



## Information Sharing Duty

# MEMO of the week

Sharing information safely, legally and appropriately helps deliver better care.

FROM  
WEDNESDAY  
30 SEPTEMBER  
2026

## New legal duty to share information to safeguard children



From Wednesday 30 September 2026, sharing information to safeguard a child stops being something a GP practice may do and becomes something it **must do**. Section 16LA of the Children Act 2004, added by the Children's Wellbeing and Schools Act 2026, creates a statutory **information sharing duty**, and the Department for Education's statutory guidance for it names GP practices directly.



### What is the Information Sharing Duty?

GP practices must share information where it is in the public interest to do so and where there is a lawful basis.



### A balance of rights

We must balance an individual's right to confidentiality with the wider public interest, considering the potential benefits, risks and the proportionality of sharing.



### Share to improve care and protect people

Information can be shared to protect individuals from harm, support safeguarding, prevent and detect crime, manage risks and ensure people receive the right care and support.



### Have a clear basis to share

Make sure there is a lawful basis (e.g. legal obligation, public task or vital interests) and that sharing is necessary, proportionate and in the patient's best interests.



### You can share without consent

Consent is not always required. You can share information without patient consent where:

- ✓ it is in the public interest
- ✓ there is a lawful basis to do so
- ✓ it is necessary and proportionate
- ✓ sharing supports safeguarding or protects someone from serious harm
- ✓ it helps prevent or detect crime
- ✓ it is required by law or a court order



### Only share relevant information

Share the minimum amount of information needed for the purpose. Make sure it is accurate, up to date and shared in a secure way.



### Consider the risks

Think about the risks of sharing (e.g. potential harm if information is shared) and the risks of not sharing (e.g. missed opportunities to protect a person or prevent harm).



### Keep a record

Document your decision to share, including what was shared, with whom, the reason, the lawful basis and any discussion with the patient (if appropriate).



### Share securely

Use secure systems and follow your organisation's information governance policies when sharing information. Only share with those who need to know.



### When in doubt – seek advice

If you are unsure whether to share information, speak to your line manager, Caldicott Guardian or Information Governance lead.

### Remember...

- ✓ Be clear on the purpose
- ✓ Share only what is needed
- ✓ Consider risks and benefits
- ✓ Keep a record
- ✓ Seek advice if unsure



### Good information governance supports appropriate information sharing.

It's about sharing the right information, in the right way, at the right time – to help keep people safe and support better care.



Share information appropriately.  
**Better care.  
Safer communities.**

*Information sharing saves lives.*

**Do the right thing.**  
For patients, for colleagues,  
for our communities.