

Notes on Information Sharing;

The second report by the National Data Guardian highlighted the vital importance of information and data sharing within health and social care processes. The provision of information supports both the quality of care and the delivery of positive outcomes for patients. Individually clinicians need timely, complete and accurate information to ensure efficient diagnosis and treatment of patients.

Information sharing supports the efficient on-going care provided to patients and prevents repeat testing or the need for patients to repeat detail when seen by differing teams within a care pathway. This exchange of information is most important when a patient transfers between care providers. The National Data Guardian notes in her second report that patients and the public expect that clinicians will share data across organisational boundaries in the best interest of patients and to ensure the continuity of any care provided.

National Data Guardian Report (Caldicott 2) 2013:

Most people who use health and social care services accept and expect that doctors, nurses and other professionals will need to share personal confidential data if they are going to provide optimum care. People get frustrated if they have to answer the same questions repeatedly as they move along a care pathway. It may be good professional practice for a clinician to check an item in a medical record by asking the patient to expand on a previous answer. However, it is not good practice for important information to be missing from the record. Patients and service users want the professionals to act responsibly as a team.

[Fiona Caldicott, NDG](#)

Within the Health and Justice system the transfer of patients between providers can be a stressful and complex process. At the point of transfer, it is important to recognise that continuity of care must be protected by all those agencies involved. Data Protection legislation (including EU General Data Protection Regulation and Data Protection Act 2019) recognise the need to protect highly sensitive data, Inc. personal health data. However, legislation specifically recognises the need for sharing of data for "the provision of health or social care or treatment or the management of health or social care systems and services" [[GDPR Article 9\(2\)\(h\)](#)]. The Information Commissioners Office (ICO) also supports the sharing of information for direct care.

Information Commissioners Office

In the healthcare sector, patient data is held under a duty of confidence. Healthcare providers generally operate on the basis of implied consent to use patient data for the purposes of direct care, without breaching confidentiality.

[ICO Health GDPR FAQ](#)

Therefore, when patients move between provider organisations (either into or out of the secure estate) providers must ensure that the transfer is undertaken with appropriate clinical data sharing between the direct care team to facilitate the ongoing care and treatment of the individual. Any service provider must ensure that information exchange is proportionate, necessary and minimalised, but sufficient for continuity of care to be provided by the receiving organisation.