

Appendix A

Slough Wellbeing Board's Overarching Information Sharing Protocol 2016

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Slough Wellbeing Board's Overarching Information Sharing Protocol 2016

1. Background

This Protocol is a high level agreement between a number of public sector organisations in Slough. It has been created by the [Slough Wellbeing Board](#) and aims to facilitate more effective data sharing across organisational boundaries in Slough, where this is needed to improve service delivery and resident outcomes and to support safeguarding, when it is appropriate and legal to do so.

It sets out the common principles and standards that need to be observed and which help ensure that any information that is shared is managed consistently and securely. It also commits all those who sign up to it to share information lawfully, ethically and effectively at all levels within their organisation.

This Protocol helps to ensure that each participating organisation understands and complies with their obligations in this area.

It is based on the recommendations in the Information Commissioner's recent [Code of Practice on Information Sharing](#) and also builds on information sharing best practice in other Local Authority areas.

2. Scope

The following organisations are included in this Protocol:

- Slough Borough Council
- Slough Council for Voluntary Service
- Thames Valley Police
- Royal Berkshire Fire and Rescue Service
- Public Health Berkshire
- Slough Healthwatch
- Clinical Commissioning Group Slough

Other organisations will be invited to sign up to this Protocol as and where appropriate.

3. Aims

This Protocol aims to:

- a) Improve outcomes in service delivery and people's health and wellbeing.
- b) Bring about a greater understanding of, and compliance with, public sector data sharing principles and legislation.
- c) Establish efficient and reliable processes to enable information to be shared more quickly and securely, while respect the rights of individuals and the need to protect the security of their information.
- d) Encourage the wide scale use of Information Sharing Agreements that clearly and transparently set out the specific purposes of the data sharing activity to be undertaken and the responsibilities of each participating organisation.

- e) Manage risks more effectively and provide assurance for staff and service users alike.
- f) Protect partner organisations from allegations of the wrongful use of data.
- g) Monitor and review the information that flows between participating organisations.

4. Information covered by this Protocol

This Protocol covers the sharing of personal, sensitive personal and business sensitive data only. It covers all electronic and manual information including audio and visual information.

5. Purposes for which information may be shared

This Protocol applies to the sharing of information between the organisations listed in section 2 above and for the following purposes:

- Improve the well being and life opportunities through educational, health and social care opportunities
- Protect peoples and communities
- Supporting people in need
- Crime reduction
- Violence reduction
- Preventing health inequalities
- Provide seamless provision of children and young people's services
- Enabling service users to access universal and specialist services
- Enabling staff to meet statutory duties across organisations
- Safeguarding children, young people, parents and carers¹
- Safeguarding adults²
- Prevention and detection of crime
- Data integrity and information quality improved
- Investigating complaints
- Managing and planning services
- Commissioning and contracting services
- Developing inter agency strategies
- Performance management and audit
- Research relating to clinical, educational or social care objectives

6. How we will work together

¹ Separate government guidance for children safeguarding practitioners is available at www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice

² Separate government guidance for adult safeguarding practitioners is available at www.scie.org.uk/care-act-2014/safeguarding-adults/sharing-information/

Each of the parties covered by this Protocol share a common interest in improving the health and wellbeing of people living in the borough and in reducing health inequalities.

The next section sets out the information sharing **principles** we will all follow to achieve the best possible outcomes for people in Slough:

Key Principles

- We will adhere to the “Fair Processing” and “Best Practice” standards that are in the Information Commissioner’s Data Sharing Code of Practice and checklists³.
- We will only share information in a manner that is compatible with the requirements of the Data Protection Act 1998, the Human Rights Act 1998 (Article 8), the common duty of confidentiality, the Freedom of Information Act (2001) and any other specific statute⁴, set of principles⁵ or guidance that authorises or restricts disclosure.
- We will encourage the wide scale use of Information Sharing Agreements that set out the specific purposes of the data sharing activity to be undertaken and the responsibilities of each participating organisation.
- We will ensure that where other ‘Protocols’ and /or information sharing agreements already exist, this Protocol (and any associated service level agreement created in support of it) will run concurrently with them. However, when these documents expire we would expect them to be reviewed and where necessary brought into line with this Protocol at the earliest opportunity in order to maintain a consistent approach.
- We will seek the consent of individuals to use their data wherever possible, unless there is a proper legal reason to prevent us for doing so.
- We will ensure that any information that is shared is necessary for the purpose for which it has been requested, that it is shared only with those people who need it, that it is accurate and up-to-date and is shared in a timely fashion.
- We will not keep the information for longer than it is needed.
- We will only share information that is complete (but not excessive), accurate and up-to-date so that it can be easily used for the purposes for which it is required

³ www.ico.gov.uk/for_organisations/data_protection/topic_guides/data_sharing.aspx

⁴ Such as The Children Act (1989), The Children Act (2004), Civil Contingencies Act (2004), Police Act (1996), Crime and Disorder Act (1998), Local Government Act (2000) and The Gender Recognition Act (2004)

⁵ Such as Caldicott Principles - All statutory Health and Social Care organisations /providers must have a Caldicott Guardian who, for the purposes of information sharing, will be the Designated Officer. Other organisations must nominate a Designated Officer.

- We will make it a condition of employment that our employees abide by the rules and policies on the protection and use of personal and/or sensitive personal information.
- We will ensure that any contracts we enter into with external service providers include a condition that they will abide by our respective rules and policies concerning the protection and use of personal and/or sensitive personal information.
- We will request proof of identity, or take steps to validate the authorisation of another, before disclosing any information requested under this Protocol.
- We will ensure that adequate security measures are in place to protect any information that is shared under this Protocol.
- We will ensure that any decisions we take about whether to share information or not and the reasoning behind these are recorded. If we do decide to share information we will record exactly what data is shared, with whom and for what purpose.
- We will use this Protocol in conjunction with local service level agreements and any other formal agreements between partner organisations, as well as existing Information Sharing Agreements where appropriate.
- We will provide training and guidance for staff who have to handle or share information so that they are aware of and comply with their respective responsibilities and obligations to maintain the security and confidentiality of personal information and can undertake their duties confidently, efficiently and lawfully.
- We will investigate all complaints about an information disclosure from service users (or their representatives) in accordance with our respective complaints procedures. All violations of privacy or breaches of confidentiality that are a disciplinary matter could lead to dismissal, and potentially, criminal proceedings.
- We will share good practice and resources in order to help us develop and improve in this area. This could include policies and practices, including those identified by other authorities, public sector organisations or localities.
- We will monitor the effectiveness of this Protocol and any associated documents and update its contents when appropriate.

7. Review arrangements

This Protocol will be reviewed on an annual basis to determine its effectiveness, unless new legislation or national guidance necessitates an earlier review.

Members may also request an extraordinary review of this Protocol at any time should they consider it necessary.