

GUIDANCE NOTE

INFORMATION SHARING IN SAFEGUARDING

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1. PURPOSE OF DOCUMENT

It is important to ensure children and adults at risk are safe and this is particularly relevant in the area of safeguarding. As part of the process of keeping people safe it may be necessary for organisations, agencies and individuals to share information. This information may be about the children or adult at risk, but may include information about other people who may be working or volunteering with them.

In addition, organisations are increasingly holding more and more information about people as a result of good recruitment procedures. This can include criminal record checks, references, application forms etc.

BF's Safeguarding Policy clearly identifies the process for raising concerns and the need for information to only be shared with those who have a clear need to know.

This guidance note provides additional information and guidance about the sharing information in line with current legislation.

2. DEFINITION: INFORMATION SHARING

For the purposes of this guidance note, information sharing in a safeguarding context means the appropriate and secure exchange of personal information, between

individuals and organisations with a responsibility for children and adults at risk, in order to keep them safe from harm.

3. GUIDANCE FOR SHARING INFORMATION

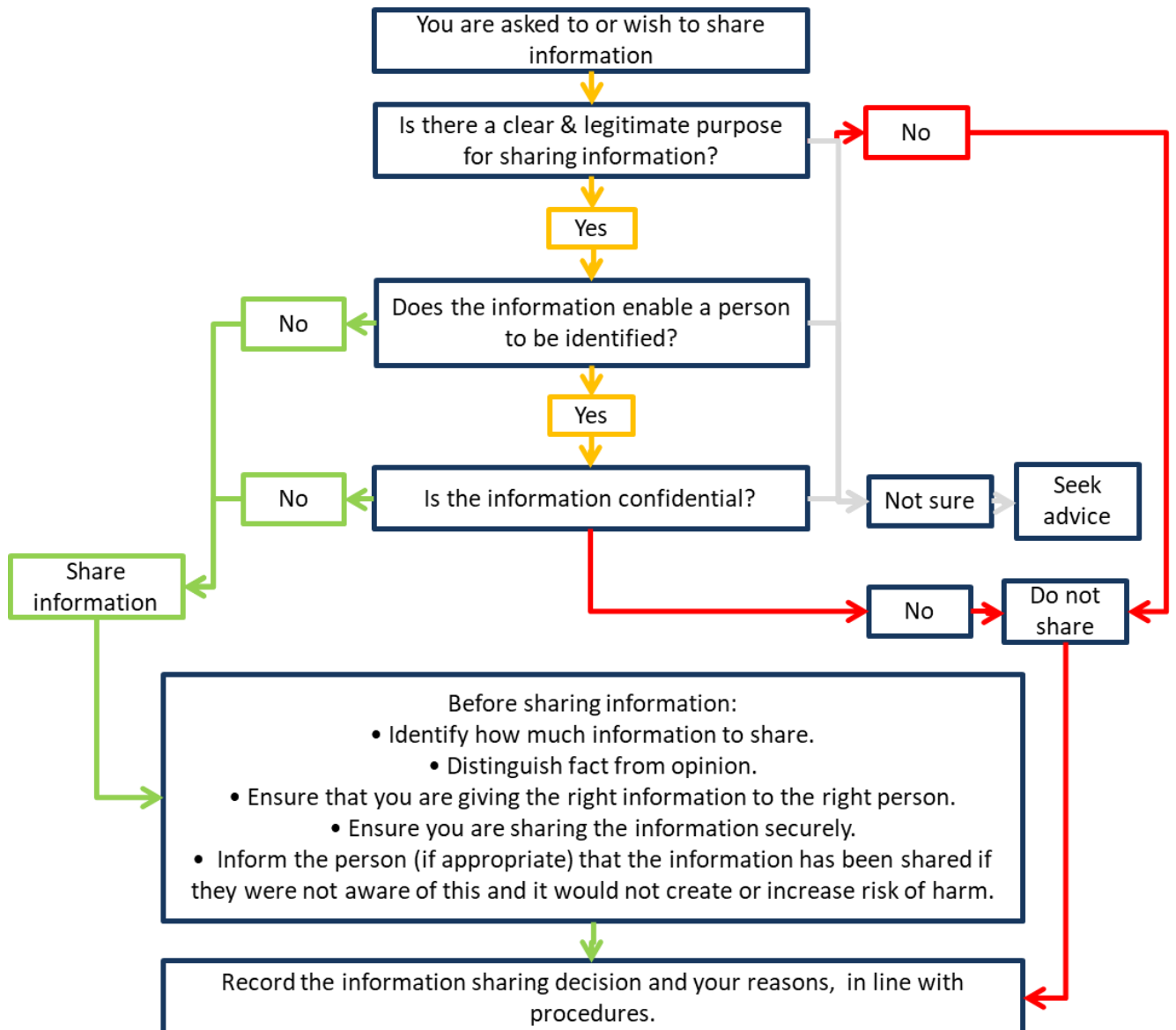
Where information needs to be shared, the following advice should be followed:

- Data protection is not a barrier to sharing information – but provides a framework to ensure information is shared appropriately
- From the outset be open and honest with people (as appropriate) about why, what, how and with whom information will, or could be shared
- Remember that confidentiality is not the same as secrecy
- When in doubt always seek advice from BF about what information can be shared
- Where possible seek consent before sharing information and respect the wishes of those who do not consent to share confidential information, but recognise that this may not always be possible. This is especially important in relation to adults as the rules are different to children
- Base any information sharing decision on considerations of the safety and well-being of the person and others whom may be affected by their actions
- Information should only be shared where it is necessary and with those who need to know and where information can be shared securely. This will include sharing with the statutory services.
- Keep records of decisions taken and the reasons for them

(Based on Department for Education's "Information Sharing Pocket Guide" and Seven Golden Rules for Information Sharing)

4. PROCESS GUIDE

The following process can be used as a guide in order to decide whether information should be shared, but would stress that where there is doubt, advice should be sought from BF.



5. RECRUITMENT CHECKS

At present there is a limit to the information that can be shared between organisations resulting from Disclosure and Barring Service, Disclosure Scotland or Access NI checks. For example, BF are unable to share this information with another National Governing Body or Active Partnership.

Where concerns are raised about an individual that we believe may be of interest to another organisation outside of fencing we will use the following wording to communicate our concerns:

“This person has applied to join our organisation in a role that would involve contact with children or adults at risk. 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”

6. OTHER INFORMATION

The Data Protection Act 2018

The Data Protection Act 2018 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

http://www.ico.gov.uk/for_organisations/data_protection.aspx

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 people have in their everyday life: what they can say and do, their beliefs, their right to a fair trial and other similar basic entitlements.

For more information on the Human Rights Act 1998 visit

<http://www.equalityhumanrights.com/human-rights/what-are-human-rights/the-human-rights-act/>

Disclosure and Barring Service

The Disclosure and Barring Service (DBS) was formed on 1st December 2012 from a merger between the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).

The DBS was established under the Protection of Freedoms Act 2012 and provides a joined up service to combine the criminal records and barring functions in England and Wales.

www.homeoffice.gov.uk/dbs

Disclosure Scotland

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Disclosure Scotland issues certificates known as “Disclosures” which give details of an individual’s criminal convictions, or state that they have none. Enhanced Disclosures, where appropriate, will also contain information held by police forces and other Government bodies. They also manage the Protecting Vulnerable Groups Scheme on behalf of Ministers. <http://www.disclosurescotland.co.uk>

Access NI

Access NI are responsible for supplying criminal history information, upon request, to organisations and individuals in Northern Ireland, primarily to help them make safer recruitment decisions.

<http://www.nidirect.gov.uk/accessni>

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