**FAMILY CAF**

**Consent & Information sharing**

**What is ‘informed consent’?**
To give informed consent a young person and/or parent(s) needs to understand what they’re agreeing to including what the Family CAF process involves, what will happen to their information and that they can withdraw their consent at anytime.

Consent needs to be sought in writing using the consent section on the Family CAF. Practitioners can make sure that consent is given on an informed basis by explaining:
*what information is to be shared? *who it is to be shared with? *what is the purpose of sharing it?

**When can a young person give informed consent?**
Under the FRASER ruling
"...whether or not a child is capable of giving the necessary consent will depend on the child’s maturity and understanding and the nature of the consent required. The child must be capable of making a reasonable assessment of the advantages and disadvantages of the actions proposed, so the consent, if given, can be properly and fairly described as true consent."

**Do I need to seek consent every time I share a new piece of information?**
No. - You’re asking for consent to share generic information in order to provide the best support for a child, young person or adult and to minimise repetition or duplication.
You are not seeking specific consent for every piece of information you need to share. This consent enables your professional judgment; it doesn’t replace it.

**What do I do if somebody withdraws consent?**
If somebody withdraws consent to share information you need to notify other partners immediately and stop information exchange. You should still retain records of any communication that has taken place. Do not destroy any records. We recommend that you ask for the original service user who provided consent to confirm their withdrawal of consent in writing. If this is not possible, note the time and date of the conversation on file and notify the Family CAF team that the Family CAF has been closed.
N.B. Where there is a legal obligation to share or it is in the person’s “best / vital interests” to continue sharing, their consent is not required. (see proceeding without consent below)

**What is partial consent?**
Partial consent is where a young person or adult says that they are willing to share information with some services/agencies but not others for example Police, Social services, the school. If this is the case carefully record the name of the agencies not to share information with on the Family CAF form. Explain to the young person and/or parent(s) that this may limit the support that they receive. Ensure that the Original Referrer is aware of these conditions and that no contact is made with these agencies.

**What do I do if a young person doesn’t want me to share information with their parent(s)?**
If you are acting on the informed consent of the young person they have a legal right to refuse to share information with any parties.

**Who needs to sign the Family CAF?**
The Family CAF should be signed by whoever has given consent and the person who has completed the assessment as a minimum. They are signing to agree the content and any actions that have resulted from the Family CAF.
When can I proceed without consent?
Sharing information without consent may be necessary and appropriate under some circumstances, these include:
- when a child or adult is believed to be at risk of significant harm
- when the public interest in safeguarding the child or adults welfare overrides the need to keep the information confidential
- for the prevention, detection or prosecution of serious crime
- when instructed to do so by a court
- when there is a legal obligation to do so
- it is in their vital interests to do so

How long does consent last for before being revisited?
There is no set time period that consent expires within. Parent(s) and/or young people can withdraw their consent at any time. A Family CAF is designed to be a fixed term support structure; it is not designed to continue for prolonged periods of time. As good practice, consent is reviewed at each multi-agency meeting.

Working with Information and sharing it
Because the Family CAF is a consent driven process we can share information with agencies working with the family.
We must ensure however that we work with and share that information professionally and in ways that do not compromise confidentiality.

| When we collect the information: | • During the assessment make sure you cannot be overheard by others  
• Make sure the paper or electronic documents you record assessment and associated information are kept secure |
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| When we use it | • Use it for the purpose it was collected, namely to inform your actions and subsequent service provision  
• Make sure the paper or electronic documents you record your work and associated information are kept secure |
| When we store it | • Paper records should be kept in lockable cabinets  
• Electronic records should be password protected  
• Records should be kept in accordance with your Record Retention Policy |
| When we share it | • It should only be shared for the purpose it was collected, namely to facilitate the provision of appropriate services.  
• Transmission of information electronically should be conducted within agreed agency processes and policies |
| When we dispose of it | • Your record retention policy will determine how long you keep your records.  
• Should it be determined to dispose of the information then Personal, Sensitive and Confidential information should be destroyed in such a way as it cannot be reconstructed. (shredding, Burning etc) |