

## Seven golden rules for information sharing:

1

Remember that the UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018 and human rights law are **not barriers** to justified information sharing. They provide a framework to support information sharing and ensure that personal information about living individuals is shared lawfully and appropriately.

2

**Be open and honest** with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.

3

Where possible, **share information with consent**, and where possible, **respect the wishes** of those who do not consent to having their information shared.

Under the GDPR and Data Protection Act 2018 you may share information **without consent** if (in your judgement) there is a lawful basis to do so, such as where safety may be at risk. **You will need to base your judgement on the facts of the case.**

When you are sharing or requesting personal information from someone, **be clear** of the basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared.

4

**Seek advice promptly** from your manager/supervisor or your information governance lead if you are in any doubt about sharing the information concerned or do not understand how the legal framework supports information sharing in a particular case. **Do not leave a child or adult at risk of harm because you have concerns you might be criticised for sharing information.**

5

**Consider safety and well-being:** base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions. Take steps to protect the identities of any individuals (e.g., the child, a carer, a neighbour, or a colleague) who might suffer harm if their details became known to an abuser or one of their associates.

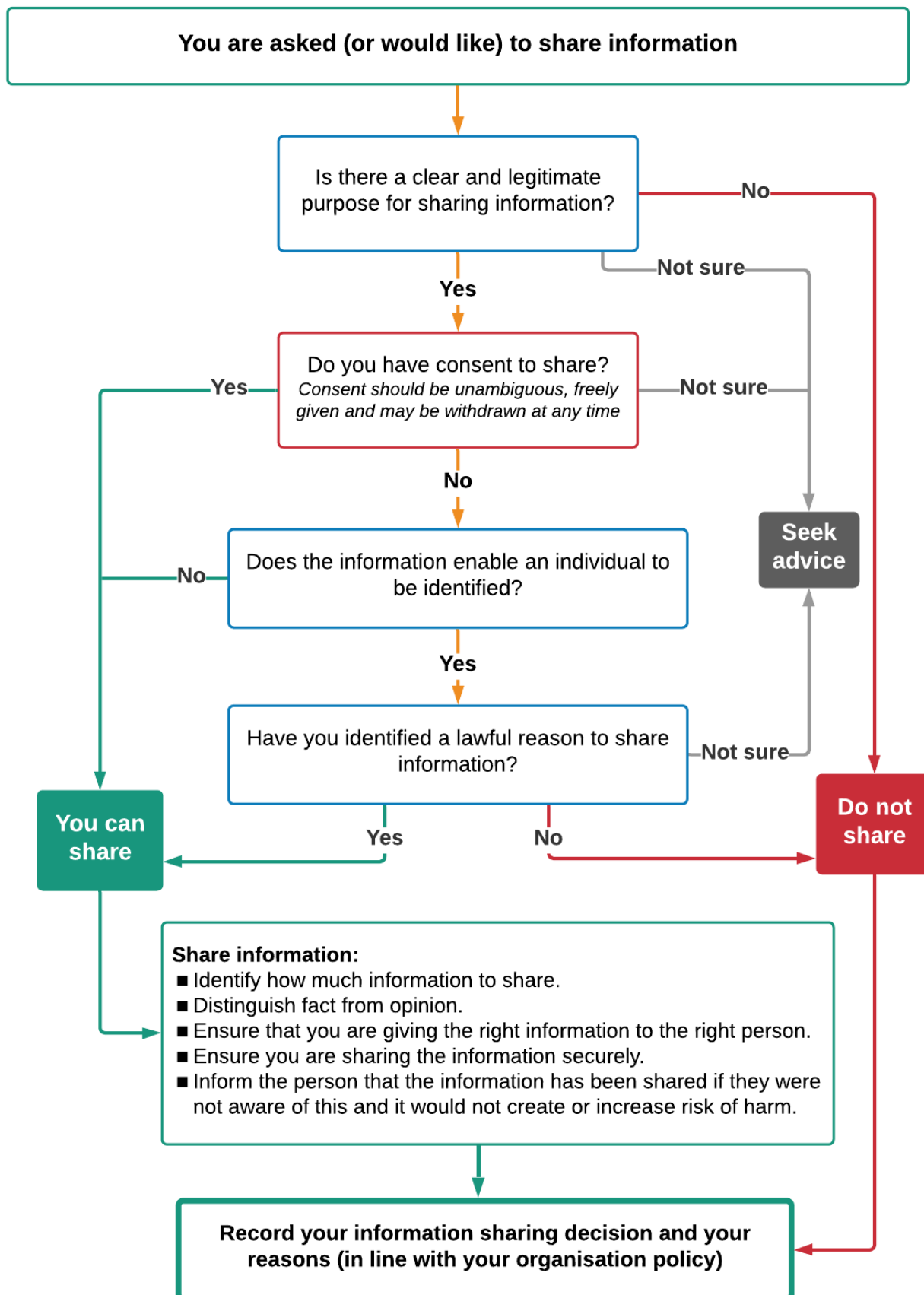
6

**Necessary, proportionate, relevant, adequate, accurate, timely and secure:** Sharing information with a third party rarely requires you to share an entire record or case-file. Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely (see principles).

7

**Keep a record of your decision and the reasons for it** – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose. Be willing to reconsider your decision if the requestor shares new information that might cause you to regard information you hold in a new light. When recording any decision, clearly set out the rationale and be prepared to explain your reasons if you are asked.

# Flowchart of when and how to share information:



If there are concerns that a child is in need, suffering harm or likely to suffer harm or that adult with care and support needs is at risk of or experiencing abuse, follow the relevant procedure **without delay**.

Seek advice if unsure what to do at any stage and ensure that the outcome of the discussion is recorded.