



Private to Public: Sharing Safeguarding Information



Can a Private Nursing Home Share Information with a Public Body?

- **Yes!** Information sharing is possible.
- **The Key:** There must be a **valid lawful basis** under Article 6(1) of the GDPR for sharing.
- **Your Responsibility:** Each organisation handling data ("data controller") must make sure:
 - A specific legal reason is in place **before** sharing.
 - The shared information is **strictly relevant, necessary, and proportionate** to the goal.
 - Every request for sharing is looked at **case-by-case**.

Essential Data Protection Principles to Follow

- When sharing information, the organisation must consider the **data protection principles** from Article 5(1) of the GDPR, in particular:
 - **Data Minimisation:** Only share the absolute minimum amount of data needed.
 - **Accuracy:** Ensure the information is correct.
 - **Integrity & Confidentiality:** Keep the data secure and private.



Real-World Example: Nursing Home to Public Hospital

- **Scenario:** A private nursing home is concerned about a resident, against whom an allegation of a sexual nature has been made, needing to go to a crowded public A&E and possibly be admitted to a public ward.
- **Action:** The nursing home can do their **risk assessment**.
- **What can be shared:** They can tell the hospital their safeguarding plans for that resident (e.g., "they should not be left alone around certain people").
- **Why this works:** This approach aligns with the data minimisation principle (sharing only necessary info for safety).

Case-by-Case Assessment is Crucial

- **Fact-Specific:** Each situation is unique.
- **Flexible Information Sharing:** After a risk assessment, the nursing home might decide less or more information is required.
- **Broader Safety:** This decision isn't just about the at-risk resident's safety, but also the safety of others who might interact with them, considering the nature of the allegations.