



## **Information Sharing Protocol for the Safeguarding of Children, Young People and Vulnerable Adults**

### **THE MID AND WEST WALES SAFEGUARDING BOARD**

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# Information Sharing Protocol for the Safeguarding of Children, Young People and Vulnerable Adults within the West Wales region

## Executive Summary

The following Information Sharing Protocol (ISP) is supplementary to the Wales Accord on the Sharing of Personal Information (WASPI) and has been produced on behalf of the Mid and West Wales Regional Safeguarding Board for Children (CYSUR) and Adults (CWMPAS). The document has been produced in consultation with Safeguarding service leads and Information Governance leads within CYSUR and CWMPAS partner organisations and in accordance with the provisions of:

- General Data Protection Regulations (GDPR),
- Data Protection Act 2018,
- Social Services and Well Being Act 2014,
- Children Act 2004,
- All Wales Child Protection Procedures,
- Children and Young Persons Act 2008,
- Education Act 2011,
- Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015,
- Crime and Disorder Act 1998,
- Safeguarding Vulnerable Groups Act 2006,

## Participating organisations:



Carmarthenshire County Council



Pembrokeshire County Council



Ceredigion County Council



Powys County Council



Hywel Dda University Health Board



Powys Teaching Health Board



HM Prison & Probation Service

HM Prison & Probation Service



Dyfed Powys Police



Wales Community Rehabilitation Company

## **Aims:**

The purpose of Regional Safeguarding Boards is to:

- **Protect** children within its area who are experiencing, or at risk of abuse, neglect or other kinds of harm
- **Prevent** children within its area from becoming at risk of abuse, neglect or other kinds of harm.
- **Protect** adults within its area who have needs for care & support (irrespective of whether those needs are being met by the Local Authority), who are experiencing or at risk of abuse, neglect or other kinds of harm
- **Prevent** such adults from becoming at risk of abuse, neglect or other kinds of harm.

With this in mind, this ISP aims to:

- provide staff from the partner organisations with confidence to share relevant information where the purpose is to **protect** or **prevent** children, young people and vulnerable adults from experiencing abuse, neglect or other kinds of harm;
- confirm that information sharing for this purpose can take place lawfully without obtaining the consent of the subject/family;
- explain the type of information that should be shared, when it should be shared, and how best to share it;
- remind staff that not sharing information when required to do so for this purpose can itself present risks to the safety of individuals;
- provide a single reference point for the relevant contact details for each partner organisation.

## **Safeguarding Information sharing stages:**

Partner organisations will, at all times, work in accordance with national safeguarding procedures. This ISP explains broadly how information may be shared as part of this process.

### **Pre-referral Communication.**

This information sharing stage acknowledges that professionals from partner organisations may need to communicate with each other, and in doing so share personal and sensitive information, in order to make a safeguarding referral.

This does not in any way remove or replace the statutory obligation to refer to the Local Authority wherever a concern is identified, but acknowledges that professionals may need to communicate in advance of this in order to confirm or collate the information required to make a referral.

### **Referrals**

Referrals to Social Services where a professional (working for organisations named in this document) has identified a potential safeguarding issue in relation to a child, young person or vulnerable adult.

### **Investigations**

Partner organisations named as part of this document will communicate relevant information with each other as part of an investigation in accordance with processes described in nationally agreed procedures. The information will be used to assess levels of risk to those persons involved and agree the most appropriate course of action.

## **Outcomes report**

A report will be produced by the Local Authority or Dyfed Powys Police following the strategy discussion detailing the specific actions required. This report will be shared with the relevant partner organisations.

## **'Prevention' information sharing**

It should be noted the term 'safeguarding' refers to both the **protection** and **prevention** of abuse, neglect and other types of harm. As well as responding to situations where a child or adult is clearly at risk of harm, professionals also have a duty to work together and share relevant information in order to prevent such harm occurring or escalating. This can involve situations where at the outset of an enquiry, the risk of harm may not be clearly evident. However, where there is indication, suggestion or a suspected potential risk of abuse or harm, staff will be required to share proportionate and relevant information in order to substantiate or qualify that risk. This is essential in order to inform decision making as to whether more formal intervention is required. Such information sharing will fall within the remit of 'Safeguarding' and therefore can be done lawfully without the consent of the individual or family involved.

Choosing not to share relevant information is sometimes perceived as the more secure and risk free option as it avoids risks associated with confidentiality breaches. However, not sharing relevant information where required for this purpose can itself present risks of harm to individuals. It can present delays and impede decision making and action taken by staff. It is important for professionals involved in Safeguarding to be as informed as possible in order for the best possible action to be taken.

Staff are reminded to be vigilant but equally to be as professional and cooperative as possible when sharing information for safeguarding purposes. Justification for information shared, or decisions made not to share information must be recorded within the appropriate client/patient file.

This ISP will continue to be reviewed and updated in accordance with all relevant practice and process changes as well as relevant legislation and statutory requirements.

## **Useful information**

This document can be read in conjunction with the following information:

Working together to Safeguard People, Volume 5 – Handling Individual Cases to Protect Children at Risk:  
<https://gov.wales/docs/dhss/publications/180511childrenatrisken.pdf>

Working together to Safeguard People, Volume 6 – Handling Individual Cases to Protect Adult at Risk:  
<https://gov.wales/docs/dhss/publications/180511adultsatrisken.pdf>

## **Contact**

If you have any queries about the content of the attached Information Sharing Protocol, please contact:

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## Wales Accord on the Sharing of Personal Information

# Information Sharing Protocol for the Safeguarding of Children, Young People and Vulnerable Adults within the Mid and West Wales region

Version	March 2019
Date Assured	19/03/2019
Quality Assurance Group	23/01/2019

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## 1 Introduction to this ISP

- 1.1 This Information Sharing Protocol (ISP) is supplementary to the Wales Accord on the Sharing of Personal Information (WASPI) and has been agreed following consultation between the participating partner organisations.
- 1.2 This ISP is intended to help practitioners understand what information can be shared between the listed partners for the stated purpose(s). It also provides assurance that the partners have considered the requirements of data protection legislation.
- 1.3 This ISP has been prepared to support the regular sharing of personal information between CYSUR and CWMPAS partner organisations in relation to safeguarding concerns about Children, Young People and Vulnerable Adults within the Mid and West Wales Region.

CYSUR is the Mid and West Wales Regional Safeguarding Children Board and is an acronym for Child and Youth Safeguarding: Unifying the Region and is also the Welsh word for reassurance. CYSUR is an amalgamation of the former Local Safeguarding Children Boards in Carmarthenshire, Ceredigion, Pembrokeshire and Powys.

CWMPAS is the Mid and West Wales Regional Safeguarding Adults Board and is an acronym for Collaborative Working and Maintaining Partnership in Adult Safeguarding and is also the Welsh word for scope or remit. The CWMPAS remit also stretches across Carmarthenshire, Ceredigion, Pembrokeshire and Powys.

- 1.4 Personal information is shared for the purpose of communicating as efficiently and effectively as possible to help identify persons who are subject, or likely to be subject, to harm and to manage the associated risks.

## 2 The information sharing partner organisations

- 2.1 The table below sets out the organisational partners to the ISP, the key contact points and the departments, divisions and teams typically involved in sharing information for the purposes described in this ISP.

Information Sharing Partner Organisations	Owner / Point of contact	Departments / Divisions / Teams
Carmarthenshire County Council	<ul style="list-style-type: none"> <li>• Director of Community Services</li> <li>• Director of Education and Children Services</li> </ul>	All Adult and Children Social Care related teams
Pembrokeshire County Council	<ul style="list-style-type: none"> <li>• Director of Social Services</li> <li>• Director for Children and Schools</li> </ul>	All Adult and Children Social Care related teams
Ceredigion County Council	<ul style="list-style-type: none"> <li>• Director of Social Services</li> </ul>	All Adult and Children Social Care related teams
Powys County Council	<ul style="list-style-type: none"> <li>• Director of Social Services</li> </ul>	All Adult and Children Social Care related teams
Dyfed Powys Police	<ul style="list-style-type: none"> <li>• Detective Superintendent Protecting Vulnerable People</li> </ul>	All Police Officers and Staff

Hywel Dda University Health Board	<ul style="list-style-type: none"> <li>• Safeguarding Lead</li> </ul>	Safeguarding Adults and Children
Powys Teaching Health Board	<ul style="list-style-type: none"> <li>• Director of Nursing</li> <li>• Assistant Director of Nursing, Safeguarding</li> </ul>	Safeguarding Adults and Children
HM Prison and Probation Service	<ul style="list-style-type: none"> <li>• Head of Local Delivery Unit – Probation</li> </ul>	Local Delivery Unit – Probation
Community Rehabilitation Company	<ul style="list-style-type: none"> <li>• Assistance Chief Executive</li> </ul>	Local Delivery Units
Third Sector Organisations	<ul style="list-style-type: none"> <li>• See appendix D</li> </ul>	See appendix D

- 2.2 The ISP owners / points of contact have overall responsibility for this ISP within their respective organisations and must therefore ensure the ISP is disseminated, understood and acted upon by relevant practitioners.
- 2.3 The owner / point of contact for each partner organisation will regularly monitor and review the use of this ISP to ensure information is shared effectively and appropriately.
- 2.4 Once the ISP has been assured, each partner organisation will nominate a signatory to sign the ISP at Appendix E. The signatory will be an appropriate person from the partner organisation who can sign on behalf of the organisation.

### 3 Specific organisational / practitioner obligations

- 3.1 Any breaches of security, confidentiality and other violations of this ISP must be reported in line with each partner organisation's incident reporting procedures. Consideration should be given to sharing the outcome of any investigation, where appropriate, with other partners to the ISP.
- 3.2 Practitioners who share information in line with this ISP should make themselves aware of, and adhere to, their organisation's Information Governance and records management procedures; in particular the provisions that relate to collecting, processing and disclosing personal information.
- 3.3 Every reasonable step should be taken to ensure that inaccurate personal data are erased or rectified without delay. Consideration must be given to advising partner organisations that they may have received inaccurate information. In circumstances where partner organisations cannot be informed, advice should be taken from an Information Governance lead (or equivalent).

### 4 Legislative / statutory powers

**STAFF SHOULD NOT HESITATE TO SHARE PERSONAL INFORMATION IN ORDER TO PREVENT ABUSE OR SERIOUS HARM, IN AN EMERGENCY OR IN LIFE-OR-DEATH SITUATIONS.**

**IF THERE ARE CONCERNS RELATING TO CHILD OR ADULT PROTECTION ISSUES, THE RELEVANT ORGANISATIONAL PROCEDURES MUST BE FOLLOWED**

- 4.1 The sharing arrangements described in this ISP take into account the relevant data protection legislation, the Human Rights Act 1998 and the common law duty of confidence.



- 4.2 Before sharing personal information, partner organisations must have identified a clear legal basis for doing so.
- 4.3 Data protection legislation includes the concept of:

- **‘personal data’**; any information relating to an identified or identifiable (living) natural person, and
- **‘special categories of data’ / ‘sensitive processing’**; personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation

Whilst information about deceased people is not covered by data protection legislation, data about deceased people is covered by a similar level of confidence.

- 4.4 Further information and guidance on lawful processing of personal information can be found on the Information Commissioner's website; [www.ico.org.uk](http://www.ico.org.uk)

- 4.5 In order for sharing to be lawful:

- At least one legal basis in each of the two tables below needs to be met (this is based on the assumption that services supported by ISPs will be processing special categories of data / undertaking sensitive processing).
- Organisations need to be specific and should not normally select more than one legal basis per table.
- Where more than one legal basis is selected, an explanation should be provided in the Pre Quality Assurance Checklist.

- 4.6 The legal bases have been streamlined to those likely to be most relevant to public service providers. Other legal bases exist and may be added to the table if required. Clear notes should be added to explain how any additional legal basis is relevant.

- 4.7 Partner organisations also need to ensure they take into account the Data Protection Act 2018 and any additional requirements it places on the use of the legal bases set out in Articles 6 and 9 of GDPR (see Part 2 of the Act) and processing for the 'law enforcement purposes' (see Part 3 of the Act). The ICO has guidance on this matter and queries about the relevance of any legal basis should be raised with an Information Governance lead.

- 4.8 Consent to process personal data should not be confused with consent to treat patients. The two are separate and should not be confused or merged.

### Article 6 Legal Bases for Sharing Personal Data

Legal basis	Check box / Notes
Consent – Art 6(1)(a)	<input type="checkbox"/>
Necessary for compliance with a legal obligation – Art 6(1)(c)	<input checked="" type="checkbox"/> <ul style="list-style-type: none"> <li>• The Social Services and Wellbeing Act 2014 provides a legal framework for improving the wellbeing of people who need care and support. In particular part 7 of the SSWBA 2014 :</li> </ul>

	<ul style="list-style-type: none"> <li>○ section 128 requires Local Authorities and their relevant partners to report to the relevant Local Authority where they suspect that people may be at risk of abuse or neglect.</li> <li>○ section 126 requires a Local Authority to investigate where they suspect that an adult with Care and Support needs is at risk of abuse or neglect</li> <li>• Section 2 of The Local Government Act 2000 provides local authorities with powers to promote or improve the social wellbeing of their area. This provides an implied power to share relevant information with other statutory services and the independent sector.</li> <li>• The Children Act 2004 provides the legislative framework for child protection in Wales. Key principles include the paramount nature of the child's welfare; the expectation and requirement around duties of care to children.</li> <li>• The All Wales Child Protection Procedures 2008 <ul style="list-style-type: none"> <li>○ Section 1.4 states that effective sharing and exchanging of information between Professionals is essential in order to safeguard children.</li> <li>○ Section 2.1.2 states that Local Authorities should ensure effective arrangements are in place to allow other agencies and members of the public to report concerns about children, including outside of core hours.</li> <li>○ Section 3.14.14 states that it is essential to the decision-making process that individual staff members and professionals contribute all the relevant information held on their records. Successful interagency co-operation in protecting children is rooted in the exchange and sharing of relevant information. In all cases where child abuse is alleged or suspected, there is a duty to share all relevant information. In all such situations the protection of the child must take precedence.</li> </ul> </li> <li>• Safeguarding Vulnerable Groups Act 2006 established the Independent Safeguarding Authority (ISA) to make decisions about individuals who should be barred from working with Children and Vulnerable Adults and to maintain a list of these individuals.</li> <li>• Children and Young Persons Act 2008 legislates for the recommendations in the Care Matters white paper (DfES, 2007) to provide high quality care and services for children in care.</li> <li>• Education Act 2011 includes a provision requiring school governing bodies local education authorities and further education institutes to make arrangements to safeguard and promote the welfare of children</li> <li>• Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 improves arrangements for the prevention of gender-based violence, domestic abuse and sexual violence.</li> <li>• Crime and Disorder Act 1998 section 115 permits any person to disclose information to a relevant authority 'where disclosure is necessary or expedient for the purposes of the Act (reduction and prevention of crime and disorder)'. 'Relevant authorities',</li> </ul>
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	broadly, are the police, local authorities, health authorities (clinical commissioning groups) and local probation boards.
Protection of vital interests – Art 6(1)(d)	<input checked="" type="checkbox"/>
Task carried out in the public interest or in the exercise of official authority – Art 6(1)(e)	<input checked="" type="checkbox"/>
Is the processing for law enforcement purposes?	<input checked="" type="checkbox"/> <b>Data Protection Act 2018, Part 3 – Para 35(2)</b>  (b) The processing is necessary for the performance of a task carried out for that purpose by a competent authority

### Article 9 Legal Bases for Sharing Special Categories of Personal Data

Legal basis	Checkbox / Notes
Explicit Consent – Art 9(2)(a)	<input type="checkbox"/>
Employment and social security and social protection law – Art 9(2)(b)	<input checked="" type="checkbox"/>
Vital interests of the data subject or a third party where they are incapable of giving consent – Art 9(2)(c)	<input type="checkbox"/>
Necessary for reasons of substantial public interest - Art 9(2)(g)	<input type="checkbox"/>
Provision of preventative or occupational medicine, health or social care or treatment, or the management of health or social care systems – Art 9(2)(h)	<input checked="" type="checkbox"/>
Public health - Art 9(2)(i)	<input type="checkbox"/>
Research – Art 9(2)(j)	<input type="checkbox"/>
Is the processing for law enforcement purposes?	<input checked="" type="checkbox"/> <b>Data Protection Act 2018, Part 3 – Para 35(5)</b>  (a) the processing is strictly necessary for the law enforcement purpose (b) the processing meets at least one of the conditions in Schedule 8, and (c) at the time when the processing is carried out, the controller has an appropriate policy document in place  Further to Part 35(5) (b) above, schedule 8 conditions: <b>1 - Statutory etc purposes.</b>  The processing  (a) is necessary for the exercise of a function conferred on a person by an enactment or rule of law, and

	<p>(b) is necessary for reasons of substantial public interest.</p> <p><b>3 - Protecting individual's vital interests.</b></p> <p>The processing is necessary to protect the vital interests of the data subject or of another individual.</p> <p><b>4 - Safeguarding of children and of individuals at risk.</b></p> <p>(a) the processing is necessary for the purposes of</p> <ul style="list-style-type: none"> <li>(i) protecting an individual from neglect or physical, mental or emotional harm, or</li> <li>(ii) protecting the physical, mental or emotional well-being of an individual,</li> </ul>
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## 5 Personal information to be shared

- 5.1 Only the **minimum necessary** personal information consistent with the purposes set out in this document can be shared. Anonymised and pseudonymised information should be used where possible.
- 5.2 Information provided by partner organisations will not generally be released to any third party without prior consultation with the originating partner organisation.
- 5.3 An information reference table at Appendix B provides details of the information exchanges associated with this ISP, including the typical categories of information shared, the organisations involved and the parts of the organisation typically involved. As controllers in their own right, partner organisations are responsible for ensuring the appropriate staff have access to personal information that is adequate, relevant and limited to what is necessary for the intended purpose.
- 5.4 The following table sets out the personal information commonly shared to identify data subjects and ensure partner organisations are referring to the same data subject:

Personal identifiers	Select all that apply
Name (including aliases)	<input checked="" type="checkbox"/>
Date of birth	<input checked="" type="checkbox"/>
Address	<input checked="" type="checkbox"/>
Postcode	<input checked="" type="checkbox"/>
Other reference number (eg NHS number, National Insurance number, any system/service number )	<input checked="" type="checkbox"/>

## 6 Data Subjects' Rights

- 6.1 Data protection legislation provides various individual rights for data subjects. Advice on how these rights should be met should be sought from each organisation's Information Governance representative, Data Protection Officer or equivalent. Specific guidance on these rights is available on the Information Commissioner's website; [www.ico.org.uk](http://www.ico.org.uk)
- 6.2 The following paragraphs refer to key rights associated with sharing personal information.

- 6.3 Unless doing so would risk harm to them or others, or hinder any investigation or legal proceedings, data subjects should be informed how and why their personal information will be processed and who it is shared with (the Right to be Informed). Ideally, this information – often provided in what is commonly referred to as a privacy notice - will be provided at the first point of contact. It can be part of a registration / consent form or a standalone document.
- 6.4 A layered approach is often appropriate. This could involve a high level organisational statement supplemented by specific service level information; for example a website or leaflet and verbal information provided by a practitioner.
- 6.5 Information should be clear and particular care should be taken when relying on consent as the legal basis for sharing information, or where working with children, as there are additional requirements to consider. Further information on the ‘Right to be Informed’ is available on the Information Commissioner’s website; [www.ico.org](http://www.ico.org)
- 6.6 For the purposes of this ISP, partner organisations should set out below how they meet the requirements of the Right to be Informed. Ideally, a consistent message will be provided and it may be helpful to agree a standard service level privacy notice.

Name of Organisation	Method of Informing	Name of document / website (eg website address, leaflet/form name)	Comments
<b>Carmarthenshire County Council</b>	Website <input checked="" type="checkbox"/> Leaflet <input checked="" type="checkbox"/> Form <input checked="" type="checkbox"/> Verbal <input checked="" type="checkbox"/> Other (specify in comments)	<b>Privacy Notices -</b> <a href="https://www.carmarthenshire.gov.wales/home/council-democracy/data-protection/privacy-notices/#.W1XxM8uouUk">https://www.carmarthenshire.gov.wales/home/council-democracy/data-protection/privacy-notices/#.W1XxM8uouUk</a> <b>Leaflet</b> – “Social Care - Your Information, Your Rights” <b>Form</b> – Online Social Care Referral Form <b>Verbal</b> – Between the appropriate professional and individual(s) concerned	
<b>Pembrokeshire County Council</b>	Website <input checked="" type="checkbox"/> Leaflet <input checked="" type="checkbox"/> Form <input type="checkbox"/> Verbal <input checked="" type="checkbox"/> Other (specify in comments)	<b>Privacy Notices –</b> <a href="https://www.pembrokeshire.gov.uk/privacy-promise/departmental-privacy-notices">https://www.pembrokeshire.gov.uk/privacy-promise/departmental-privacy-notices</a> <b>Leaflet</b> – “The Adult Protection Process” <b>Verbal</b> – Between the appropriate professional and individual(s) concerned	
<b>Ceredigion County Council</b>	Website <input checked="" type="checkbox"/> Leaflet <input type="checkbox"/> Form <input type="checkbox"/> Verbal <input checked="" type="checkbox"/>	<b>Privacy Notices –</b> <a href="https://www.ceredigion.gov.uk/your-council/data-protection-freedom-of-information/data-protection/privacy-notice/">https://www.ceredigion.gov.uk/your-council/data-protection-freedom-of-information/data-protection/privacy-notice/</a> <b>Verbal</b> – Between the appropriate professional and individual(s) concerned	

	Other (specify in comments)		
<b>Powys County Council</b>	Website <input checked="" type="checkbox"/> Leaflet <input type="checkbox"/> Form <input type="checkbox"/> Verbal <input checked="" type="checkbox"/> Other (specify in comments)	<b>Privacy Notices</b> – <a href="http://www.powys.gov.uk/en/information-mangement/data-protection-and-privacy/">http://www.powys.gov.uk/en/information-mangement/data-protection-and-privacy/</a> <b>Verbal</b> – Between the appropriate professional and individual(s) concerned	
<b>Hywel Dda University Health Board</b>	Website <input checked="" type="checkbox"/> Leaflet <input checked="" type="checkbox"/> Form <input type="checkbox"/> Verbal <input checked="" type="checkbox"/> Other (specify in comments)	<b>Privacy Notices</b> – <a href="http://www.wales.nhs.uk/sitesplus/862/page/39163">http://www.wales.nhs.uk/sitesplus/862/page/39163</a> <b>Leaflet</b> – “Your information, Your Rights” <b>Verbal</b> – Between the appropriate professional and individual(s) concerned	
<b>Powys Teaching Health Board</b>	Website <input checked="" type="checkbox"/> Leaflet <input checked="" type="checkbox"/> Form <input type="checkbox"/> Verbal <input checked="" type="checkbox"/> Other (specify in comments)	<b>Privacy Notices</b> – <a href="http://www.powysthb.wales.nhs.uk/privacy-notice">http://www.powysthb.wales.nhs.uk/privacy-notice</a> <b>Leaflet</b> – “Your Information, Your Rights” <b>Verbal</b> – Between the appropriate professional and individual(s) concerned	
<b>Dyfed Powys Police</b>	Website <input checked="" type="checkbox"/> Leaflet <input type="checkbox"/> Form <input type="checkbox"/> Verbal <input checked="" type="checkbox"/> Other (specify in comments)	<b>Privacy Notices</b> – <a href="https://www.dyfed-powys.police.uk/en/legal-privacy-and-cookie-statement/">https://www.dyfed-powys.police.uk/en/legal-privacy-and-cookie-statement/</a> <b>Verbal</b> – Between the appropriate professional and individual(s) concerned <b>Other</b> – “The Dyfed Powys Police Information Charter”	
<b>Community Rehabilitation Company</b>	Website <input checked="" type="checkbox"/> Leaflet <input type="checkbox"/> Form <input type="checkbox"/>	<b>Privacy Notices</b> – <a href="http://walescrc.co.uk/content/view/legal">http://walescrc.co.uk/content/view/legal</a> <b>Verbal</b> – Between the appropriate professional and individual(s) concerned	

	Verbal <input checked="" type="checkbox"/>		
	Other (specify in comments)		
<b>HM Prison and Probation Service</b>	Website <input checked="" type="checkbox"/> Leaflet <input type="checkbox"/> Form <input type="checkbox"/> Verbal <input checked="" type="checkbox"/> Other (specify in comments)	<b>Privacy Notices</b> – For details please contact <a href="mailto:data.compliance@justice.gsi.gov.uk">data.compliance@justice.gsi.gov.uk</a> <b>Verbal</b> – Between the appropriate professional and individual(s) concerned	

- 6.7 All participating organisations will have in place policies and procedures to uphold the confidentiality, integrity and availability of personal information with specific reference to the retention, storage and disposal of records.
- 6.8 Requests for the information referenced in this ISP will be dealt with in accordance with each partner organisation’s relevant policies and procedures.
- 6.9 Each partner organisation will put in place a formal procedure by which data subjects, partner organisations and practitioners can direct any complaints regarding the information sharing practices documented in this ISP.
- 6.10 There is an expectation that partners to this ISP will work together to keep all partners informed of any complaints or requests for information received from data subjects or third parties. The partners will also keep each other informed of any problems associated with the information sharing practices documented in this ISP and there is an expectation that they will collaborate to develop and improve these practices.

## 7 Information security

- 7.1 Each partner organisation must have an appropriate and adequate security framework.
- 7.2 Practitioners carrying out the functions outlined in this ISP should make themselves aware of, and adhere to, their organisation’s information security policies and procedures.
- 7.3 A detailed list of agreed methods for the safe and secure transfer of personal information is documented within Appendix B.
- 7.4 All partners must ensure adequate and appropriate training on the subjects of data protection and confidentiality is provided to all staff with access to personal data.

## 8 Review of this ISP

- 8.1 This ISP will be reviewed two years from signing this document or sooner if appropriate.

## 9 Appendix A – Glossary of Terms

Term	Definition
<b>Data Protection Act 2018</b>	<p>The UK's third generation of data protection law replaces the Data Protection Act 1998. The 2018 Act accepts the standards and obligations set by GDPR and, where GDPR allows, makes specific provisions relevant to the UK.</p> <p>The 2018 Act also transposes EU Data Protection Directive 2016/680 (Law Enforcement Directive) into domestic UK law.</p> <p>It is important the GDPR and the DPA 2018 are read side by side.</p>
<b>Data Protection Officer</b>	<p>Certain categories of organisation, including any public body or authority (except courts in their judicial capacity) are required to designate a suitably qualified Data Protection Officer (DPO). The tasks of the DPO are set out in Article 39 of GDPR.</p>
<b>Data subject</b>	<p>A 'data subject' is an identified or identifiable natural person. Organisations may refer to data subjects as service users, patients, clients, citizens, etc but for consistency, WASPI framework documentation refers to data subjects.</p>
<b>GDPR</b>	<p>The General Data Protection Regulation (GDPR) lays down laws relating to the protection of natural persons with regard to the processing of personal data and rules relating to the free movement of personal data. This Regulation protects fundamental rights and freedoms of natural persons and in particular their right to the protection of personal data.</p>
<b>Personal data</b>	<p>'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.</p>
<b>Personal identifiers</b>	<p>A set of basic personal details that allow partner organisations to identify a data subject.</p>
<b>Personal information</b>	<p>Includes information falling within the definition of 'personal data' and information about deceased individuals. Data protection legislation does not apply to information about deceased individuals but such information needs to be treated confidentially and WASPI should be applied to this information.</p>
<b>Practitioner</b>	<p>An inclusive term that refers to those involved in the care, education, welfare of data subjects; ie those who provide a public service.</p>



<p><b>Processing personal data</b></p>	<p>'processing' means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.' (GDPR Art 4(2))</p>
<p><b>Special categories of data / sensitive data</b></p>	<p>Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation. (GDPR Art 9(1))</p> <p>Personal information relating to criminal convictions and offences or related security measures (GDPR Art 10).</p>

**10 Appendix B – Information Reference Table**

This table sets out the why, what, when and how of information sharing in detail. Guidance on completing this section can be found on the website

	Description	Pre-referral communication	Referral	Investigation	Outcomes Report
1	<p>Information exchange</p> <p>General description of the process or stage to which the information sharing relates.</p>	<p>This information sharing stage acknowledges that professionals from partner organisations may need to communicate with each other, and in doing so share personal and sensitive information, in order to make a safeguarding referral.</p> <p>This does not in any way remove or replace the statutory obligation to refer to the Local Authority wherever a concern is identified, but acknowledges that professionals may need to communicate in advance of this in order to confirm or collate the information required to make a referral.</p>	<p>Referrals to Social Services where a professional (working for organisations named in this document) has identified a potential safeguarding issue in relation to a child, young person or vulnerable adult.</p>	<p>Partner organisations named as part of this document will communicate relevant information with each other as part of an investigation in accordance with processes described in nationally agreed procedures. The information will be used to assess levels of risk to those persons involved and agree the most appropriate course of action. It will also be agreed at this stage which organisation(s) will lead the investigation.</p> <p>This document acknowledges that information sharing as part of Adult and Children Safeguarding investigations will take place via, but will not be limited to, the following platforms:</p> <ul style="list-style-type: none"> <li>• Strategy discussion</li> <li>• Strategy Meeting</li> <li>• Core Group meetings (Children Services)</li> <li>• Case Conference</li> <li>• Case Conference Review meeting</li> <li>• MACSE (Multi Agency Child Sexual Exploitation) Meeting/ Conference</li> <li>• MARAC/MAPPA</li> <li>• PRUDiC</li> </ul>	<p>A report will be produced by the Local Authority or Dyfed Powys Police following the strategy discussion detailing the specific actions required. This report will be shared with the relevant partner organisations.</p>

	Description	Pre-referral communication	Referral	Investigation	Outcomes Report
2	<p><b>What information will be shared?</b></p> <p><i>Describe the information to be shared – you do not need to go to ‘field level’ detail.</i></p> <p><b><u>Please note: Only the minimum and relevant personal information is to be shared and strictly on a case by case basis.</u></b></p>	<p>The following information in relation to the subject and associated persons (i.e. perpetrator and other persons at risk) will be shared:</p> <ul style="list-style-type: none"> <li>• Personal identifiers</li> <li>• Demographic data</li> <li>• Incident Details</li> <li>• Details of risks identified</li> </ul>	<p>The following information in relation to the subject and associated persons (i.e. perpetrator and other persons at risk) will be shared:</p> <ul style="list-style-type: none"> <li>• Personal identifiers</li> <li>• Demographic data</li> <li>• Incident Details</li> <li>• Details of risks identified</li> <li>• Details of previous involvement with services with partner organisations</li> <li>• Details of previous criminal and non-criminal investigations involving associated persons</li> <li>• Details of relevant medical information</li> <li>• Details of relevant education information</li> </ul>	<p>Information to be shared will vary on a case-by-case basis. The following information may be shared in relation to the subject and associated persons (i.e. perpetrator and other persons at risk):</p> <ul style="list-style-type: none"> <li>• Personal identifiers</li> <li>• Demographic data</li> <li>• Incident Details</li> <li>• Details of risks identified</li> <li>• Details of previous involvement with services with partner organisations</li> <li>• Details of previous criminal and non-criminal investigations involving associated persons</li> <li>• Details of relevant medical information</li> <li>• Details of relevant education information</li> </ul>	<p>Information to be shared will vary on a case-by-case basis. The following information may be shared in relation to the subject and associated persons (i.e. perpetrator and other persons at risk):</p> <ul style="list-style-type: none"> <li>• Personal identifiers</li> <li>• Demographic data</li> <li>• Incident Details</li> <li>• Details of risks identified</li> <li>• Details of previous involvement with services with partner organisations</li> <li>• Details of previous criminal and non-criminal investigations involving associated persons</li> <li>• Details of relevant medical information</li> <li>• Details of relevant education information</li> <li>• Details of Investigation and associated outcomes.</li> </ul>

3	Description	Pre-referral communication		Referral		Investigation		Outcomes Report	
		Who by	Who to	Who by	Who to	Who by	Who to	Who by	Who to
	<b>Partner Organisations</b>	<ul style="list-style-type: none"> <li>• Carmarthenshire County Council</li> <li>• Pembrokeshire County Council</li> <li>• Ceredigion County Council</li> <li>• Powys County Council</li> <li>• Dyfed Powys Police</li> <li>• Hywel Dda University Health Board</li> <li>• Powys Teaching Health Board</li> <li>• HMPPS</li> <li>• Community Rehabilitation Company</li> <li>• Relevant Third Sector organisations – see Appendix D for further details.</li> </ul>	<ul style="list-style-type: none"> <li>• Carmarthenshire County Council</li> <li>• Pembrokeshire County Council</li> <li>• Ceredigion County Council</li> <li>• Powys County Council</li> <li>• Dyfed Powys Police</li> <li>• Hywel Dda University Health Board</li> <li>• Powys Teaching Health Board</li> <li>• HMPPS</li> <li>• Community Rehabilitation Company</li> <li>• Relevant Third Sector organisations – see Appendix D for further details..</li> </ul>	<ul style="list-style-type: none"> <li>• Carmarthenshire County Council</li> <li>• Pembrokeshire County Council</li> <li>• Ceredigion County Council</li> <li>• Powys County Council</li> <li>• Dyfed Powys Police</li> <li>• Hywel Dda University Health Board</li> <li>• Powys Teaching Health Board</li> <li>• HMPPS</li> <li>• Community Rehabilitation Company</li> <li>• Relevant Third Sector organisations – see Appendix D for further details.</li> </ul>	<p>See Appendix C for Referral Contact details</p> <p><b>Carmarthenshire County Council</b></p> <ul style="list-style-type: none"> <li>• Children's Services Central Referral Team</li> <li>• Information Advice and Assistance service</li> </ul> <p><b>Pembrokeshire County Council</b></p> <ul style="list-style-type: none"> <li>• Children Services Assessment Team</li> <li>• Adult Services Duty Team</li> </ul> <p><b>Ceredigion County Council</b></p> <ul style="list-style-type: none"> <li>• Children Services Contact Centre</li> <li>• Adult Services Contact Centre</li> </ul> <p><b>Powys County Council</b></p> <ul style="list-style-type: none"> <li>• Children Services Powys People</li> <li>• Adult Services Powys People</li> </ul>	<ul style="list-style-type: none"> <li>• Carmarthenshire County Council</li> <li>• Pembrokeshire County Council</li> <li>• Ceredigion County Council</li> <li>• Powys County Council</li> <li>• Dyfed Powys Police</li> <li>• Hywel Dda University Health Board</li> <li>• Powys Teaching Health Board</li> <li>• HMPPS</li> <li>• Community Rehabilitation Company</li> </ul>	<ul style="list-style-type: none"> <li>• Carmarthenshire County Council</li> <li>• Pembrokeshire County Council</li> <li>• Ceredigion County Council</li> <li>• Powys County Council</li> <li>• Dyfed Powys Police</li> <li>• Hywel Dda University Health Board</li> <li>• Powys Teaching Health Board</li> <li>• HMPPS</li> <li>• Community Rehabilitation Company</li> </ul>	<ul style="list-style-type: none"> <li>• Carmarthenshire County Council</li> <li>• Pembrokeshire County Council</li> <li>• Ceredigion County Council</li> <li>• Powys County Council</li> <li>• Dyfed Powys Police</li> </ul>	<ul style="list-style-type: none"> <li>• Carmarthenshire County Council</li> <li>• Pembrokeshire County Council</li> <li>• Ceredigion County Council</li> <li>• Powys County Council</li> <li>• Dyfed Powys Police</li> <li>• Hywel Dda University Health Board</li> <li>• Powys Teaching Health Board</li> <li>• HMPPS</li> <li>• Community Rehabilitation Company</li> <li>• Relevant Third Sector organisations – see Appendix D for further details.</li> </ul>

	Description	Pre-referral communication	Referral	Investigation	Outcomes Report
4	<p><b>How is information shared and what methods are used to keep the information secure?</b></p> <p><i>Provide, in detail the specific agreed secure methods for sharing personal information</i></p>	<p>Information will be shared between professionals using the following methods only</p> <ul style="list-style-type: none"> <li>•Verbally in person</li> <li>•Secure encrypted email</li> <li>•Telephone</li> </ul> <p>Associated information will be stored electronically on secure networks and accessed only via encrypted equipment that is owned by partner organisations. No information will be stored on any personally owned equipment.</p> <p>Associated information held in paper format will be stored securely within locked filing systems within partner organisation buildings.</p>	<p>This ISP acknowledges there is a difference in process between referrals made by DPP and those made by other organisations.</p> <p><b>Referrals made by DPP</b></p> <p>Referrals made in relation to Adults or Children Services from Dyfed Powys Police will be made using the Dyfed Powys Police electronic MARF form.</p> <p>Dyfed Powys Police may also share Safeguarding concerns via the Domestic Incident Notification (DIN) process and via the missing child notification process.</p> <p>In addition to referrals to the Local Authority, Dyfed Powys Police will automatically send Domestic Incident Notifications (DIN's) to the Local Health Boards included within this ISP</p> <p><b>Referrals made by other organisations</b></p> <p>Referrals made in relation to Children Services by any other organisation named in this document will be made using the 'CYSUR – Mid and West Wales Multi-Agency Referral Form' (available online at: <a href="http://cysur.wales/home">http://cysur.wales/home</a>).</p> <p>Referrals made in relation to Adult Services by any other organisation named in this document will be</p>	<p>Information will be shared between professionals using the following methods only</p> <ul style="list-style-type: none"> <li>•Verbally in person</li> <li>•Secure encrypted email</li> <li>•Telephone</li> </ul> <p>Associated information will be stored electronically on secure networks and accessed only via encrypted equipment that is owned by partner organisations. No information will be stored on any personally owned equipment.</p> <p>Associated information held in paper format will be stored securely within locked filing systems within partner organisation buildings.</p>	<p>Information will be shared between professionals using the following methods only</p> <ul style="list-style-type: none"> <li>•Verbally in person</li> <li>•Secure encrypted email</li> <li>•Telephone</li> </ul> <p>Associated information will be stored electronically on secure networks and accessed only via encrypted equipment that is owned by partner organisations. No information will be stored on any personally owned equipment.</p> <p>Associated information held in paper format will be stored securely within locked filing systems within partner organisation buildings.</p>

			<p>made using the 'Dyfed Powys Adults at Risk Multi-Agency Referral Form (MARF)' (available online at: <a href="http://cysur.wales/home">http://cysur.wales/home</a>).</p> <p>Information will be shared between professionals using the following methods only</p> <ul style="list-style-type: none"> <li>•Verbally in person</li> <li>•Secure encrypted email</li> <li>•Telephone</li> </ul> <p>Associated information will be stored electronically on secure networks and accessed only via encrypted equipment that is owned by partner organisations. No information will be stored on any personally owned equipment.</p> <p>Associated information held in paper format will be stored securely within locked filing systems within partner organisation buildings.</p>		
5	Reliance on consent	<input type="checkbox"/> Exchange relies on consent <input checked="" type="checkbox"/> Exchange does not rely on consent	<input type="checkbox"/> Exchange relies on consent <input checked="" type="checkbox"/> Exchange does not rely on consent	<input type="checkbox"/> Exchange relies on consent <input checked="" type="checkbox"/> Exchange does not rely on consent	<input type="checkbox"/> Exchange relies on consent <input checked="" type="checkbox"/> Exchange does not rely on consent
6	Notes for Practitioners				

## 11 Appendix C – Safeguarding Referral Contact Details

Organisation	Department	Telephone	Email	Other
<b>Carmarthenshire County Council</b>	<b>Children Services</b> Central Referral Team	Office Hours: 01554 742322 Out of Hours: 01558 824283 or 0300 333 2222	<a href="mailto:CRTChildren@Carmarthenshire.gov.uk">CRTChildren@Carmarthenshire.gov.uk</a>	
	<b>Adult Services</b> Information, Advice and Assistance Service (Lleisant Delta Wellbeing)	0300 333 2222	<a href="mailto:CAT@Carmarthenshire.gov.uk">CAT@Carmarthenshire.gov.uk</a>	Online: <a href="http://www.carmarthenshire.gov.uk">www.carmarthenshire.gov.uk</a>
<b>Pembrokeshire County Council</b>	<b>Children Services</b> Assessment Team	Office Hours: 01437 776444 Out of Hours: 0300 333 2222 (Doctors on call answering service take social services calls for out of hours)	<a href="mailto:ccat@pembrokeshire.gov.uk">ccat@pembrokeshire.gov.uk</a>	
	<b>Adult Services</b> Duty Team	Office Hours: 01437 776056 Out of Hours: 0300 333 2222 (Doctors on call answering service take social services calls for out of hours)	<a href="mailto:adult.protection.team@pembrokeshire.gov.uk">adult.protection.team@pembrokeshire.gov.uk</a>	
<b>Ceredigion County Council</b>	<b>Contact Centre</b>	Office Hours: 01545 574000 Out of Hours: Emergency Duty Team 0845 6015392	<a href="mailto:contact-socservs@ceredigion.gov.uk">contact-socservs@ceredigion.gov.uk</a>	Fax: 01545 574002

<b>Powys County Council</b>	<b>Powys People Direct</b>	01597 827666	<a href="mailto:people.direct@powys.gov.uk">people.direct@powys.gov.uk</a>	Fax: 01597 827553
<b>Hywel Dda University Health Board</b>	<b>Children Services</b> Safeguarding Children Team	Monday-Friday 9am – 5pm: 01267 227056/01437 773851	<a href="mailto:safeguardingchildren.hdd@wales.nhs.uk">safeguardingchildren.hdd@wales.nhs.uk</a>	
	<b>Adult Services</b> Adult Safeguarding Team	Monday-Friday 9am – 5pm: 01437 772516	<a href="mailto:Adult.SafeguardingTeam.HDD@wales.nhs.uk">Adult.SafeguardingTeam.HDD@wales.nhs.uk</a>	
<b>Powys Teaching Health Board</b>	<b>Safeguarding Team</b>	01686 617443	<a href="mailto:PowysTHB.Safeguarding@wales.nhs.uk">PowysTHB.Safeguarding@wales.nhs.uk</a>	
<b>Dyfed Powys Police</b>	<b>Central Referral Unit</b>	CRU Direct Line or Non-Emergency – 101	<a href="#">CRU Email Address</a>	
<b>HM Prison and Probation Service</b>	Carmarthenshire - Llanelli Probation Office	01554 773736		
	Pembrokeshire - Haverfordwest Probation Office	01437 762013		
	Ceredigion -	01970 636460		



	Aberystwyth Probation Office			
	Powys – Brecon Probation Office	01874 614150		
<b>Wales Community Rehabilitation Company</b>	Carmarthenshire	01554 773 736		
	Pembrokeshire	02921 051 831		
	Ceredigion	01970 636 460		
	Powys	01874 614 150		

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## **12 Appendix D – Third Sector Partner Organisations**

Details of Third Sector organisations across the Mid and West Wales region can be found at the following links:

**Carmarthenshire Association of Voluntary Services (CAVS)** - <http://www.cavs.org.uk/>

**Ceredigion Association of Voluntary Organisations (CAVO)** - <http://www.cavo.org.uk/>

**Pembrokeshire Association of Voluntary Services (PAVS)** - <https://pavs.org.uk/>

**Powys Association of Voluntary Organisations (PAVO)** - <http://www.pavo.org.uk/>

## 13 Appendix E – Partner Organisation Signatures

This section should only be completed once the ISP has been assured by a Quality Assurance group. Further information on the ISP development process can be found on the WASPI Website.

By signing below, partner organisations are confirming they agree with the content of the ISP. In the context of sharing personal information, signing the ISP is one way to demonstrate accountability with the principles set out in Article 5 of GDPR.

The signatory will be an appropriate person with authority to sign the ISP on behalf of the organisation. The ISP lead has responsibility for obtaining signatures to the ISP.

<b>Partner Organisation</b>	Carmarthenshire County Council
<b>Name</b>	
<b>Position</b>	
<b>Date</b>	
<b>Signature</b>	

<b>Partner Organisation</b>	Pembrokeshire County Council
<b>Name</b>	
<b>Position</b>	
<b>Date</b>	
<b>Signature</b>	

<b>Partner Organisation</b>	Ceredigion County Council
<b>Name</b>	
<b>Position</b>	
<b>Date</b>	
<b>Signature</b>	

<b>Partner Organisation</b>	Powys County Council
<b>Name</b>	
<b>Position</b>	
<b>Date</b>	
<b>Signature</b>	

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<b>Partner Organisation</b>	Hywel Dda University Health Board
<b>Name</b>	
<b>Position</b>	
<b>Date</b>	
<b>Signature</b>	

<b>Partner Organisation</b>	Powys Teaching Health Board
<b>Name</b>	
<b>Position</b>	
<b>Date</b>	
<b>Signature</b>	

<b>Partner Organisation</b>	Dyfed Powys Police
<b>Name</b>	
<b>Position</b>	
<b>Date</b>	
<b>Signature</b>	

<b>Partner Organisation</b>	HM Prison and Probation Service
<b>Name</b>	
<b>Position</b>	
<b>Date</b>	
<b>Signature</b>	

<b>Partner Organisation</b>	Community Rehabilitation Company
<b>Name</b>	
<b>Position</b>	
<b>Date</b>	
<b>Signature</b>	