

SLOUGH BOROUGH COUNCIL

REPORT TO: Slough Wellbeing Board DATE: 28 September 2016

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WARD(S): All

PART I FOR DECISION

REFRESHED OVERARCHING INFORMATION SHARING PROTOCOL

1. Purpose of Report

1.1 To recommend that the Slough Wellbeing Board adopts a refreshed multi-agency Overarching Information Sharing Protocol to strengthen and improve its current information sharing arrangements.

2. Recommendation(s)/Proposed Action

2.1 The Slough Wellbeing Board is requested to:

- a) Adopt the refreshed Overarching Information Sharing Protocol at Appendix A; and
- b) Agree to review these arrangements in 12 month's time, or once the Pan Berkshire Information Sharing Protocol (which is currently under development) has been finalised, which ever occurs first.

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

The refreshed Protocol relates to all aspects of the Wellbeing Board's Joint Wellbeing Strategy and the council's Five Year Plan 2016 - 2020, 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 directly resulting from the recommendation of 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 refreshed Protocol sets out the *principles* for using personal and/or sensitive information lawfully (when there is a clear and legitimate reason to do so).

(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 Law Duty of Confidentiality

The refreshed Protocol will ensure that the Wellbeing Board complies with these duties by requiring them to implement and follow appropriate principles and procedures when dealing with personal information.

(d) Equalities Impact Assessment (EIA) – An EIA is not required for the suggested protocol.

5. Supporting information

5.1 The Board's current Overarching Information Sharing Protocol (with accompanying guidance and Information Sharing Agreement template) was adopted in July 2015. It provided a framework to facilitate the appropriate sharing of information between partner organisations within the Board's structure and appropriate statutory agencies.

5.2 This Protocol has recently been reviewed and updated as necessary to take account of Information Commissioner's Offices (ICO) guidance and best practise, the introduction and implementation of the Care Act, the publication of new safeguarding children's guidance (in 2015) and information provided by NHS South, Central and West Commissioning Support Unit's Senior Information Governance Manager (on behalf of Slough CCG) in 2016.

5.3 Members are asked to adopt the refreshed Protocol at Appendix A. Separate guidance (including a template for information sharing between the partnerships and boards working under the Board) is currently being refreshed.

5.4 A Pan Berkshire Information Sharing Protocol is currently being developed and will most likely become the main vehicle for systematic information sharing from 2017 onwards. This is as a result of the Connected Care project which involves all health providers (including CCGs/GPs), emergency services and local authorities across Berkshire. The Board will need to consider how its arrangements will work in conjunction with the Pan Berkshire approach once it has been finalised. A further report will be brought to the Board on this once details are known.

6. Conclusion

Sharing information and data is vital to ensure residents receive appropriate services, care and treatments; to prevent the harm or neglect of vulnerable people; to deliver our statutory functions; and to deliver services in a more effective and efficient way. The refreshed Protocol sets out the Board's shared ethos and ambitions in this area to ensure that these happen across the broader partnership in a safe, lawful and efficient way.

7. Appendices

'A' - Slough Wellbeing Board's Overarching Information Sharing Protocol

8. Background papers

15 July 2015 – Report to the Slough Wellbeing Board about its Overarching Information Sharing Protocol