

# Information Sharing and Confidentiality Agreement

Those attending this Multi Disciplinary Team (MDT) case conference support individuals at high risk of vulnerability or demand for services by identifying support options and co-ordinating direct referrals for services. Individuals at high risk of vulnerability will need support of multiple services at the same time. The services involved in the care of these individuals will need to work together and discuss how each service can do this. The idea is that, instead of the lead organisation needing to communicate with these services separately, it makes more sense for all organisations to meet together to help the person meet their goals.

I understand that I may have access to the sensitive information and that such access shall include:

- Reading or viewing information held on computer or displayed by some other electronic means
- Reading or viewing manually held information in written or printed form
- Taking part in discussions and meetings, in person, on the telephone or via video link
- Overhearing any radio, telephone or verbal communication

I will adhere to any relevant legislation in respect of data processing including but not limited to the General Data Protection Regulation, Data Protection Act 2018 and Human Rights Act 1998. I understand that the information I have access to is restricted by law and that by knowingly or recklessly acting outside the scope of this agreement I may incur criminal and/or civil penalties. **More information can be seen at Appendix A (below). Each attendee must sign the attendance sheet, Appendix B (below).**

I undertake that:

- I will not communicate or discuss the contents of this information except to those persons authorised by the Data Controller(s). I will not share or discuss information other than with colleagues involved in the case and for the purpose summarised above.
- I will not retain, extract, copy or in any way use this information for any other purpose. This means that I will make sure that information is adequately protected and is only used for the stated purpose.
- I will only use information from computer or manual systems that I am authorised to use and have been trained to search ensuring that the information shared is accurate and up to date.
- I will comply with the appropriate physical and system security procedures made known to me by any other organisation providing information.
- I agree I have responsibility to protect personal data and to ensure that information is not disclosed to any unauthorised person.
- I will inform the council immediately when there are security incidents where these would impact on the systems, or the connection to the systems, being supported or accessed.

I undertake to seek advice and guidance in the event that I have any doubts or concerns about my responsibilities, or the authorised use of the information defined in this agreement. I have read, understood, and accept the agreement.

Name	
Organisation	
Position	
Email	
Telephone	
Date	
Signature	

## Appendix A – Sharing Arrangements and Lawful Basis.

The sharing of appropriate information between agencies about this cohort is vital to identify risk factors and enable timely support of individuals consenting to join the programme. The need for effective multi-agency working and information sharing to secure improved outcomes is clearly stated in several reviews, policy documentation and statutory guidance. Information sharing is essential to the government’s goal of delivering better, more efficient public services that are coordinated around the needs of the individual. It is essential to enable early intervention and preventative work for safeguarding and promoting welfare and for wider public protection. Examples of legislation are included below:

Legislation	Applicable to
The Care Act, Children’s Act – safeguarding of adults and children.	All organisations
The Crime and Disorder Act 1998 - the Local Authority, Fire and Rescue Authority and the Police and Crime Commissioner have a duty to exercise their functions with due regard to the likely effect on, and the need to do all that it reasonably can to prevent, crime and disorder, anti-social behaviour, other behaviour adversely affecting the local environment, misuse of drugs, alcohol and other substances and re-offending	The Police, Local Authorities, Fire and Rescue Authorities, Clinical Commissioning Groups, Probation Boards, Parish Councils, NHS Trusts, NHS Foundation Trusts, Schools, including Independent Schools, Further Education and Higher Education establishments, Registered Providers of Social Housing (formerly RSLs), Drug and Alcohol Services, voluntary, community, faith or private groups or organisations commissioned by a responsible authority to carry out statutory functions on their behalf.
The Police and Justice Act 2006  The Crime and Disorder (Overview and Scrutiny) Regulations 2009  The Criminal Justice and Court Service Act 2000	Within these acts you may lawfully share information if this can be justified in the public interest. A matter of public interest can arise in a wide range of circumstances. Examples of these are: <ul style="list-style-type: none"> <li>▪ To protect children from significant harm</li> <li>▪ To protect adults from serious harm</li> <li>▪ To protect the welfare of children</li> <li>▪ Prevent crime and disorder</li> </ul>

The sharing arrangements will operate on distinct levels:

- Identification of risk factors
- Sharing of data relating to individuals who have engaged with the relevant services
- Day to day operational sharing

**Information to be shared** - The information to be shared under this agreement will include personal, and sensitive (special category) data items. Only the minimum necessary information will be shared on a ‘need to know’ basis to provide help to the individual in support of the purpose. A non-exhaustive list may include:

Demographics - name, date of birth, address, telephone numbers, gender, ethnicity, disability, nationality, political opinion, religion, sexuality, marital status	Health and emotional wellbeing e.g. medical conditions, drug or alcohol addiction, mental health, access to support services
Identified risk factors	Family structure and relationships
Event details - existing access to services or knowledge held by services e.g. domestic violence incidents	

**The Lawful Basis for Processing under GDPR or Data Protection Act 2018 is:**

- Personal Data - GDPR Article 6 (1) (c) ‘processing is necessary for compliance with a legal obligation to which the controller is subject.’

Groundswell have adapted a version originally created by Turning Point, with thanks



- Personal Data - GDPR Article 6 (1) (e) 'Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller'
- Special category Data - GDPR Article 9 (2) (g) processing is necessary for reasons of substantial public interest
- Special category Data - GDPR Article 9 (2) (h) processing is necessary for reasons of Health or social care.

**Appendix B – Attendance Sheet**

The agencies signing this agreement accept that the procedures laid down in this document provide a secure framework for the sharing of information between their agencies in a manner compliant with their statutory and professional responsibilities.

As such they undertake to:

- Implement and adhere to the procedures and structures set out in this agreement.
- Accept responsibility to ensure that all their staff who are involved are trained and fully aware of the procedures and structures of the Agreement.
- Ensure that where these procedures are complied with, then no restriction will be placed on the sharing of information other than those specified within this agreement.
- Engage in a review of this agreement with the other Parties six months after its implementation and annually thereafter.

**We the undersigned attendees agree that each agency/organisation that we represent will adopt and adhere to this information sharing agreement:**

Organisation/ Service	Post Held	Name	Signature	Date

