

What are the myths?

“I can’t share information because of data protection”

This is not correct, Data Protection and GDPR do not prohibit the collection and sharing of information. In fact, they offer the opposite – they provide a framework to ensure that personal information is shared appropriately

“I can’t share information if I don’t have consent”

You don’t always need consent to share information. It is always good practice to gain consent and to be honest and open about the sharing of information. However, there may be occasions where an individual cannot give consent, or it is not reasonable to get consent or where seeking consent would put a child or vulnerable adult’s safety at risk.

“Human rights prevent the sharing of information”

This is not correct – Practitioners need to balance common law duty of confidence and the Human Rights Act to justify the effect on individuals when deciding **not** sharing information.

“We will get an order made on us by the Information Commissioner”

Orders made by the information commissioner are few and far between and are only issued where a clear breach of confidentiality has been committed. Most of the recent Orders made have been due to information not having been stored safely – not in connection with sharing of information between agencies.

Personal information collected by one agency cannot be disclosed to another.

No – this is not the case, unless the information is to be used for a purpose incompatible with the purpose for which it was originally collected. In the case of [children in need](#), or children at risk of [significant harm](#), it is difficult to foresee circumstances where information law would be a barrier to sharing personal information with other practitioners.

IT Systems are often a barrier to effective information sharing.

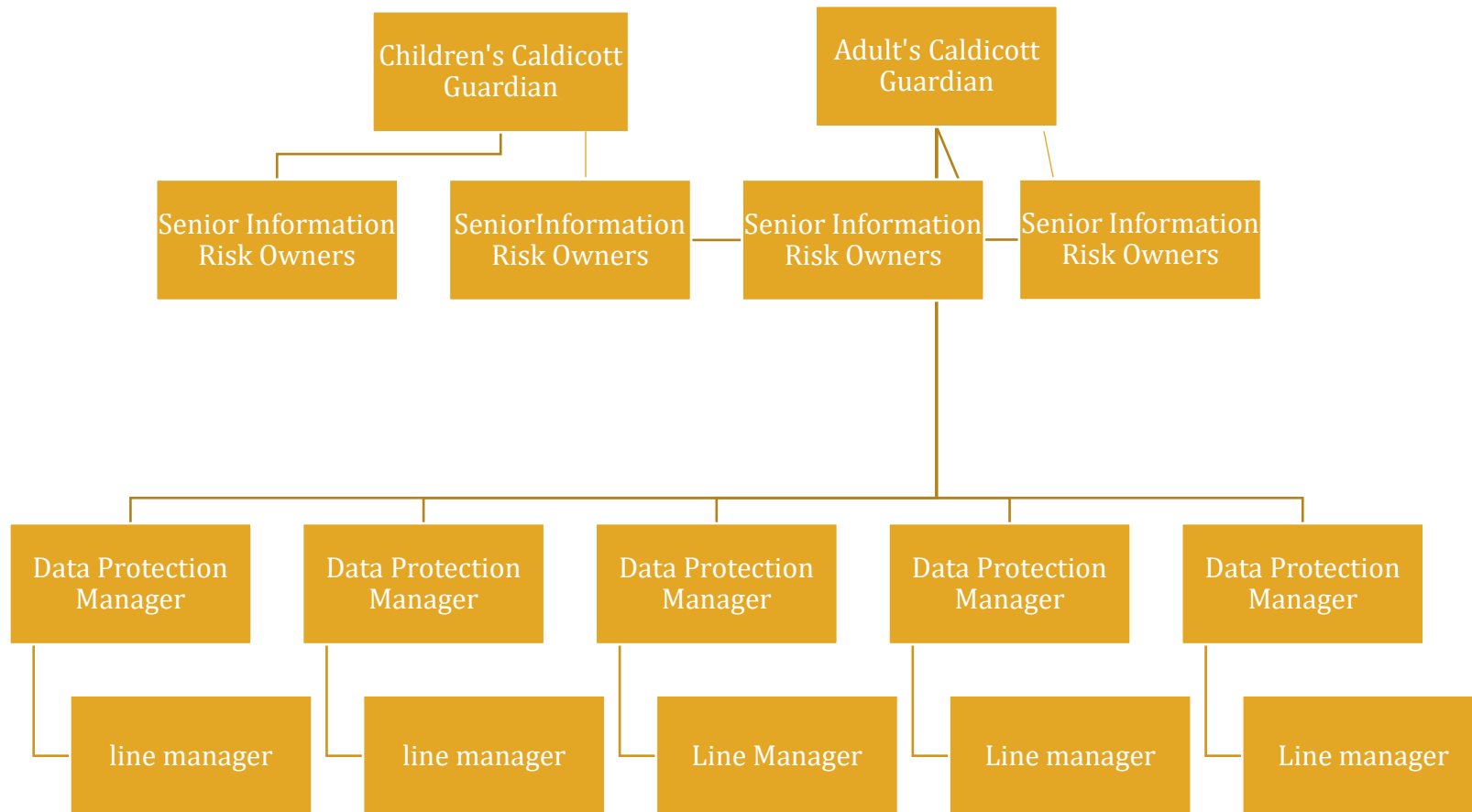
No – IT systems, such as the Child Protection Information Sharing project (CP-IS), can be useful for information sharing. IT systems are most valuable when practitioners use the shared data to make more informed decisions about how to support and safeguard a child.

The myths of information sharing.....



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Where to go for help if you are unclear about what information should and should not be shared.



The Caldicott Guardian has the ultimate responsibility to advise health and social care agencies about information sharing. If you are unable to find advice you should contact the Children's or Adult Caldicott Guardian.

The 7 Golden Rules of Information Sharing.

1. Remember that the General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared 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. Seek advice from other practitioners, or your information governance lead, if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. 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.
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.
6. Necessary, proportionate, relevant, adequate, 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 individuals 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.