SLOUGH BOROUGH COUNCIL

REPORT TO: Slough Wellbeing Board   **DATE**: 13 May 2015

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WARD(S):   All

PART I
FOR DECISION

OVERARCHING INFORMATION SHARING PROTOCOL

1.   Purpose of Report

To recommend that the Slough Wellbeing Board adopts a multi agency, Overarching Information Sharing Protocol to strengthen its current information sharing arrangements.

2.   Recommendation

That Slough Wellbeing Board members sign the Overarching Information Sharing Protocol at Appendix 'A' and agree to the roll out of three tier information sharing approach over the summer of 2015.

3.   The Slough Joint Wellbeing Strategy, the JSNA and Five Year Plan

The Protocol relates to all aspects of the Slough Joint Wellbeing Strategy's (SJWS) priorities and cross-cutting themes, in so far as they relate to the sharing of personal information, as set out below.

4.   Other Implications

(a) <u>Financial</u> - There are no financial implications arising from this report.

(b) <u>Risk Management</u> - Slough Wellbeing Board, the council and the other agencies could be open to challenge if they failed to comply with their duties regarding the confidentiality of personal information. The Protocol will provide a framework for all parties to comply with their legal responsibilities.

(c) <u>Human Rights Act and Other Legal Implications</u> – Slough Wellbeing Board, the council and the other agencies are required to comply with the Data Protection Act 1998 and other legal restrictions (see section 5 below) regarding the confidentiality of personal information. The Protocol will help to ensure that all parties operate these processes in a way that complies with these duties by requiring these agencies to implement and follow appropriate procedures.

The Protocol has been cleared by the council's legal department for adoption by the Slough Wellbeing Board.

(d) <u>Equalities Impact Assessment</u> (EIA) - The Protocol promotes the provision of a more seamless service for all the groups served by the Slough Wellbeing Board, particularly the most vulnerable, whilst imposing the necessary controls on the protection of personal data. As a result there are no EIA implications arising from this report.

(e) <u>Workforce</u> - There are no workforce implications arising from this report.

5.   Supporting Information

5.1   The requirement to share information about an individual between partner agencies is central to how Health and Wellbeing Boards are expected to operate and subsequently provide co-ordinated and seamless services on behalf of their residents. Health and social care providers are therefore required to establish inter-agency Protocols to ensure that cross boundary processes work safely and are effectively managed.

5.2   The Protocol at appendix A is based on guidance from the Information Commissioner (ICO) and advice from the council's Legal Department, which recommends a three tier approach where information sharing across three levels of complexity is considered appropriate; a high level overarching protocol establishes principles, middle tier agreements agree purposes while third tier agreements define the processes.

6.   Comments of Other Committees

6.1   Only one of two Priority Delivery Groups (PDGs) that currently report into the Wellbeing Board (Safer Slough Partnership) has a middle tier agreement in place to manage its information sharing arrangements (*although these arrangements are currently being refreshed*). None of the other key PDGs or partnerships that report into the Wellbeing Board (i.e. the Children and Young People's Partnership Board (CYPPB), the Climate Change PDG and the Slough Local Safeguarding Children's Board (SLSCB)) currently has this documentation.

6.2   The Policy team are planning a continuing programme of engagement with these bodies to develop the middle and third tier agreements needed over the summer of 2015, thereby avoiding an 'all or nothing' scenario where the Protocol at Appendix A cannot be signed–off by members due to lack of agreement over the detailed procedures.

6.3   Staff will need to be trained on how to use the Protocol and there may be management implications for drawing up of some of these agreements. Support will be offered (by the Policy team) to those who will be completing these agreements with partner organisations. The Policy team will also monitor the implementation of these agreements.

7.   Conclusion

7.1   Signing up to the Protocol will:

- Provide a clear framework for all parties involved in the Slough Wellbeing Board to comply with their legal responsibilities.
- Provide a strong commitment to the sharing of personal information (where legally permitted) across the local health and wellbeing community of Slough.
- Ensure that Wellbeing Board members' organisational requirements are consistent regardless of the source or purpose of the Protocol (or agreement). This will allow for the option of common approaches to training and procedures (where appropriate) across member agencies and on specific projects and help reduce some of the complexity associated with managing compliance across Protocols for organisations involved in multiple information sharing initiatives.
- Give a clear mandate to the Wellbeing Board's PDGs and partnerships that report into it to develop their own 'fast tracked' quality assured information sharing agreements, using the guidance and templates included within the Protocol.
- Ensure that responsibility for developing these information sharing agreements remains the responsibility of the member organisations comprising the PDGs and partnerships, thereby allowing existing procedures and structures to be used within the context of the Protocol (where they meet the requirements of the Protocol) and ensure that any newly developed procedures fit with existing ways of working, were possible.

8. Appendices Attached

'A' Overarching Information Sharing Protocol

9. Background Papers

- 2 February 2015 report to Slough Wellbeing Board concerning the - development of a new Overarching Information Sharing Protocol