



Information Sharing Duty Draft Guidance (June 2026)

Briefing Note for DSLs



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(Consultation open until 14 July 2026)

What This Consultation is About

The Department for Education has published draft statutory guidance on the new Information Sharing Duty, introduced through the Children's Wellbeing and Schools Act. The duty is expected to take effect from September 2026.

The guidance aims to:

- Set out the new legal duty and who it applies to.
- Support practitioners, including schools, to interpret and apply the legislation in practice.
- Promote a cultural shift towards more confident, timely and proportionate information sharing.
- Replace the current DfE Information Sharing Advice (but Working Together 2026 remains in force).

A **data sharing agreement (DSA) template** is included within the consultation materials.

Why This Matters For Schools & DSLs

The new duty strengthens expectations on all safeguarding partners, including schools, to share information **proactively**, not only reactively. It reinforces that **protecting a child from harm takes precedence over protecting privacy**, echoing existing principles in UK GDPR and the Data Protection Act 2018.

For DSLs, this means:

- Greater clarity on when and how to share information.
- Stronger expectations around cross agency collaboration.
- A shift from 'can we share?' to 'what information is necessary to share to safeguard this child?'
- A requirement to ensure school systems, policies and staff practice align with the new statutory duty.

Key Elements Of The Draft Statutory Guidance

Scope of the duty

- Applies to organisations and practitioners involved in safeguarding children, including **schools, colleges, MATs and early years settings**.
- Comes into force **September 2026**.

Cultural shift in information sharing

The guidance emphasises:

- Consistency across sectors.
- Confidence in sharing information early.
- Understanding that data protection legislation **supports**, not restricts, safeguarding information sharing.

Data Sharing Agreements (DSAs)

A model DSA template is provided to support local arrangements.

DSAs should clarify:

- Purpose of sharing
- Lawful basis
- Roles and responsibilities
- Review mechanisms

Alignment with existing statutory frameworks

- Replaces the current DfE *Information Sharing Advice*.
- Works alongside *Working Together to Safeguard Children 2026*.

What DSLs should begin preparing for

Review and update school policies (this will be provided by HHSM as part of our 'Support Package' for those who purchase this service for 2026-2027)

- Safeguarding and child protection policy
- Data protection policy
- Record keeping and information sharing procedures
- Staff code of conduct (particularly around confidentiality and professional curiosity)

Strengthen staff confidence and competence

- Ensure all staff understand:
- The lawful bases for sharing information
- Why consent is **not usually required** in safeguarding contexts
- How to share information proportionately and securely
- How to record decisions and rationales

Review multi agency arrangements

- Check whether existing DSAs with local partners need updating.
- Ensure the school's safeguarding partners (APs, health, early help, social care, police) have aligned expectations.

Implications For Practice In Schools

Earlier and more proactive sharing

- The guidance reinforces that information should be shared **as soon as there is reasonable cause to believe** a child may be at risk of harm, not only when harm is confirmed.

Clearer decision-making frameworks

DSLs will need to ensure staff:

- Understand thresholds
- Know who to consult
- Record decisions clearly
- Provide feedback to agencies that have shared information with the school

Consistency across the workforce

The duty aims to reduce variation between agencies. Schools will be expected to demonstrate:

- Consistent application of the guidance
- Robust oversight by DSLs
- Strong governance and audit trails

Actions for DSLs now

- **Read the draft statutory guidance** and consider implications for your setting and respond with your thoughts on the consultation.
- **Audit current information-sharing practice** (systems, training, DSAs, record keeping).
- **Identify gaps** in staff knowledge or confidence.
- **Plan updates** to policies and training ahead of September 2026 (to be provided by HHSM to those who have purchased the relevant 'package')
- **Engage with the consultation** - schools' views are actively sought.
- **Attend DfE webinars** to understand expectations and ask questions.

Consultation details

- **Opened:** 2 June 2026
- **Closes:** 14 July 2026 at 11:59pm

- **Audience:** safeguarding organisations and practitioners, including schools and DSLs

The statutory guidance consultation can be found at:

<https://www.gov.uk/government/consultations/information-sharing-duty-statutory-guidance>

During the Summer break 2026, all guidance, documents, policies and templates will be updated to reflect the changes. These will be available by the end of August to customers who have bought the relevant 'package' for 2026-2027.