

Healthwatch Cambridgeshire Information Governance Policy

This policy applies to all staff, volunteers and board members of Healthwatch Cambridgeshire (HWC).

Purpose of this Policy

The aim of this document is to provide an overview of Healthwatch Cambridgeshire's (HWC) information governance and to ensure that information is shared between partner organisations in a legally compliant manner and appropriate format. The sharing of information especially in respect of personal and / or sensitive information relating to a partner organisation or member of the public must only take place within the legislative, statutory and common law context that affects the agencies party to any agreement.

Legislation, Guidance & Principles

This policy identifies the common principles and procedures to be adopted in the adoption or development of information sharing protocols. The key legislation and guidance currently relevant to the sharing and disclosure of information includes:

Data Protection Act 1998 (DPA)

The DPA sets out eight principles of data protection which limit the reasons for which personal data may be obtained and specify how it can be used. Refer to HWC's Data Protection for further detail.

The Caldicott Principles

HWC will apply the Six Caldicott Principles as detailed in the Caldicott Report 1997 to its information governance. Caldicott is the name given to a set of six principles, which resulted from a Government investigation, by Dame Fiona Caldicott into confidentiality and security of personal information within the NHS. These principles and new arrangements were first introduced into the Health Service but have, with effect from 2002, been introduced by the Government for Family Services records.

The updated Caldicott Principles are:

- Justify the purpose
- Do not use personal data unless it is absolutely necessary
- Use the minimum necessary personal data
- Access to personal data should be on a strict need to know basis
- Everyone with access to personal data should be aware of their responsibilities
- Understand and comply with the law

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

Purposes for which information may be shared

Where there is a need for sharing information HWC will work with partner organisations to develop and adopt Information Sharing Protocols. This is likely to be for the following purposes:

- Gathering the views and experiences of patients, service users and the public and making these views known
- Making reports and recommendations about the improvement of services
- Promoting and supporting the involvement of people in the commissioning, provision and scrutiny of local services
- Recommending investigation and special review of services
- Signposting and information to enable people to make informed choices
- Making the views and experiences of people known to Healthwatch England and other bodies.

Principles guiding the sharing of information

HWC will apply the following key principles to the sharing of information between any parties:

- Information shared will be accurate, timely, secure and meet confidentiality standards
- Only information it is in accordance with their legal, statutory and common law duties, and that it meets the requirements of any additional guidance will be shared
- All parties to any agreement have in place policies and procedures to meet the requirements for Data Protection, security and confidentiality. The existence of, and adherence to, such policies provides confidence that information shared will be transferred, received, used, held and disposed of appropriately
- HWC volunteers will be fully informed about the type of information that is recorded about them and how this will be processed
- HWC acknowledge their 'Duty of Confidentiality' to individuals. In requesting release and disclosure of information from other organisations, and / or agencies, staff will respect this responsibility and not seek to override the procedures, which the organisation has in place to ensure that information is not disclosed illegally or inappropriately. This responsibility also extends to third party disclosures

- As a minimum, individuals will be informed at the point at which information is collected, if information is to be shared, the circumstances in which this could happen and who the information may be shared with. HWC will ensure written or verbal consent of the individuals is sought and provided before sharing information
- An individual's personal information will only be disclosed where the purpose for which it has been agreed to share clearly requires that this is necessary in accordance with Data Protection principles and the 'Need To Know' principle. For all other purposes information should be anonymous
- Where it is agreed to be necessary for information to be shared, only the information needed will be shared and that would only be on a "need to know" basis
- HWC recognises that, subject to the appropriate safeguards, individuals have a right to know and be fully informed about information that is recorded about them
- HWC will ensure that all relevant staff are aware of, and comply with, their responsibilities in regard both to the confidentiality of information about individuals who are in contact with HWC and to the commitment of HWC to share information
- Disclosure of personal information, which cannot be justified on legal or statutory grounds, whether intentionally or unintentionally, could be subject to disciplinary action
- Information which is already in the PUBLIC DOMAIN will be freely shared between the parties.

Approved by Healthwatch Cambridgeshire Board of Directors

Date: 16 January 2014

Reviewed

Date: January 2016

Next Review

Date: January 2017

Responsible Officer

Chief Executive Officer of Healthwatch Cambridgeshire