

Information Sharing – Good Practice

Many school policies refer to data sharing between schools and individuals or partner organisations. Data must be shared in compliance with the Data Protection Act 2018 and UK GDPR. Other statutory obligations and official guidance need to be considered when dealing with data sharing.

The DfE's Guidance on Information Sharing for Practitioners 2018 has a summary of these obligations.

Overarching all policies should be a framework for information sharing which is driven by the key principles set out by the Government.

1. Necessary and proportionate

Data should only be shared with any third party, internally or externally, on the basis that it is proportionate to the need and fulfils the objective of the legitimate request. Different levels of risk will require individuals to make decisions on a case-by-case basis. Enough information should be provided to fulfil the policy or obligation.

2. Relevant

Relevant information should be shared with those who need it. This should be limited and principles of data minimisation should be applied. Depending on the individual request, will determine the amount of information that is required.

3. Adequate

Information supplied should be fit for purpose and should be the right quality for the recipient to understand and be able to act upon it, rely upon it or understand it. Too little information is as dangerous as too much.

4. Accurate

Staff should be mindful to provide information that is as accurate as possible. This may require checking on school systems prior to giving information out. Reminders should be sent to parents, carers and staff about updating information over the course of the academic year.

5. Timely

Information may be required on an urgent basis. Taking account of potential risks of not sharing information may lead to greater risks for pupils, or indeed adults. Sharing information needs to be on a timely basis, and on occasion requesters may have to be informed that a response will not be immediate. Realistic timescales should be shared.

6. Secure

Individuals must follow their own organisation's security measures. Processes for sharing personal and sensitive data should be applied in every case. Guidance around delivering information should be on a scale, the more sensitive the information the more care must be taken in sharing it.

7. Recording

Decisions in respect of information sharing should be recorded. Clearly the more sensitive the information being shared the more detail about why it was shared, who was

shared with, how it was shared and the basis for sharing need to be in place. Day-to-day conversations do not need to be shared, emails and other correspondence may provide a suitable record if they have enough detail. Information should not be stored for longer than necessary and should be subject to retention policies and timelines.

When sharing information, it is important to understand the legal basis under UK GDPR. In many instances in schools, there is a legal duty to process information. However, it may also be by consent or part of a contract or as part of a public task. Sharing safeguarding and information that prevents or protects individuals from significant harm or requires immediate medical treatment to save and protect are dealt with under the category of vital interests.

Information requests from the Police, Social Care or Court Service need to be approached in the same way and properly considered about what information can, or could not be shared.

Information should be shared in accordance with policies.

If there is any question about the nature of information to be shared, or reasons for sharing, or not sharing, advice should be taken from the UK GDPR lead in school and the Data Protection Officer.