

## The legal change

The Children's Wellbeing and Schools Act 2026 introduced a statutory duty to share information to safeguard children and promote their welfare. Statutory guidance was published on 10 September 2026. The duty came into force on 30 September 2026.

## THE GUIDING PRINCIPLE

**Working Together to Safeguard Children 2026** states that: 'No single practitioner can have a full picture of a child's needs and circumstances. Effective information sharing between practitioners, local organisations and agencies is essential for the early identification of need, assessment, and the provision of services to keep children safe.' It further states that 'Practitioners should share information proactively and as early as possible to help identify, assess and respond to concerns about a child's safety and welfare. This may be when concerns are first emerging, such as persistent school absence, going missing, or receiving unexplained gifts or possessions, or where a child is already known to children's social care or the police.' Information about adults connected to a child may also need to be shared where it is relevant to the child's safety or welfare. The new **Information Sharing Duty** has been introduced to strengthen and embed this principle, ensuring that relevant information is shared where it may help another organisation safeguard and promote a child's welfare.

## What the Information Sharing Duty means in practice

- No safeguarding threshold has to be met first. The duty to share information is not limited to child protection concerns or significant harm. Information should be shared to identify needs early and prevent escalation.
- You do not need certainty about the level of need, risk or intervention.
- Consent from the child or parent/carer is not required. Best practice is to inform the child and/or their parent/carer if sharing information, unless doing so would increase risk or is impracticable.
- Concern that a parent may be unhappy or complain must not prevent sharing.
- Data protection still applies, but must not be used as a reason not to share relevant information.
- The duty is proactive and reactive: share relevant information and respond to relevant requests for information.

## What information should be shared?

- Only information relevant to safeguarding or promoting welfare, shared proportionately.
- Contextual information about wider circumstances.
- Partial information that may indicate emerging or escalating need.
- Patterns that become relevant over time.
- Relevant historical information.
- Information that a child may pose a risk to themselves or others.
- Relevant information about adults or peers connected to the child. For example, factors that may inhibit parenting capacity, or concerns about peers impacting a child's safety or welfare.

## Who does the duty apply to?

- Local authorities
- Integrated care boards
- NHS trusts
- Police
- Education settings
- Early years settings
- Prison and probation services
- Youth justice services
- Youth custody services
- GPs, dentists and other primary care providers
- Agencies delivering services by arrangement with an organisation listed above

## Who should information be shared with?

- Any agency covered by the duty where information may help it assess need or risk, make decisions, provide support or take action. This is not only about referrals to Children's Social Care.

### For example:

- A health professional may seek information from a school to better understand a child's presentation.
- A school can seek information from a GP where it may help understand welfare concerns, such as whether there is a medical explanation.
- Police can share information with education or health services where it may assist support, planning or assessment.
- A social worker may share relevant information with another local authority where it may assist the assessment of need or risk, support decision-making, or help safeguard and promote a child's welfare, regardless of thresholds.

## When does the duty not apply?

- A rare exception is when sharing information would be more detrimental to the child than not sharing. This is expected to be rare, usually where sharing would place the child at immediate risk of harm, undermine a criminal investigation or breach court restrictions.

## Record the decision

- Record your decision to share, what has been shared (or not shared), and the rationale, including the legal basis, to comply with your agency's governance and statutory obligations.

## What to do now

### Frontline practitioners

Read the statutory guidance and seek advice from your managers if you are still unsure. Join the online LSCP Information Sharing Briefings coming soon.

### Managers

Ensure you have read and understood the full statutory guidance. Cascade this information to your teams and support them to put the duty into practice.

### Leaders

Update your Safeguarding Children Policies. Link with Data Protection Officers / Information Governance Teams to ensure relevant privacy notices are updated and review the use of data sharing agreements. Support staff to understand the duty and feel confident to share relevant information.

## Read the new Information Sharing Duty Statutory Guidance

Information sharing to safeguard children and young people - GOV.UK

<https://www.gov.uk/government/publications/information-sharing-to-safeguard-children-and-young-people>