

## APPENDIX 3

### Simple guide to information sharing

#### Information sharing with consent

If you have the person's consent, then it is ok to share personal information about them. Obtaining explicit consent for information sharing is best practice but it is not always possible or appropriate to do so.

#### Information sharing protocols

An Information Sharing Protocol (ISP) is a signed agreement between two or more organisations relating to a specified information sharing activity. An ISP explains the terms under which the organisations have agreed to share information and the practical steps that need to be taken to ensure compliance with those terms. If there is an ISP applicable to your data sharing situation, you must follow that. ISPs are not required for information sharing. The absence of an ISP should not prevent sharing information.

#### The Golden Rules<sup>1</sup> for information sharing

Where you are considering sharing information and you do not have the person's consent and there is not an ISP in place to govern that exchange of information; following the golden rules should ensure that you strike the correct balance between protecting people's privacy and ensuring that fellow practitioners have the information they need to deliver services.

**1. Remember that the Data Protection Act is not a barrier to sharing information** but provides a framework to ensure that personal information about living persons is shared appropriately.

**2. Be open and honest** with the person 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. Seek advice** if you are in any doubt, without disclosing the identity of the person where possible.

**4. Share with consent where appropriate** and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent

---

<sup>1</sup> The Golden Rules have been copied from "Information Sharing: Guidance for practitioners and managers" published by the Department for Children, Schools and Families, and Communities and Local Government.

can be overridden in the public interest. You will need to base your judgement on the facts of the case.

**5. Consider safety and well-being:** Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.

**6. Necessary, proportionate, relevant, accurate, timely and secure:** Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.

**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.