

## Information Sharing

### Introduction

Voluntary and community groups working within the crime reduction field are likely to come into contact with individuals with complex needs. It is unlikely that any one organisation can meet such a persons needs, therefore an inter-agency response is often required. For this reason it may become necessary to share information with other agencies on a case by case basis.

Traditionally 'information sharing' has been a complex and difficult issue that agencies face when working in partnership. Voluntary and community groups are often reluctant to share information for fear of jeopardizing the nature of their (confidential) relationship with a client, or worry that they might infringe the Data Protection Act and find themselves open to prosecution. This does not have to be so.

It is possible to share information with other agencies in the best interest of the client so long as this takes place within 'good practice guidelines' which form the 'golden rules'- summarised below. In general any information that is shared should be done so with the informed consent of the client. However there are exceptions to this when failure to share information would place a person at risk of significant harm. It is possible to share information legally without consent - or when consent is withheld - if it is in the public interest to do so i.e. to protect people from harm, promote the welfare of children or prevent crime and disorder. This always has to be weighed against the importance of maintaining public confidence in the confidentiality of a service.

When considering sharing information the following questions should inform your decision-making process, along with adherence to the 'golden rules' outlined overleaf.

1. Is there a clear and legitimate purpose for you or your agency to share the information?
2. Does the information enable a person to be identified?
3. Is the information confidential?
4. If the information is confidential, do you have consent to share?

5. If consent is refused, or there are good reasons not to seek consent to share confidential information, is there a sufficient public interest to share information?
6. If the decision is to share, are you sharing the right information with the right person in the right way?
7. Have you properly recorded your decision?

### **Golden rules for information sharing**

- **Transparency:** Be open and honest with the person (and/or their family) 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.
- **Public interest:** Base your decisions on information sharing on considerations of the safety and welfare of the person and others who may be affected by their actions.
- **With consent where appropriate:** 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 on the facts of the case, lack of consent can be overridden in the public interest.
- **Seek advice if you are in any doubt,** without disclosing the identity of the person where possible.
- **Keep a record:** Record your decision and the reasons for it - whether it is to share information or not.

### **Useful links**

#### **The Data Protection Act 1998**

Information available at [www.ico.gov.uk/eventual.aspx?id=34](http://www.ico.gov.uk/eventual.aspx?id=34)

#### **Department for Education and Skills**

Guidance, case examples, training materials and further information about powers/legislation, available at [www.ecm.gov.uk/informationsharing](http://www.ecm.gov.uk/informationsharing)

#### **DFES: Working Together to Safeguard Children (2006)**

Document available at [www.ecm.gov.uk/safeguarding](http://www.ecm.gov.uk/safeguarding)

**Children Act 2004 guidance:** available at

[www.ecm.gov.uk/strategy/guidance](http://www.ecm.gov.uk/strategy/guidance)

Community Safety Advisory Service (CSAS)  
London Action Trust, 88 Clapham Road, London, SW9 0JR  
For further information on training and development contact:  
CSAS T: 020 7793 3730 E: [csas@lat.org.uk](mailto:csas@lat.org.uk)  
[www.csas.org.uk](http://www.csas.org.uk)

**The Cabinet Office**

**Reaching Out: Think Family. Analysis and themes from the Families at Risk Review.** (Cabinet Office, 2007)

Document available from

[http://www.cabinetoffice.gov.uk/social\\_exclusion\\_task\\_force/families\\_at\\_risk/-/media/assets/www.cabinetoffice.gov.uk/social\\_exclusion\\_task\\_force/think\\_families/think\\_families%20pdf.ashx](http://www.cabinetoffice.gov.uk/social_exclusion_task_force/families_at_risk/-/media/assets/www.cabinetoffice.gov.uk/social_exclusion_task_force/think_families/think_families%20pdf.ashx)

**Department for Constitutional Affairs**

**Privacy and data-sharing: the way forward**

Information available at [www.dca.gov.uk/foi/sharing/](http://www.dca.gov.uk/foi/sharing/)

**Department of Health**

**Confidentiality: NHS Code of Practice (DH, 2003)**

Document available at

[www.dh.gov.uk/assetRoot/04/06/92/54/04069254.pdf](http://www.dh.gov.uk/assetRoot/04/06/92/54/04069254.pdf)

**General Medical Council**

**Confidentiality: protecting and providing information**

Information available at

[www.gmcuk.org/guidance/library/confidentiality.asp](http://www.gmcuk.org/guidance/library/confidentiality.asp)

**Multi Agency Public Protection Arrangements**

<http://www.probation.homeoffice.gov.uk/output/page30.asp>

**Adoption and Children Act Regulations 2003**

Information available at [www.dfes.gov.uk/adoption/lawandguidance](http://www.dfes.gov.uk/adoption/lawandguidance)

**Youth Justice Board and the Association of Chief Police Officers**

**Sharing Personal and Sensitive Personal Information on Children and Young People at Risk of Offending: A Practical Guide** (Youth Justice Board, 2005)

Document available at:

[www.youthjusticeboard.gov.uk/Publications/Scripts/prodView.asp?idproduct=211&eP=PP](http://www.youthjusticeboard.gov.uk/Publications/Scripts/prodView.asp?idproduct=211&eP=PP)

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