideration in any decision about sharing information.
- Information should be shared where it may be relevant to safeguarding or promoting a child's welfare, even where a formal safeguarding threshold has not been met.
- Sharing at an early stage, to identify emerging needs and prevent harm, is part of the duty and should not be delayed until a concern escalates.
- Information should only be withheld where sharing it would be more detrimental to the child than not sharing it.
- Decisions to share, or not to share, information should be recorded together with the reasons for that decision.
- Sharing should remain relevant, necessary and proportionate to the purpose for which it is shared.

Consent from a child, parent or carer is not automatically required before safeguarding information can be shared. Where sharing is lawful and proportionate, a lack of consent does not, by itself, prevent relevant information being shared. Staff should still consider a family's wishes and, wherever possible and safe to do so, be transparent about what information is being shared and why. Advice should be sought from the Designated Safeguarding Lead where there is uncertainty.

Data protection law, including UK GDPR, continues to apply. It does not, however, act as a barrier to sharing information that is necessary for safeguarding purposes. The school's Data Protection Officer (DPO) should be consulted where staff need clarification on the legal basis for a specific disclosure.

All staff should:

- Report any concern about a child to the Designated Safeguarding Lead (DSL) or a Deputy Designated Safeguarding Lead (DDSL) without delay.
- Understand that sharing early information about emerging needs is part of good safeguarding practice, not a breach of confidentiality.
- Never allow uncertainty about consent or data protection to prevent them from raising a genuine safeguarding concern.
- Record what has been shared, with whom, when and why, in line with the school's record-keeping procedures.
- Direct requests for information from other agencies to the Designated Safeguarding Lead, who will consider the request against this duty and the school's data sharing agreements.