

SLOUGH BOROUGH COUNCIL

REPORT TO: Slough Wellbeing Board **DATE:** 15 July 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 a common information sharing approach over the summer/autumn 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) Financial - There are no financial implications arising from this report.

(b) Risk Management - Slough Wellbeing Board, the council and other organisations and agencies could be open to challenge if they fail to comply with their duties regarding the confidentiality of personal information. The proposed Protocol provides a framework for all parties to comply with their legal responsibilities.

(c) Human Rights Act and Other Legal Implications – Slough Wellbeing Board, the council and other organisations and agencies are required to comply with the following legislation concerning the protection and use of personal information:

- The Human Rights Act 1998 (Article 8) (HRA)
- The Data Protection Act 1998 (DPA)
- The Freedom of Information Act 2000 (FOIA)
- The Common Duty of Confidence

The Protocol will ensure that all partner organisations' signatories comply with these duties by requiring them to implement and follow appropriate procedures. The procedures to be followed are based on guidance from the Information Commissioner's Office (ICO), advice from the council's Legal Department and SWB members' information governance leads, and has been cleared for adoption by the Board.

(d) Equalities Impact Assessment (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) Workforce - There are no workforce implications arising from this report.

5. Supporting Information

- 5.1 The requirement to share information about an individual between partner organisations 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. It is, however, essential that organisations comprising Health and Wellbeing Boards share this information in a responsible way and that they comply with all current legislation and codes of practice. In order to achieve this, health and social care providers are therefore recommended to establish high level multi-agency Information Sharing Protocols to ensure that cross boundary processes work safely and are effectively managed.
- 5.2 The proposed Protocol at appendix A has been developed to provide local partner organisations comprising the Slough Wellbeing Board with an agreed framework at high level for the lawful sharing of information.
- 5.3 This Protocol is not intended to provide scenarios that cover all situations nor provide specific guidance for individual sharing requirements. It is, however, intended that it will form the basis for a number of local and specific information sharing agreements (which define the purposes for which, and the procedures that will be used, to share information), that should be written to meet specific organisational needs in relation to a organisation's or partnership's information sharing and data flow needs. As such, the proposed Protocol is not intended to replace existing local organisational policies, but by formalising the role of the Slough Wellbeing Board through this Protocol, it will provide a standardised approach to information sharing, enable the confident sharing of information, whilst respecting an individual's right of privacy and ensure compliance with statutory obligations.

6. Comments of Other Committees

- 6.1 All of the Priority Delivery Groups (PDGs) that currently report into the Slough Wellbeing Board (i.e. the Safer Slough Partnership (SSP), the Children and

Young People's Partnership Board (CYPPB) and the Healthier Communities and Climate Change PDGs), together with a number of other key partnerships whose work closely aligns with that of the Board (such as Slough's Local Safeguarding Children's Board (SLSCB)) are aware of the approach being proposed to strengthen Slough Wellbeing Board's information sharing arrangements.

6.2 They are also aware of the expectation (on the part of the Board) that these committees will adopt this Protocol or develop individual agreements that cover their own specific information sharing requirements (where appropriate), with support from the Policy team, over the summer/autumn of 2015.

7. Conclusion

7.1 Signing up to the proposed Protocol will:

- Provide a clear framework for partner organisations to comply with their legal responsibilities.
- Identify the lawful basis for information sharing.
- Identify partner organisations' responsibilities.
- Guide partner organisations on how to share personal information lawfully.
- Provide clarity on the security and confidentiality laws and principles of information sharing.
- Increase awareness and understanding of the key issues.
- Emphasise the need to develop and agree specific information sharing agreements (where appropriate).
- Support processes and procedures that monitor and review all data flows.
- Protect partner organisations from accusations of wrongful use of sensitive personal data.

8. Appendices Attached

'A' - Slough Wellbeing Board's Overarching Information Sharing Protocol
'B' - Slough Wellbeing Board Guidance on developing information sharing agreements

9. Background Papers

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

13 May 2015 - Report to Slough Wellbeing Board concerning the development of an Overarching Information Sharing Protocol