Framework and Agreement for Sharing Personal Information in Oxfordshire

# Framework

The seventh Caldicott Principle avers that:

The duty to share information can be as important as the duty to protect patient confidentiality

Professionals should have the confidence to share information in the best interests of their patients and clients. They should be supported by the policies of their employers, regulators and professional bodies.

Organisations which share information must be confident that the organisations who receive the information will undertake to protect it and use it responsibly and lawfully. A local framework has been developed for Oxfordshire in order to facilitate the sharing of information between signatory organisations.

This framework requires that:

1. Organisations sign an overarching **Information Sharing Agreement** which commits them to processing information lawfully: accepting the principles of information sharing and agreeing organisational responsibilities. That agreement is part of this document.
2. Organisations will agree specific **Information Sharing Protocols** in order to share defined data sets with other organisations. Those protocols will be produced by the organisation requesting the data, and will specify the data required, how and why it will be used, and by whom.

The relevant legislation, guidance and common law is described and explained in the accompanying Oxfordshire Information Sharing Guidance.

This agreement replaces, but does not negate, the Oxfordshire Overarching Information Sharing Agreements (2009 and 2012)

## Principles of Information Sharing

Information relating to individuals may be shared between staff of signatory organisations subject to the following conditions:

* Each organisation understands its responsibilities with regards to sensitive personal information, as defined in the Data Protection Act (1998) and by the Caldicott Guidelines
* Each organisation has in place internal policies for information protection and confidentiality, and for the training of staff, which will be made available to and agreed with partner organisations.
* A specific protocol governing each logically-distinct set of information flow has been defined and agreed between the organisations involved, as illustrated in the accompanying example

## Organisational responsibilities

Each organisation will:

* Accept this framework for the safe and secure sharing of personal information with other organisations and subscribe to the principles outlined in a manner that complies with statutory and professional responsibilities.
* Establish appropriate internal systems, raise awareness, inform service users, issue specific guidance, and provide training to staff to ensure compliance with the required standards, eg: the IG tool kit
* Ensure all staff are aware of the need for information security and confidentiality to comply with NHS and government policy and standards, and are adequately trained
* Agree specific Information Sharing Protocols with other signatory organisations to govern specific information flows

## Complaints and subject access requests

A complaint from a data subject or their representative about information transferred between organisations will be investigated first by the organisation receiving the complaint. If the complaint requires policy to be reviewed no action will be taken without the consent of all parties

## Breaches

Information breaches will be the responsibility of the organisation in which the breach occurred. The data controller must be informed.

# Agreement

To be signed by the Chief Executive Officer or Senior Information Risk Officer, on the recommendation of the Caldicott Guardian, where applicable

I accept the requirements of the Information Sharing Framework, and confirm that my organisation will process information lawfully.

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| --- | --- |
| Signature: | Date: |
|  |  |
| Organisation: |  |

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| **Associated documents** |  |
| * Information sharing guidance | * List of signatories |
| * Information sharing protocol template | * Information sharing protocol example |