

6 PERSONAL INFORMATION SHARING AGREEMENTS

1. Purpose

The WiSC serves as the overarching framework which facilitates the legal and secure exchange of personal information between partner organisations that have a common obligation or desire to provide services within the community.

Individual PISAs will be developed and agreed by the Information Governance leads of participating organisations where there is a requirement to share personal information. The PISAs will contain the detail of the specific information sharing arrangements.

2. Definitions

A personal information sharing agreement (PISA) sets out a common set of rules to be adopted by the various organisations involved in an information sharing arrangement.

These form part of a contract between organisations. It is good practice to have an information sharing agreement in place, and to review it regularly, particularly where information is to be shared on a large scale, or on a regular basis.

3. Content

All partner organisations that are party to the WiSC will ensure that any PISA contains:

- the purpose(s) for the sharing of personal information
- the legal basis for the sharing of personal information
- full details of the organisations that are party to the PISA
- a nominated lead person for information sharing in each organisation
- the types of personal information that will be shared
- how the information will be shared
- how data breaches will be investigated
- how data breaches will be investigated

PISAs may also contain additional information such as:

- any sector specific requirements such as may apply in the case for clinical or health records
- retention and disposal arrangements for the information
- the outcome of any Data Protection Impact Assessment
- details of any other organisations with whom personal information may also be shared by the recipient
- individuals' rights – procedures for dealing with access requests, queries and complaints
- review of effectiveness/termination of the sharing agreement
- sanctions for failure to comply with the agreement or breaches by individual staff

4. Approval

PISAs will be approved by the respective nominated lead person within each partner organisation participating in the specific information sharing initiative, in consultation with their information governance leads.

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5. Conditions for sharing information

All partner organisations to the WiSC agree that they may only share information with one another providing the following conditions are met:

- the sharing of information is agreed by all parties
- the sharing of information is proportionate to meet the purpose. This will be a matter of professional judgement

6. Recording Disclosure/receipt of information

All partner organisations must have systems in place to record Disclosures and receipt of information shared under a PISA. This will:

- create an audit trail to identify wrongful or excessive sharing of information
- allow partner organisations to inform each other whenever information is identified as being inaccurate, misleading or disputed, so that all instances can be corrected, destroyed, clarified or annotated as appropriate; and
- facilitate periodic retrospective assessment to be made of whether the information sharing achieved its objectives and where it is determined that it failed to do so, the information sharing should cease or be modified as appropriate
- enable partner organisations to meet their obligations with respect to subject access requests (unless an exemption applies), which includes informing the individual of the source of information and details of to whom it has been Disclosed

In many instances, this will simply be a matter of recording the fact on the file / record. However, particular care should be taken to record instances where sensitive personal information is shared without consent.

Any requests to disclose information in such circumstances and the Disclosures in response to these requests should be documented.

Care should also be taken to ensure that any information sharing which occurs during multi-agency or partnership meetings is recorded.

It is best practice to adopt and use an information sharing notice and attendance sheet on such occasions.

7. Existing information sharing protocols

Where information-sharing protocols between organisations exist prior to signing up to the WiSC, such protocols will remain valid. However, these protocols should be reviewed and if necessary brought into line with this charter at the earliest opportunity in order to maintain a consistent approach.