

Bradford Children and Young People's Strategic Partnership

INFORMATION SHARING TOOLKIT (6)

Sharing Information Without Consent

Remember: Sharing Information Without Consent

The safety and welfare of a child or young person must be the first consideration when making decisions about sharing information.

When the perceived needs of the child do not indicate a risk of significant harm the consent of the child, young person or parent must always be sought prior to seeking or sharing any information which identifies the child.

The decision not to seek consent, or to dispense with refusal of consent should only be taken in the following circumstances:

1. There is a legal obligation to do so e.g. court order

2. For statutory requirements e.g. notifiable diseases

3. There is overriding public interest where you must exercise judgement, which include but are not limited to:

a) When there is actual or potential risk of significant harm e.g.

- when the act of seeking consent would itself place the child or another child / person at risk of “significant harm”
- when the referring agency has made a professional judgement that a child is at risk of significant harm and seeking consent or the refusal of consent is likely to increase the risks to the child, or potentially compromise a child protection investigation
- when professional judgement is that there is a need to share information to build up a picture to determine whether or not a child is at risk of significant harm and making the child or family aware of this process may, in itself, increase those risks
- when a child is deemed to be ‘Fraser competent’ and is refusing consent (contrary to the wishes of their parent) and such refusal places the child at risk of significant harm

b) Where information is shared to prevent and/ or aid detection of a serious crime