

**EXPLANATORY MEMORANDUM TO  
THE INFORMATION SHARING INDEX (ENGLAND) REGULATIONS 2006**

**2006 No.**

1. This explanatory memorandum has been prepared by the Department for Education and Skills and is laid before Parliament by Command of Her Majesty.

2. **Description**

These Regulations provide for “data matching” trials to take place as essential initial work in the development and implementation of an information sharing index, to be established under section 12 of the Children Act 2004.

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

None

4. **Legislative Background**

Section 12(5) of the Children Act 2004 provides for Regulations, subject to Affirmative Resolution by both Houses, in relation to the establishment and operation of a database (information sharing index).

5. **Extent**

This instrument applies to England.

6. **European Convention on Human Rights**

The Minister for Children, Young People and Families, Beverley Hughes, has made the following statement regarding Human Rights:

“In my view the provisions of the Information Sharing Index (England) Regulations 2006 are compatible with the Convention rights”.

7. **Policy background**

7.1 The Secretary of State for Education and Skills on 8 December 2005 announced in a Written Ministerial Statement that the Government has decided to implement an information sharing index.

7.2 The information sharing index is a key element of the Every Child Matters programme to transform children’s services by supporting more effective prevention and early intervention to ensure that children get the additional services they need as early as possible.. Its goal is to improve the five outcomes for

children set out in the document “Every Child Matters: Change for Children” (DfES December 2004): being healthy; staying safe; enjoying and achieving; making a positive contribution and; achieving economic well-being. It also aims to improve the experience of public services for all children, young people and families. Better information sharing is essential for early and effective intervention. The index will provide a tool to support better communication among practitioners across education, health, social care and youth offending. It will allow them to contact one another more easily and quickly, so that they can share information about children who need services or about whose welfare they are concerned. The index will hold basic identifying information on all children in England, together with names and contact details of practitioners providing specialist and targeted services to a child. Practitioners will also be able to indicate that they have information to share, have taken action or have completed a Common Assessment Framework (CAF). A CAF is a nationally standardised approach to conducting an initial assessment of the needs of a child and for deciding on action to meet those needs.

- 7.3 To create a record on the index containing basic information for each child, it is both necessary and most efficient to draw upon a number existing sources for the relevant data items, there being no single data source which currently contains them all. It is therefore necessary to examine a sample of records from some of the main data sources, to enable an assessment of how comprehensively each covers the population of children, which is the most reliable source of accurate and up-to-date information for each data item, and assess how disparities in the ways in which data sources record each item can most efficiently be overcome. This activity will be undertaken through “data matching” trials, and is a necessary initial activity in determining precisely how best to create the record for each child on the index. In addition to data which will comprise a child’s record on the index, the Regulations require the supply of “metadata”, information that describes and gives information about other data such as the date the information was last updated or verified.
- 7.4 The legal framework for the index is to be provided by Regulations to be made under section 12 of the Children Act 2004, and subject to Affirmative Resolution by both Houses under section 66(3) of the Act. Section 12 came into force on 1 January 2006. The Statement mentioned at 7.1 announced that the DfES plans to consult publicly on the draft of much more extensive Regulations in the summer/autumn of 2006, and prior to that an initial set of Regulations (these Regulations) in Spring 2006 will provide the legislative basis for trials to take place for the creation of the initial records for the index. Concerns were raised in debate on section 12 during the passage of the Children Bill about ensuring the accuracy and quality of data for the index.
- 7.5 It is therefore prudent, in establishing the main database, to provide through regulations for the temporary establishment of a database under section 12 to explore and assess issues of data accuracy and quality related to the processes of creating and managing index records. The data to be tested will be supplied by Department of Health, Department for Education and Skills, Department for Work and Pensions and nine local authorities in England. The sample of data will be no greater than is required to assess to what extent the records from various sources match. The data will be securely destroyed after trialling. Because of the limited nature of the data trials and the objective merely to assess the accuracy and quality

match of data, such as an address, supplied from more than source, we have not considered it appropriate to conduct a public consultation. A full consultation will, however be conducted on the more extensive Regulations that will follow.

7.6 The information sharing index has generated a degree of media interest. It is supported by local authorities, which will operate and maintain the index at local level.

## **8. Impact**

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies. A partial Regulatory Impact Assessment will issue when the full regulations issue for consultation.

8.2 The impact on the public sector is that a small number of local authorities will be required to participate in the data matching trials by supplying to the Department for Education and Skills a sample of data held by them on children in their area.

## **9. Contact**

Chris Hirst at the Department for Education and Skills Tel: 020 7273 4921 or e-mail: [chris.hirst@dfes.gsi.gov.uk](mailto:chris.hirst@dfes.gsi.gov.uk) can answer any queries regarding the instrument.