

Glossary

Anonymous information - information from which a person cannot be identified.

Confidential information - should not normally be in the public domain or readily available from another source, it should have a degree of sensitivity and value and be subject to a duty of confidence.

Consent - agreement freely given to an action based on knowledge and understanding of what is involved and the likely consequences. All consent must be informed. The person the information is about should understand why particular information needs to be shared, who will use it and how, and what might happen as a result of sharing or not sharing the information.

Explicit consent - clearly states what the consent is for. This can be given verbally or in writing.

Health professional includes:

- registered medical practitioner
- registered dentist
- registered optician
- registered pharmaceutical chemist
- registered nurse, midwife or health visitor
- registered osteopath
- registered chiropractor
- clinical psychologist, child psychotherapist or speech therapist
- music therapist employed by a health service body
- scientist employed by a health service body as a head of department.

This is not a complete list.

Implied consent - the person has been informed about the information to be shared, the purpose for sharing and that they have the right to object and their agreement to sharing has been signalled by their behaviour rather than verbally or in writing.

Personal data - information about an identified or identifiable living individual and includes any expression of opinion about the individual and any indication of the intentions of the organisation processing their personal data.

Practitioner - the generic term used in this guidance to cover everyone who works with children and young people.

Proportionality - the key factor in deciding whether or not to share confidential information without consent. Is the information you wish to share, or have been asked to share, a balanced response to the need to safeguard a child or another person, or to prevent or detect a serious crime?

Public bodies - any public service, for example a local authority, health service or school.

Public interest - the interests of the community as a whole, a group within the community or individuals.

Public interest test - the process a practitioner uses to decide whether to share confidential information without consent. It requires you to consider the competing public interests – for example, the public interest in protecting children, promoting their welfare or preventing crime and disorder and the public interest in maintaining public confidence in the confidentiality of public services, and to balance the risks of sharing against the risk of not sharing.

Safeguarding and promoting welfare - the process of protecting children from abuse or neglect, preventing impairment of their health and development and ensuring that they grow up in circumstances consistent with the provision of safe and effective care which is undertaken so as to enable children to have optimum life chances and enter adulthood successfully.

Serious crime - in this guide means any crime which causes, or is likely to cause, significant harm to a child or young person or serious harm to an adult.

Serious harm - in this guide can be either physical or mental trauma to an adult.

Significant harm - there are no absolute criteria to rely on when judging what constitutes significant harm. Consideration of the severity of ill-treatment may include the degree and extent of physical harm, the duration and frequency of abuse and neglect, the extent of premeditation, and the presence or degree of threat, coercion, sadism and bizarre or unusual elements.

Each of these elements has been associated with more severe effects on the child, and/or relatively greater difficulty in helping the child overcome the adverse impact of the maltreatment. Sometimes a single traumatic event may constitute significant harm, for example a violent assault, suffocation or poisoning. More often, significant harm is a compilation of significant events, both acute and longstanding,

which interrupt, change or damage the child's physical and psychological development.

Some children live in family and social circumstances where their health and development are neglected. For them, it is the corrosiveness of long-term emotional, physical or sexual abuse that causes impairment to the extent of constituting significant harm. In each case, it is necessary to consider any maltreatment alongside the family's strengths and supports.

Wellbeing - has a legal definition based on the five Every Child Matters outcomes; the achievement of these outcomes is in part dependent upon the effective work to safeguard and promote the **welfare** of children.



Devon Children's Trust is a partnership between social care, education, health, community, voluntary and justice services working together to make a difference for Devon's children and young people. www.devonchildrenstrust.org.uk

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