

1

Introduction

Good record keeping and information sharing is essential to effective safeguarding practice.

Not sharing information with the right people at the right time is something that is often highlighted in statutory reviews undertaken where individuals have died or suffered harm.

[The Care Act \(2014\) Statutory guidance](#) says, 'Early sharing of information is key to providing an effective response where there are emerging concerns.'

2

Legal Framework

Various pieces of legislation exist to protect our individual rights and our information. This includes:

[Human Rights Act 1998](#) – which protects our rights to life and against inhumane or degrading treatment, as well as our right to private and family life, home and correspondence.

[Data Protection Act 2018](#) and [UK GDPR](#) set out requirements for how organisations need to handle personal data responsibly, including the storage and processing.

3

The Care Act 2014

Protection from abuse and neglect is a fundamental part of promoting wellbeing under the Care Act. The Statutory guidance says, 'Identification and management of risk is an essential part of the assessment process and this should include the risk of abuse or neglect.' and 'Partners should ensure they have mechanisms in place that enable early identification and assessment of risk through timely information sharing and multi-agency intervention.'

4

Good practice & sharing with consent

As a matter of good practice, an adult at risk should always be asked for their consent to share their information with others. However, if consent to share is not given, it may still be necessary to share the information without their consent.

Professionals should avoid giving guarantees with regards to confidentiality as they may have a duty to share the information.

5

Sharing without consent

If consent has not been given, then a professional must consider whether there is a pressing need to disclose the information.

The rule of proportionality should be applied to ensure a fair balance is achieved between safeguarding the adult and any other adults at risk, the provision of confidential services and the rights and interests of the individual affected.

Sharing information

7

Further Information

Other key documents and legislation include:

[SSAB Information Sharing](#)

[SCIE – Safeguarding adults: sharing information](#)

[The Caldicott Principles](#)

[Department for Education: Information Sharing](#)

If you are worried about an adult who may be experiencing or at risk of abuse or neglect, refer them to [Adult Social Care](#) via the online portal.

6

Justification and Recording

Information can be shared without consent in some circumstances, such as:

- Vital interests – if the adult is at risk of death or serious harm;
- Public interest - if other people are at risk;
- in order to prevent a crime being committed
- if you suspect the adult is being coerced or under duress; or
- if they lack mental capacity.

Always keep a record of **what was shared, with whom and the reason** for sharing the information.