

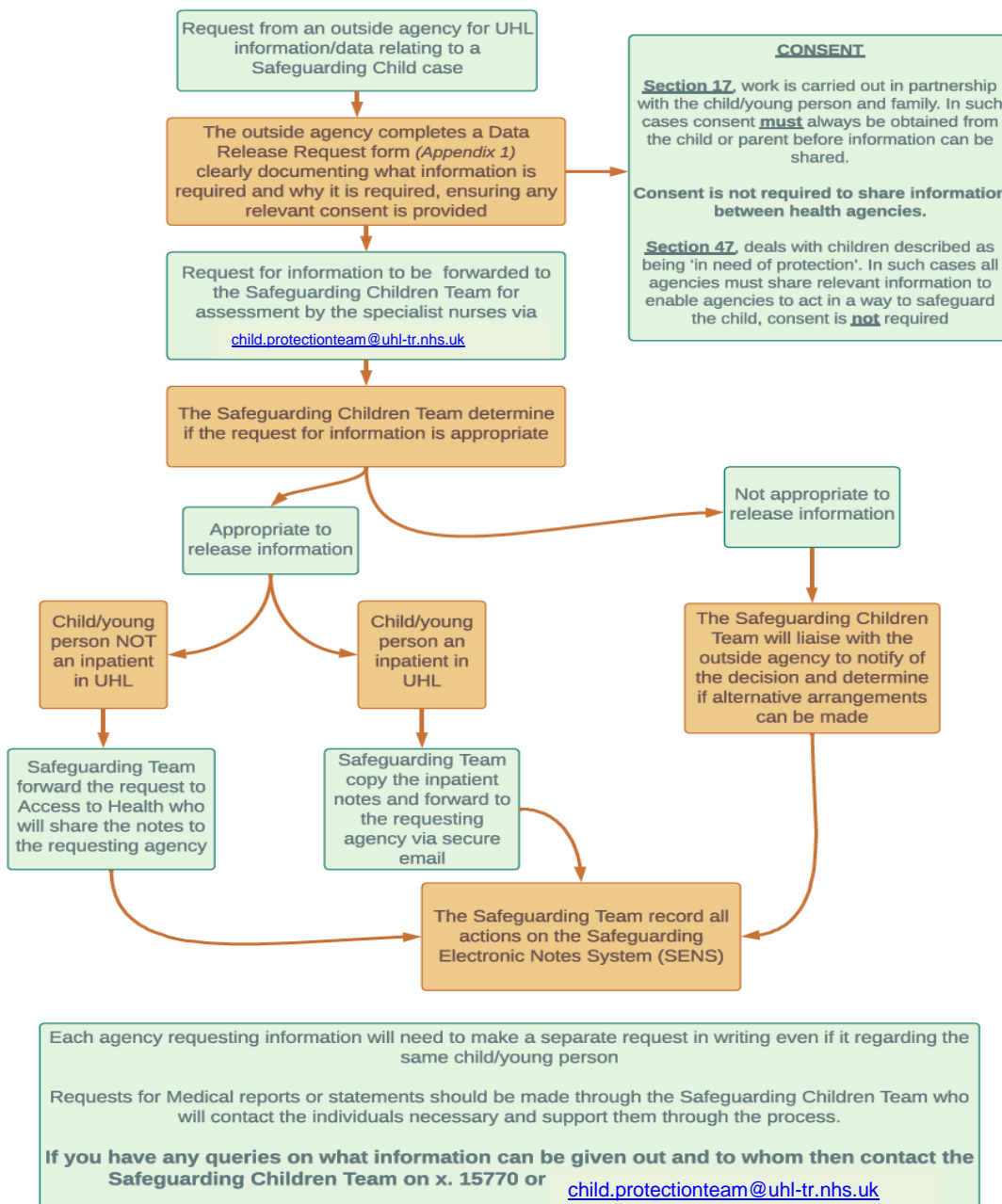
1. Introduction

These guidelines describe the process to be followed when a member of an external agency requests data held by UHL in relation to a safeguarding child case.

2. Scope

This guideline applies to all UHL staff, and will have implications for external agencies requesting information. These agencies will predominantly include Children’s Social Care and the Police.

3.1 Guideline Standards and Procedures



- 3.1.1 All requests from external agencies for data to be released in safeguarding children cases must be completed on a Safeguarding Data Request Form, which can be found in Appendix 1.
- 3.1.2 Safeguarding children enquiries fall into two main sections of the Children Act 1989; Section 17 and Section 47.

3.2 Enquiries under Section 17 of The Children Act, 1989

- 3.2.1 Section 17 of The Children Act, 1989, deals with children described as being 'in need'.
- 3.2.2 Under Section 17, work is carried out in partnership with the child/young person and family. In such cases consent must always be obtained from the child or parent before it can be shared. In such cases therefore UHL will require the consent of the child or appropriate family member to share the data requested.
- 3.2.3 Data should not be shared without the consent of the child or appropriate family member.
- 3.2.4 Child or appropriate family member consenting to a Safeguarding referral being completed and a referral made to Social Care may be considered consent to sharing relevant information.
- 3.2.5 Consent is not required to share information with other health partners.
- 3.2.6 Is the request appropriate or is there an alternative method of providing the information?
- 3.2.7 If in doubt seek advice from the following people:
- The Safeguarding Children Team of UHL (x15770)
 - Manager, Access to Health Records, UHL (x15192)
 - Data Protection Manager, UHL (x16053)
- 3.2.8 Information that is not relevant to the safeguarding issue should not be released

3.3 Enquiries under Section 47 of The Children Act, 1989

- 3.3.1 Section 47 of The Children Act, 1989, deals with children described as being 'in need of protection'. In such cases all agencies must act in the best interests of the child, and in doing so, should share relevant information to enable agencies to act in a way to safeguard the child.

3.4 Guidance for UHL staff and external agencies

A Quick Reference Guide for this guideline has been compiled (Flow chart on page 1) to inform both staff within UHL and those from external agencies in the processes that will be employed for the issuing of data by UHL in cases relating to safeguarding children.

- 3.4.1 If any external agency is making contact for updates on the progress of their request for UHL information then re-direct them to the UHL Safeguarding Children Team on 0116 258 5770 or child.protectionteam@uhl-tr.nhs.uk

3.4.2 Alternatively they can contact the Access to Health Department on 0300 3031563 option 3 or AHRlri@uhl-tr.nhs.uk

3.5 Guidance for UHL Safeguarding Team

In addition, guidance for the UHL Safeguarding Children Team has been compiled, which aims to support their decision making when reviewing a request for data disclosure.

3.5.1 Key questions to ask when reviewing a request for information

- 1) Who/which agency is requesting the information?
- 2) What purpose will the release of notes achieve? For example to aid the Police in an investigation or for Social Care to carry out an assessment under Section 47.
- 3) Is the request appropriate or is there an alternative method of providing the information? For example:
 - o The Safeguarding Children Team providing a summary of health admissions as oppose to releasing the full medical information.
 - o Arranging a Multi-Disciplinary Team meeting to discuss with the involved clinicians to update agencies on the health needs and care plans of the child/young person.

If in doubt seek advice from the:

- Safeguarding Children Team, UHL (x15770)
- Manager, Access to Health Records, UHL (x15192)
- Data Protection Manager, UHL (x16053)

3.6 Information that is not relevant to the safeguarding issue should not be released. For example, if Social Care request confirmation an adult attended the Emergency Department with deliberate self-harm and that adult also attended with a gynaecology issue, the gynaecology issue should not be disclosed. Only the details of the deliberate self-harm should be disclosed.

3.7 Note: In some cases external agencies may request information under **Section 29** of the **Data Protection Act**. Where this is stated the request should be passed to the Access to Health Team and not managed by the Safeguarding Children Team.

4. Education and Training

Training on this guidance is included within the UHL Safeguarding Children mandatory training programme accessed by all staff.

5. Monitoring and Audit Criteria

What will be measured to monitor compliance	How will compliance be monitored	Monitoring Lead	Frequency	Reporting arrangements
Correct use of guideline	Case review	M Kelly	Case by case basis	

6. Supporting Documents and Key References

University Hospitals of Leicester NHS Trust [Safeguarding Children Policy](#)

7. Key Words

Safeguarding statements, Data release request, Access to Health records

This line signifies the end of the document

This table is used to track the development and approval and dissemination of the document and any changes made on revised / reviewed versions

DEVELOPMENT AND APPROVAL RECORD FOR THIS DOCUMENT			
Author / Lead Officer:	Michelle Kelly		Job Title: Matron for Safeguarding Children
Reviewed by:	Safeguarding Assurance Committee		
Approved by:	Safeguarding Assurance Committee Policy and Guideline Committee	Date Approved: 12/06/2023 3 August 2023	
REVIEW RECORD			
Date	Issue Number	Reviewed By	Description Of Changes (If Any)
May 2022		Michelle Kelly	Flowchart updated and added to main guidance
May 2022		Michelle Kelly	Separate guidance for UHL staff/external agencies & UHL Safeguarding Team
May 2022		Michelle Kelly	Updating of telephone extension numbers
DISTRIBUTION RECORD:			
Date	Name	Dept	Received

Appendix 1: Date Release Request Form for Safeguarding Children Case

Caring at its best

Information Required:	
Name of Subject (include any other names they may be known by)	
Address:	
Hospital or NHS Number:	Date of Birth:
Date of attendance at UHL:	Clinical Areas attended:
Date Information Requested from UHL:	Date Information Required By:
Reason for Request	
Children Act (1989): <input type="checkbox"/> Section 17 Enquiry <input type="checkbox"/> S47 enquiry	
Details:.....	
Agency Requesting Information	
Name of Requester & Role: (person completing form)	
Agency:	
Base Address:	
Contact Telephone number	Secure email address:
Data Being Requested: (please tick all those required)	
<input type="checkbox"/> Radiology Films (e.g.: x-rays): Please state:.....	
<input type="checkbox"/> Photographs: Please state date taken:.....	
<input type="checkbox"/> Main Hospital Records <input type="checkbox"/> Orthopaedic Notes <input type="checkbox"/> Fracture Clinic Notes	
<input type="checkbox"/> Emergency Dept. Notes <input type="checkbox"/> Maternity Notes <input type="checkbox"/> Other (please state):.....	
UHL Safeguarding Team Use:	
Date received:.....Reviewed By:.....	
Decision: <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved Reason:.....	
Action: (e.g. inpatient = provision of notes/not an inpatient = passed to access to health records for action):.....	