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## Information sharing policy

Government policy places a strong emphasis on the need to share information across organisational and professional boundaries, in order to ensure effective coordination and integration of services. The Caldicott Review 'To share or not to share' specified that "The duty to share information can be as important as the duty to protect patient confidentiality". Health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by the Caldicott principles.

### Aims of the policy:

The aims of this policy are to:

- provide information to deliver better care
- consider the controls needed for information sharing
- ensure the expected standards are met (including that partners to information sharing are aware of the obligations of consent or how to take appropriate account of an individual's objection)

### Sharing personal information:

Sharing information with other organisations Necessary and proportionate,

Personal information may be shared with other organisations for example to: investigate complaints or potential legal claims; and protect adults at risk; assess need, service delivery and treatment. This policy covers two main types of information sharing:

- 'systematic', routine information sharing where the same data sets are shared between the same organisations for an established purpose; and

- exceptional, one-off decisions to share information for any of a range of purposes.

Different approaches apply to these two types of information. Some of the good practice recommendations that are relevant to systematic, routine information sharing are not applicable to exceptional, one-off decisions about sharing. 'Systematic' information sharing. This will generally involve routine sharing of data sets between organisations for an agreed purpose. It could also involve a group of organisations making an arrangement to 'pool' their data for specific purposes. Exceptional or 'one-off' information sharing. Much information sharing takes place in a pre-planned and routine way. As such, this should be governed by established rules and procedures. However, departments/staff may also decide, or be asked, to share information in situations which are not covered by any routine agreement. In some cases this may involve a decision about sharing being made in conditions of real urgency, for example in an emergency situation. All ad-hoc or oneoff sharing decisions must be carefully considered and documented.

- What information needs to be shared? You should not share all the personal data you hold about someone if only certain data items are needed to achieve the objectives. The third Caldicott principle specifies "Use the minimum necessary personal confidential data".
- Who requires access to the shared personal data? You should employ 'need to know' principles, meaning that when sharing both internally between departments and externally with other organisations, individuals should only have access to your data if they need it to do their job, and that only relevant staff should have access to the data. This should also address any necessary restrictions on onward sharing of data with third parties.
- When should it be shared? Again, it is good practice to document this, for example setting out whether the sharing should be an on-going, routine process or whether it should only take place in response to particular events.
- How should it be shared? This involves addressing the security surrounding the transmission or accessing of the data and establishing common rules for its security.
- How can we check the sharing is achieving its objectives? You will need to judge whether it is still appropriate and confirm that the safeguards still match the risks
- How are individuals made aware of the information sharing? Have individuals been provided with the fair processing information as required by the GDPR? How is it ensured that individual's rights are respected and can be exercised e.g. how can they access the information held once shared?
- What risk to the individual and/or the organisation does the data sharing pose? For example, is any individual likely to be damaged by it? Is any individual likely to object? Might it undermine individuals' trust in the organisations that keep records about them?

- Is the information subject to the National Data Opt-out Programme? If a patient has exercised their rights under this programme, care must be taken not to share that data. Further information can be found on the NHS Digital website.

- What is the legal basis for data protection purposes? Organisations must identify the lawful basis (e.g. meeting statutory duties) for processing and, where necessary, a condition for processing special categories data (e.g. managing a health and care service)

- . • If the information is confidential, what is the legal basis that complies with the common law duty of confidence? This can be consent (implied or explicit), overriding public interest or required or permitted by law. It is good practice to document all decisions and reasoning related to the information sharing.

## **Policy:**

In all circumstances of information sharing, staff will ensure that

- When information needs to be shared, sharing complies with the law, guidance, best practice is followed and an information sharing agreement is in place;

- Only the minimum information necessary for the purpose will be shared

; • Individuals' rights will be respected, particularly confidentiality, security and the rights established by the GDPR;

- Confidentiality must be adhered to unless there is a robust public interest or a legal justification in disclosure;

- Reviews of information sharing should be undertaken to ensure the information sharing is meeting the required objectives/purpose and is still fulfilling its obligations.

**Any Sambhana care staff breaching sharing protocols will undergo disciplinary action and possibly legal enforcement if deemed necessary.**

**Signed: B.S.Rana**

**Position: Director**

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