

+ Parkside



Melton  
Borough  
Council



+ Working Together -  
Sharing Information



Leicester Partnership **NHS**



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## 1. Who are these Guidelines aimed at?

Sharing information is essential to enable early intervention to help our service users achieve a better life for them and their families. By sharing information we can keep our people safe, improve outcomes and ensure they get the right services at the right time.

It is important to remember that information sharing is not only about responding to requests but also being proactive and sharing information with other partners as it becomes available.

These guidelines have been adopted by Melton Borough Council and its partners to promote good information sharing practice. A list of our partners can be found on the Parkside website at [www.??](http://www.??)

Melton Borough Council works in partnership with public and voluntary sector organisations to meet the needs of our service users. It is expected that all organisations working with Melton Borough Council will adhere to the law and these guidelines when sharing information about our service users.

These guidelines are for Melton Borough Council, their partners and all staff who make decisions about sharing information. These guidelines also apply to organisations commissioned by Melton Borough Council or their partners.

## 2. Information Sharing Checklist

If you are in receipt of a request to share information or you have made a request yourself, consider the following:

- Is sharing this information in the best interest of the individual?
- Will sharing this information improve the outcome for the individual and their family?
- Is the information to be shared necessary, balanced, relevant, accurate and timely?
- Does consent to share already exist and is it still valid?
- Do I need to get consent from the individual concerned?
- If I have received consent, have I recorded this properly?
- Does the individual understand why their information maybe shared, and the implications if shared or if not shared?
- Can I lawfully share the information requested?
- Have I shared the information securely?

If you are in any doubt seek advice from your organisation's advisor.

### 3. Contact details for Advisors

All organisations and agencies has named senior officers or professionals to enable staff to seek advice wherever they have any doubt about whether the information should be shared, stored, disclosed or collected.

Contact details for the advisors can be found on the Parkside website at [www.???](http://www.???)

#### 4. Checking and Obtaining Consent

If you are relying on consent as your primary power to share personal information, then you must make sure that the person giving consent is fully informed. This means the person must understand why their information may be shared, who will see their information and any implications that may result from sharing or indeed not sharing the information.

The individual must be informed of how they can access their information, the complaints procedure and how long their information will be retained and the length of time their consent is valid for.

Before requesting consent, check that consent has not already been given. Staff should check the individual's case file, notes or records (paper and electronic) for any documents recording consent and related information.

Your approach to obtaining consent must be transparent and should respect the individual. Consent must be freely given and must not be obtained through coercion or inferred from lack of response to a request for consent.

Each organisation or agency may have their own guidelines to seeking and recording consent, check with your manager or on your own intranet if you are unsure.

An example of a completed Consent Form can be found at the Parkside Intranet at [www.????](http://www.????).

If you are in any doubt seek advice from your organisation's advisor.

## 5. Recording Consent

Explicit consent means in practice, signed consent, with no ambiguity and a full statement of the purposes for which consent is given.

The Melton Borough Council consent form can be found on the Parkside Intranet at [www.????](#) An equivalent consent form may already be used by your organisation. All consent forms should be signed and dated by the individual concerned and as well as the staff member. A copy should be made and given to the individual.

Where consent is verbally given, for example, where an individual is unable to read, notes on the conversation around verbal consent must be carefully documented.

Details of obtaining the individual's consent should be entered on their records, for example, case files, patient notes, pupil records etc.

If an individual limits the disclosure of information in any way, or refuses or withdraws their consent, this should also be flagged on their records in such a manner that any member of staff subsequently involved with that person, is alerted to the limitation of consent and restricts access accordingly.

An example of a Recorded Consent can be found on the Parkside Intranet at [www.????](#).

## 6. Sharing without Consent

If a child, adult or someone with parental responsibility for them objects to their information being shared this should, where appropriate be upheld. However, it is recognised that there may be times when an agency or organisation should override a refusal of consent or not seek consent in the first place, in cases where the sharing is necessary to protect a child or adult or assist in the prevention or detection of a crime.

In such cases there are other laws that allow partners to share the information without consent.

The decision to share without consent can only be given following due consideration of the circumstances of each individual case.

In addition to the need to comply with the Data Protection Act 1998 there is a need to ensure that decisions to share without consent are consistent with either Article 8 of the Human Rights Act or the Common Law Duty of Confidentiality. Details of the relevant Acts and Sections can be found on the Parkside Intranet website at [www.???](http://www.???)

Examples of where information was Shared Without Consent can be found on the Parkside Intranet at [www.???](http://www.???).

If you are in any doubt seek advice from your organisation's advisor.



## 7. Links and Websites

There are many laws that enable and govern information sharing. This guidance has taken into account the most relevant Acts which give either a duty to share or a power to share. Links to the relevant Acts and Sections can be found on the Parkside website at [www.???](http://www.???.)