



Practitioner Briefing: Information Sharing Duty 2026

Published: September 2026

Applies to: Professionals working with children and families across health, education, social care, police, youth justice, and other safeguarding services.

Key Guidance: [*Information Sharing Duty: Statutory Guidance for Safeguarding Organisations and Their Practitioners*](#) (Department for Education, September 2026).

Introduction

The **Information Sharing Duty** has been established under section 16LA of the Children Act 2004 (s16LA), as amended by the [*Children's Wellbeing and Schools Act 2026*](#) to provide greater clarity about when information should be shared to safeguard and promote the welfare of children. The guidance makes clear that effective safeguarding depends on professionals sharing information that may help another organisation assess risk, understand need, make decisions, provide support, or take protective action. It includes a range of helpful scenarios to help practitioners apply it in practice.

The new duty is intended to address long-standing concerns that opportunities to protect children are sometimes missed because information is not shared, is shared too late, or professionals are uncertain about what can be shared. It applies to all safeguarding partners and relevant agencies.

The Key Message

If sharing information may help safeguard or promote the welfare of a child, it should usually be shared.

The duty applies to information that may help another professional or organisation:

- Assess risk or need
- Make safeguarding decisions
- Provide support to a child or family
- Take action to protect a child
- Understand patterns, context, or emerging concerns
- Safeguard children who may pose a risk to others

Professionals should not assume that information is irrelevant simply because it is:

- Historical
- Incomplete
- A small piece of a larger picture
- Indirectly related to safeguarding concerns

It is not necessary to have a Data Sharing Agreement in place to share information under the information sharing duty, and this should not impede sharing. This includes across boundaries.

What Is Different?

The guidance introduces a stronger expectation that practitioners actively consider whether information they hold could be useful to another agency. The focus shifts from:

✗ "Can I share this information?"

To:

✓ "Could sharing this information help safeguard or promote the welfare of a child?"

Professional Expectations

Frontline practitioners are expected to apply the following tests when deciding whether to share:

Relevance

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?

In all cases practitioners should make clear, defensible decisions, recording their reasons for sharing or not sharing information. Information to be shared, should be done so proactively and promptly.

Organisations are not required to retrospectively apply the duty to decisions on whether to share information that predates commencement but may choose to do so where need is identified, or there are ongoing concerns that have not previously been shared.

When Might Information Sharing Not Be Appropriate?

The guidance identifies only very limited circumstances where the duty would not apply.

Information should not be shared only where a practitioner determines, using professional judgement, that sharing would be **more detrimental to the child than not sharing it**. This is described as an exceptional situation and should be carefully considered. The guidance gives examples of when this may apply e.g. it would place the child at immediate risk of harm, it would interfere with a police investigation, it would contravene court rules/order.

Information must still be shared if concerns solely relate to:

- Not having consent from the child/family to share information.
- A parent being unhappy, on principle, that information was shared, or fear of criticism or complaint
- A practitioner feeling unsure or uncomfortable
- Data protection

Section 16LA explicitly provides that sharing information under this duty does not breach any common law obligation of confidentiality.

Key Takeaways

Remember:

- ✓ Information sharing is a safeguarding responsibility. It is now a legal duty, not a discretionary decision. Keep the child's welfare at the centre of all decisions.
- ✓ Share information that may help another organisation safeguard or promote a child's welfare.
- ✓ Responding to requests for safeguarding information from partner agencies is now part of the duty.
- ✓ Data protection and confidentiality are not barriers to appropriate safeguarding information sharing.
- ✓ Consent is not required where there is a lawful basis to share safeguarding information. Relevant information should be shared to support early help and safeguarding interventions, even if families disagree.
- ✓ The expectation is to share information unless doing so would be more harmful to the child than not sharing, which should be rare.
- ✓ Use professional judgement and record your rationale for sharing, or not sharing.

What Should Practitioners Do Now?

1. Read and familiarise yourself with the new [Information Sharing Duty guidance](#).
2. Adopt a proactive approach to information sharing that supports early help, safeguarding, and child welfare.
3. Discuss the implications within your team and supervision arrangements and consider updates needed to local policies and procedures, including with respect to information you provide to families about information sharing – see pages 25-31 of the guidance for detailed support.