



Whole Essex Information Sharing Framework

This Information Sharing Protocol is designed to ensure that information is shared in a way that is fair, transparent and in line with the rights and expectations of the people whose information you are sharing.

This protocol will help you to identify the issues you need to consider when deciding whether to share personal data. It should give you confidence to share personal data when it is appropriate to do so, but should also give you a clearer idea of when it is not acceptable to share data.

Specific benefits include:

- transparency for individuals whose data you wish to share as protocols are published here;
- minimised risk of breaking the law and consequent enforcement action by the ICO or other regulators;
- greater public trust and a better relationship by ensuring that legally required safeguards are in place and complied with;
- better protection for individuals when their data is shared;
- increased data sharing when this is necessary and beneficial;
- reduced reputational risk caused by the inappropriate or insecure sharing of personal data;
- a better understanding of when, or whether, it is acceptable to share information without people's knowledge or consent or in the face of objection; and reduced risk of questions, complaints and disputes about the way you share personal data.

Please ensure all sections of the template are fully completed with sufficient detail to provide assurance that the sharing is conducted lawfully, securely and ethically.

Item	Name/Link /Reference	Responsible Authority
Privacy Impact Assessment	PIA 539	Essex County Council
Supporting Standard Operating Procedure	See addendums	Essex County Council
Associated contract	Contract in place	Essex County Council
Other associated supporting documentation	N/A	

Published Information Sharing Protocols can be viewed on the [WEISF Portal](#).

INFORMATION SHARING PROTOCOL

SUMMARY SHEET

Title of Agreement		Integrated Pre-Birth to 19 Health, Wellbeing and Family Support Services		
Organisation Name	Head Office Address	Telephone	Email (of relevant team managing protocol and to inform of breaches)	ICO Registration reference
Essex County Council	County Hall. Chelmsford. Essex. CM1 1QH	08457 430430	Informationgovernanceteam@essex.gov.uk	Z6034810
Virgin Care	Virgin Care Limited Lynton House 7-12 Tavistock Square London WC1H 9LT	0330 332 7890	Information.governance@virginicare.co.uk	Z2823541
Barnardos	Barnardo's House, Tanners Lane Barkingside Ilford IG6 1QG	07584347286	Pat.Greene@barnardos.org.uk	Z5951768
Basildon and Thurrock University Hospitals NHS Foundation Trust	Nethermayne, Basildon, Essex SS15 5NL	01268 524900	matthew.barker@btuh.nhs.uk dawn.patience@btuh.nhs.uk	Z6288182
Colchester Hospital University Foundation Trust	Turner Road Colchester CO4 5JL	01206 742578	Info.gov@colchesterhospital.nhs.uk	Z6601302

(CHUFT)				
Mid Essex Hospital Services NHS	Mid Essex Hospital Services NHS Trust Broomfield Hospital Chelmsford Essex CM1 7ET	01245 362000	Bhavesh Khetia – IG Manager IG@meht.nhs.uk	Z9751505
Princess Alexandra Hospital NHS Trust	Hamstel Road, Harlow, Essex, CM20 1QX	01279 444455 Extn: 1032	Tracy Goodacre – Information Governance Manager Tracy.goodacre@pah.nhs.uk / Tracy.goodacre@nhs.net	Z8759485
Southend University Hospital NHS Foundation Trust	Prittlewell Chase, Westcliff-on-Sea, Essex, SS0 0RY	01702 435555 Ext 7023	Information.Governance@southend.nhs.uk	Z1972899
Provide	900 The Crescent, Colchester Business Park, Colchester, Essex	0300 303 9999	Provide.infogov@nhs.net	Z2604172

Version Control

Date Agreement comes into force	1 st April 2017
Date of Agreement review	31 st March 2018
Agreement owner (Organisation)	Essex County Council
Agreement drawn up by (Author(s))	Amy Hamilton and Kellene Green – Essex County Council
Status of document – DRAFT/FOR APPROVAL/APPROVED	Approved
Version	4.0

Information Sharing Protocol – Integrated Pre-Birth to 19 Health, Wellbeing and Family Support Services

1. Purpose

Supporting children, young people and their families from conception through birth, the early years and growing up will give all children the best opportunity to succeed. We want children and young people to thrive, be healthy, to have fun at school and while learning and make a positive contribution to throughout their lives.

We are transforming the way support for families and children happens in Essex – creating positive changes that are widespread, high impact and long lasting. We need to work in a new way with different parts of the system focusing resources and activity from before birth through childhood, focusing on the things that underpin good outcomes, particularly children and young people having strong attachment and parents / carers having the relationships, networks and support they need to raise their children. As commissioners and providers we need a relationship based on trust, respecting each other's contribution to the system and to children and young people as they grow up.

To achieve this, we have been developing a system approach to all that we do across children and young people services. The Essex Children and Young People's Strategic Plan sets out six "System Objectives" which this specification will contribute to delivering. The Essex Early Help Offer articulates how the system across Essex works together and the Effective Support for Children and Families Guidance articulates how those working within the system work together across the "windscreen of need" to get the best outcomes for children, young people and families. We are explicitly bringing together six areas of work previously commissioned independently:

- 0-5 Healthy Child Programme (0-5 HCP),
- Healthy Schools Programme,
- 5-19 Healthy Child Programme (5-19 HCP)
- Family Nurse Partnership (FNP)
- Children's Centres (CC)
- West Essex Specialist Community Services

Our "System Vision" co-produced with parents and practitioners, sets out principles integral to how we will take advantage of the opportunities this integration brings. Bringing these together and transforming them to realise our system vision ambition will require significant change, ensuring a service delivery system that works for children, young people and families rather than a system that works for commissioners and providers. It will make real



our commitment to enlightened approaches to commissioning, including building community capacity.

The outcomes of the new service are:

- Children and young people are safe
- Children are ready to start school
- Mothers have good emotional wellbeing in the perinatal period
- Children and young people make positive lifestyle choices
- Young people are ready for the next stage of life
- Children and young people have good emotional wellbeing
- More families are resilient
- Parents feel connected and included
- Children have strong attachments to at least one key adult in their lives

In order for Essex County Council to deliver these outcomes, information needs to be shared amongst the parties included in this protocol.

2. Information to be shared

The information to be shared is described in each of the addendums to this protocol and is specific to each processing activity. Please see the addendums set at the foot of this protocol for the full details, however processing is likely to include:

- Health & Care information including:
- Personal information such as:
 - Name
 - Address
 - Contact details
 - Gender
 - NHS number
- Sensitive personal data such as:
 - Ethnicity
 - Physical or mental health condition

3. Legal Basis for sharing information

It is generally good practice to seek the consent of individuals to share their information. However disclosure may be lawful in certain circumstances without consent, for example the performance of public functions, legal obligations, prevention/detection of crime.

The legal basis for each processing activity will be noted in the specific addendum.

It is likely the following conditions will be applicable:

Sharing personal information in accordance with this protocol is lawful under the Data Protection Act 1998 schedule 2 conditions:

- 1 The data subject has given his consent to the processing.
- 5 The processing is necessary—
 - (b) for the exercise of any functions conferred on any person by or under any enactment,

Sharing personal information in accordance with this protocol is lawful under the Data Protection Act 1998 schedule 3 conditions (where appropriate):

- 1 The data subject has given his explicit consent to the processing of the personal data.
7. (1) The processing is necessary—
 - (b) for the exercise of any functions conferred on any person by or under an enactment

Other legislation or statute as follows:

- Health and Social Care Act 2012
 - *Duties as to improvement of public health*
- The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) and Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) (Amendment) Regulations 2015
 - *Universal health visitor review provided to an eligible person where the person is:*
 - (a) a woman who is more than 28 weeks pregnant;
 - (b) a child who is aged between one day and two weeks;
 - (c) a child who is aged between six and eight weeks;
 - (d) a child who is aged between nine and 15 months; or
 - (e) a child who is aged between 24 months (two years) and 30 months (two years and six months).

Fair Processing

Each Partner to this protocol is responsible for ensuring that the appropriate Fair Processing Notices/Privacy Notices have been provided to service users to ensure transparency and understanding.

4. Access and individuals' rights

Subject Access is an individual's right to have a copy of information relating to them which is processed by an organisation.

Once information is disclosed from one agency to another, the recipient organisation becomes the **Data Controller** for that information. With regards to subject access requests, the **Data Controller** has a statutory duty to comply with section 7 of the DPA, unless an exemption applies. It is good practise for the recipient organisation to contact the originating organisation. This enables the originating organisation to advise the use of any statutory exemptions that may need to be applied prior to disclosure to the requesting individual. Communication should take place speedily thus allowing the servicing of the request to take place within the Statutory 40 calendar day, time period.

If a party receives a request for information under the Freedom of Information (FOI) Act 2000 or Environmental Information Regulations (EIR) 2004 that relates to data that has been disclosed for the purposes of this Information Sharing Protocol, it is best practice to seek advice from the originating organisation prior to release. This allows the originating organisation to rely on any statutory exemption/exception under the provisions of the FOI Act or EIR and to identify any perceived harms. However, the decision to release data under the FOI Act or EIR is the responsibility of the agency that received the request.

Essex Partner Agencies' Information Sharing Agreements are made publicly available on the Whole Essex Information Sharing Framework website.

5. Keeping information secure

Physical security:

- *Good quality access control systems must be in place where shared data is held, including building security, security passes and vetting of staff*
- *Information policies must be in place and easily accessible to staff*
- *Staff must be regularly trained in their responsibilities in handling data*
- *Staff with routine access to sensitive data must be vetted prior to access to the shared data*
- *Paper information must be stored securely and destroyed securely*



- *Laptops and removable media such as memory sticks must be encrypted to industry standard and securely locked away when not in use*

Technical security:

- *Appropriate Cyber Security arrangements must be in place including robust policies and disaster recovery/business continuity plans*
- *Anti-malware, remote access solutions and firewalls must be maintained and regularly patched as necessary*
- *Any device holding personal or sensitive personal data must be encrypted to industry standard*
- *Role based access controls must be in place on systems holding sensitive data*
- *Secure mechanisms must be used to transfer information securely, e.g. Secure email (PSN/EGRESS), and secure file transfer e.g. SFTP/Egress*

Security for the exchange of information will be described in each specific addendum.

Partners receiving information will:

- Ensure that their employees are appropriately trained to understand their responsibilities to maintain confidentiality and privacy;
- Protect the physical security of the shared information;
- Restrict access to data to those that require it, and take reasonable steps to ensure the reliability of employees who have access to data, for instance, ensuring that all staff have appropriate background checks;
- Maintain an up to date policy available to all staff for handling personal data;
- Have a process in place to handle any security incidents involving personal data, including notifying relevant third parties of any incidents.

6. Information format, method(s) and frequency of sharing

The format of the information shared will be described in each addendum.

The method(s) by which information will be shared will be described on each addendum.

The frequency with which the information will be shared will be described in each addendum.

7. Data Retention

Information will be retained in accordance with each partners' data retention policy and in any event no longer than is necessary.

8. Responsibility for exchanging these data and ensuring data are accurate

It is incumbent on each Partner to ensure that appropriate data quality assurance checks are made to assure the quality of data used/shared under this protocol.

Any Partner who becomes aware of inaccurate data must advise all relevant Partners as soon as possible to enable remediation at source, and awareness across the Partnership.

For the purposes of this Protocol the responsibilities of Data Controller and Data Processor are detailed in each addendum.

Where Data Processors are a part of this Protocol, the relevant data controller retains full responsibility for the actions of the data processor – if there is a data protection breach then the data controller remains responsible. The key obligation is that the processing by a data processor must be carried out under a written contract which requires the data processor to act only on instructions from the data controller. In the absence of a written contract a Partner to this protocol will be a data controller in its own right and will need to meet all the requirements of the Data Protection Act.

This Protocol will be reviewed one year after it comes into operation to ensure that it remains fit for purpose. The review will be initiated by Essex County Council.

8. Complaints

Partner agencies will use their standard organisational procedures to deal with complaints from the public arising from information sharing under this protocol.

10. Breach of Confidentiality

If a Partner becomes aware of a breach of confidentiality they will immediately advise all relevant Partners (as listed at the top of this protocol), or where they are unable to do so immediately, within 48 hours.

Each organisation will record and process the breach according to their own internal policies, and will fully cooperate in any cross-cutting investigation into such an incident. Where incidences require reporting to the regulatory body, any involved Partners will be informed prior to this action being taken.

11. Set of Addendums

Addendum	Title and hyperlink
1	Pre-natal information – Essex Hospitals
2	Post-natal information – Essex Hospitals
3	Free Early Education Entitlement (FEEE2) Data
4	Family Operations Data

Addendum 1 - Integrated Pre-Birth to 19 Health, Wellbeing and Family Support Services

Pre-natal information – Essex Hospitals

Item	Name/Link /Reference	Responsible Authority
Date of commencement	01/04/2017	ECC
Date of review	31/03/2018	ECC
Partner Name	ICO Registration	Status – e.g. Data Controller or Data Processor
Virgin Care	Z2823541	Data Processor
Barnardos	Z5951768	Data Processor
Basildon and Thurrock University Hospitals NHS Foundation Trust	Z6288182	Data Controller
Colchester Hospital University Foundation Trust (CHUFT)	Z6601302	Data Controller
Mid Essex Hospital Services NHS	Z9751505	Data Controller
Princess Alexandra Hospital NHS Trust	Z8759485	Data Controller
Southend University Hospital NHS Foundation Trust	Z1972899	Data Controller
Purpose		
Acute services (hospitals) need to inform health visitors of women reaching 28 weeks gestation. This is to allow the health visitor to contact the women to arrange the statutory 28 week antenatal health promotion visit.		
Information to be shared – please list		
<ul style="list-style-type: none"> Name Address Date of Birth NHS Number Contact details 	<ul style="list-style-type: none"> Expected date of delivery Ethnicity Registered General Practitioner Language 	
Legal Basis for sharing information		
Other legal gateway		
The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) and Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) (Amendment) Regulations 2015		
Processing Details		



Method of Data transfer
Secure email.
Frequency of Sharing
Data will be shared once a mother is registered.

Addendum 2 - Integrated Pre-Birth to 19 Health, Wellbeing and Family Support Services

Post-natal Information – Essex Hospitals

Item	Name/Link /Reference	Responsible Authority
Date of commencement	01/04/2017	ECC
Date of review	31/03/2018	ECC
Partner Name	ICO Registration	Status – e.g. Data Controller or Data Processor
Virgin Care	Z2823541	Data Processor
Barnardos	Z5951768	Data Processor
Basildon and Thurrock University Hospitals NHS Foundation Trust	Z6288182	Data Controller
Colchester Hospital University Foundation Trust (CHUFT)	Z6601302	Data Controller
Mid Essex Hospital Services NHS	Z9751505	Data Controller
Princess Alexandra Hospital NHS Trust	Z8759485	Data Controller
Southend University Hospital NHS Foundation Trust	Z1972899	Data Controller
Provide	Z2604172	Data Processor
Purpose		
<p>New births are registered on the Personal Demographics Service (PDS), which is a component of the NHS Spine. This ensures that babies are issued with an NHS Number that is immediately available to organisations involved in the ongoing provision and recording of their care.</p> <p>The NHS Number enables health and care professionals to identify and match records to patients, protects personal patient data and supports seamless delivery of care.</p> <p>Sharing of this information will enable health visitors to meet their requirements as part of the universal health visitor review.</p>		
Information to be shared where known and applicable:		
Of mother: <ul style="list-style-type: none"> • Name • Address • Date of Birth • NHS Number • Contact details 	Of child: <ul style="list-style-type: none"> • Name • Date of birth • Gender • NHS number • Ethnicity 	

<ul style="list-style-type: none"> • Number of births this confinement • Mothers previous live births (number of) • Mothers previous still births (number of) • Mothers previous abortions (number of) • Mother HepB positive status 	<ul style="list-style-type: none"> • Registered General Practitioner or Practice • Treatment Center • CHIS Status <ul style="list-style-type: none"> ○ Birth weight ○ Birth order ○ Fetal gestational age ○ Suspected congenital abnormality ○ Live or still birth ○ Head circumference ○ Apgar score at 1 minute ○ Apgar score at 5 minutes ○ Apgar score at 10 minutes ○ Head circumference ○ Method of feeding ○ Method of delivery ○ Administration of vitamin K injection ○ Administration of HepB injection ○ Admitted to neonatal unit
Legal Basis for sharing information	
Other legal gateway	
<p>The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) and Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) (Amendment) Regulations 2015</p>	
Processing Details	
Method of Data transfer	
<p>For the minimum dataset, the NHS spine will update the SystmOne CHIS unit which is managed by Provide. Additional data is securely faxed or emailed to Provide by maternity services.</p>	
<p>Electronic referrals will be made within SystmOne to Virgin Care and Barnardos to enable health visitors to meet their requirements.</p>	
Frequency of Sharing	
<p>The information will be shared the day following the birth.</p>	

Addendum 3 - Integrated Pre-Birth to 19 Health, Wellbeing and Family Support Services

Free Early Education Entitlement (FEEE2) Data

Item	Name/Link /Reference	Responsible Authority
Date of commencement	01/04/2017	ECC
Date of review	31/03/2018	ECC
Partner Name	ICO Registration	Status – e.g. Data Controller or Data Processor
Essex County Council	Z6034810	Data Controller
Virgin Care	Z2823541	Data Processor
Barnardos	Z5951768	Data Processor
Purpose		
<p>The purpose of sharing information on FEEE2 eligibility and uptake between Essex County Council and children’s centres is to support the uptake of the entitlement, and improve outcomes for vulnerable children by enabling access to children’s centre services. To support local authorities to target parents of eligible two-year-olds proactively, the DWP provides each local authority with a list of potentially eligible parents in their area seven times a year. The lists are based on matching benefit claim data held by DWP with child benefit records held by HMRC.</p> <p>The list will not provide details of every family that is eligible for the early learning entitlement for two-year-olds; it will only contain the name and address of families that are potentially eligible for the entitlement based on a parent having an open claim to:</p> <ul style="list-style-type: none"> • Income Support; • Income Based Jobseeker’s Allowance; • Income Related Employment and Support Allowance; • The guaranteed element of State Pension Credit; • Child Tax Credit and/or Working Tax Credit and have an annual income no more than £16,190.00 as assessed by Her Majesty’s Revenue and Customs; • the Working Tax Credit four-week run-on (the payment someone receives for a further four weeks after they stop qualifying for Working Tax Credit); or, • The child attracts the Disability Living Allowance. 		
Information to be shared – please list		
<p>The data that ECC will provide to children’s centres consists of the following where the parent has agreed to share:</p> <ul style="list-style-type: none"> • Name and address of the parent • That the family is eligible • Which criteria they may be eligible under • Numbers of applications received by ECC • Criteria of applications received by ECC • Names of children whose applications have been received 		

Legal Basis for sharing information			
DPA Sch. 2 condition	√/x	DPA Sch. 3 condition	√/x
Consent	√	Explicit Consent	√
Processing Details			
Method of Data transfer			
Secure email.			
Frequency of Sharing			
Data will be shared seven times a year.			

Addendum 4 - Integrated Pre-Birth to 19 Health, Wellbeing and Family Support Services

Family Operations Data

Item	Name/Link /Reference		Responsible Authority
Date of commencement	01/04/2017		ECC
Date of review	31/03/2018		ECC
Partner Name	ICO Registration	Status – e.g. Data Controller or Data Processor	
Essex County Council	Z6034810	Data Controller	
Virgin Care	Z2823541	Data Processor	
Barnardos	Z5951768	Data Processor	
Purpose			
<p>The aims of sharing information as set out in this addendum are to:</p> <ul style="list-style-type: none"> Support children’s centres to reach out to identified families and engage them into a range of universal and targeted services, promoting children’s health, well-being and development for greater sustained improvements, working to reduce the need for a Child In Need Plan /Child Protection Plan and Children in Care. Ensure that information sharing improves safeguarding and provides opportunities to support children under-five and their families 			
Information to be shared – please list			
<p>Individual child records for children aged 0 up to 19 years who are looked after, on a Child in Need Plan or Child Protection Plan comprising:</p> <ul style="list-style-type: none"> Child’s Surname, Forename, Middlename Date of birth, gender Full address with county and postcode, for children aged 0-5 Contact details for parent with parental responsibility/carers Contact details for services working with a child: as a minimum, social worker, health visitor, family solutions key worker, pre-school, but also other services where appropriate 			
Legal Basis for sharing information			
DPA Sch. 2 condition	√/x	DPA Sch. 3 condition	√/x
Consent	√	Explicit Consent	√
Processing Details			
Method of Data transfer			
Secure email			
Frequency of Sharing			
Sent on a quarterly basis.			

12. Agreement

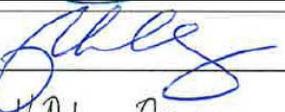
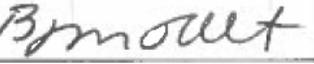
We undertake to implement and adhere to this protocol and the relevant addendums as listed below.

Commencement of the Protocol:

This Protocol shall commence upon date of the signing of a copy of the Protocol by the signatory partners. The relevant information can be shared between signatory partners from the date the Protocol commences.

Withdrawal from the Protocol:

Any partner may withdraw from this Protocol upon giving 4 weeks written notice to the other signatories. The partner must continue to comply with the terms of this Protocol in respect of any information that the partner has obtained through being a signatory. Information, which is no longer relevant, should be returned or destroyed in an appropriate secure manner.

Organisation:	Authorised person: (Print)	Authorised person: (Signature)	Date	Relevant addendums
ECC	DAVID WILDE		21/4/2017	1 - 4
Barnardos	JONATHAN WHALLEY		26.4.17	1 - 4
Virgin Care	Kathleen Ely, Head of Operations		26/04/2017	1 - 4
Basildon and Thurrock University Hospitals NHS Foundation Trust	Dawn Patience		26.4.2017	1 and 2
Colchester Hospital University Foundation Trust (CHUFT)	Barry Moulton		20/04/2017	1 and 2

Mid Essex Hospital Services NHS	Dr Robert Ghosh	Dr Robert Ghosh	22/05/2017	1 and 2
Princess Alexandra Hospital NHS Trust	Dr Andy Morris Chief Medical Officer		25/04/17	1 and 2
Southend University Hospital NHS Foundation Trust	Denise Townsend		02/05/2017	1 and 2
Provide	Dr Paul Spowage		25/05/2017	2