

## 1 Background

Safeguarding Adult Reviews frequently highlight failures in multiagency working due to ineffective information sharing. Failures can lead to serious abuse and harm and in some cases, even death. Information sharing between organisations in safeguarding practice is covered in the common law duty of confidentiality, the Data Protection Act, the Human Rights Act and the Crime and Disorder Act. The Mental Capacity Act is also important as those with contact with adults with care and support needs must be able to assess whether someone has the mental capacity to make a decision, concerning risk, safety and information sharing.



## 2 Why it matters

The statutory guidance emphasises the need to share information about safeguarding concerns at an early stage. Adults have a right to confidentiality, however, that right is not absolute. Sharing the right information, at the right time, with the right people, is fundamental to good safeguarding practice. If a person refuses intervention or information sharing, their wishes should be respected. However, there are some instances where these wishes can be overridden (e.g. public interest, crime prevention, life-threatening situations, duress, lack of capacity, court orders)



## 3 Information

Organisations need to share safeguarding information to:

- Help people get the right support to reduce risk and promote wellbeing
- Prevent death or serious harm that may increase the need for care and support
- Coordinate safeguarding responses to improve best practice
- Enable early interventions to prevent the escalation of risk
- Reveal patterns of abuse that were previously undetected and that could identify others at risk of abuse
- Identify low-level concerns that may reveal people at risk of



## 4 What to do

HM Government has issued guidance on what it refers to as 'the seven golden rules for information sharing' which are to:

1. Remember that the Data Protection Act is not a barrier to sharing information
2. Be open and honest with the person or family from the outset about why, what how and with whom information will or could be shared
3. Seek advice if in doubt
4. Share with consent where appropriate and, where possible, respect the wishes of those who do not consent. You can still override as above
5. Consider safety and wellbeing,
6. Ensure that the information you share is necessary, proportionate, relevant, accurate, timely and shared securely, and shared on a 'need to know basis'
7. Keep a record of your decisions



## 5 Questions

- Do you know when to share information? And the potential risks of not sharing it?
- Do you know when and how to raise a safeguarding alert?
- Do you routinely record decisions about information sharing with the reasons for the decision?

## 7 Further information

Other key documents and legislation include the [Human Rights Act 2008](#), the [Data Protection Act 2018](#) (the UK's Implementation of the General Data Protection Regulation GDPR), and the [Caldicott Principles](#).

The most important consideration is whether sharing information is likely to safeguard and protect an adult at risk.

For more information visit <https://www.northlincsab.co.uk/>



## 6 Sharing information with carers, family, or friends

It is good practice, unless there are clear reasons for not doing so, to work with the carers, family, and friends of an individual to help them to get the care and support they need.

Sharing information with these people should always be with the consent of the individual. If the person lacks the mental capacity to make a decision about sharing information with key people, then the Mental Capacity Act should be followed to ensure each decision to share information is in the person's best interests.

Decisions and reasoning should always be recorded.

