Information Sharing Duty 2026

Wiltshire Safeguarding Vulnerable People Partnership

The Children's Wellbeing and Schools Act 2026 introduces an Information Sharing Duty, placing a clear legal expectation on multi-agency partners to share information relevant to **safeguarding** and **promoting the welfare of children.**

Be child-centred, share lawfully, share proportionately, share promptly, and record your decision

Where the information sharing duty applies, organisations must share information with another organisation, or the requestor, if it is considered that sharing may help the recipient's relevant functions, including assessment of need, make a decision, provide support or take action to safeguard and promote the welfare of a child, including when a child potentially poses a risk to others.

The information to be shared can relate to the individual child or anyone connected to them – this could be in relation to a peer on an adult.

Apply tests to determine whether and what to share

Test	What does this mean?
Relevence	Does all of the information considered for sharing have a bearing on safeguarding or promoting the child's welfare? If information has been requested, is there sufficient context to determine relevance?
May facilitate	Is the recipient covered by the information sharing duty? Could sharing information reasonably help the recipient to safeguard or promote the welfare of the child, including when the child potentially poses a risk to others, through exercising their relevant functions including assess risk, make a decision, provide support or take action to safeguard and promote the welfare of a child?
Detriment	Could sharing be of greater detriment to the child than not sharing? Are there any mitigating steps that can be taken to reduce risk?

Click here to read the full guidance

Key Principles

Where the information sharing duty applies, proportionate and necessary information should be shared in a timely way.

Consent is not required to share information and should not be requested. However **transparency** is of critical importance. Families should be told about the information that is being shared, where it is being shared and why, unless it is not safe to do so.

Children's best interests are central to decision making and that should carry across to information sharing.

Data protection obligations apply and must be complied with. Legal basis for sharing information is likely to be legal obligation or public interest. Click here for the ICO Data Protection Principles

What should I do?

Recording

Record your decision to share or not and the rationale based on the tests set out in this briefing (relevance, may facilitate, detriment)

Anti-Discriminatory Practice

When assessing potential harm, unmet need or risk, practitioners should consider the information they hold through an anti-racist, anti-discriminatory and culturally aware framework, applying knowledge of faith, beliefs and family cultures that can positively and negatively impact on children, whilst maintaining a core focus on the safety and welfare of the child.

Use of Information

Only use information received under the information sharing duty for the specified purposes i.e. limited to safeguarding and promoting the welfare of children.