



Information sharing without consent form

SafeLives recommend that all practitioners have a good working knowledge of the provisions in The GDPR 2018 and the Data Protection Act 2018 and refer to the Information Commissioner's Office (ICO)¹ for advice and guidance on information sharing. You should also refer to internal policies and your local Marac's Operating Protocol/Information Sharing Protocol.

Name and DOB of Survivor			
Address			
Children	DOB	Address	School / Named Person

Who is at Risk?	Immediate risk/crisis	Risk identified through risk assessment	
Risk/danger to child(ren)			
Risk/Danger to survivor			
Risk/Danger to Vulnerable Adult			
Client poses a risk to self or others			
Have you asked for consent to share information:	Yes / No	Escalation in Severity and Frequency of abuse?	Yes / No
Professional Judgment:	Yes / No	Repeat Marac Case?	Yes / No
Risk Identification Checklist (if it has been possible to complete a SafeLives DASH RIC, attach it here)		/ 24 (number of ticks)	
Details of incident / information causing concern (include source of information)			

¹ <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

Once completed, this form should be sent via secure means to the relevant Marac. Please do not send it to SafeLives; to do so would be a breach of the Data Protection Act



Ending domestic abuse

Legal Authority to Share

Protocol relevant	Y / N	If yes, <i>please detail</i>	
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Or

Legal grounds (If yes, please tick one or more grounds below)	Y/N
Prevention / detection or crime and/or apprehension or prosecution of offenders (DPA, sch 29)	
To protect vital interests of the data subject; serious harm or matter of life or death (DPA, sch 2 & 3)	
For the administration of justice (usually bringing perpetrators to justice (DPA, sch 2 & 3)	
For the exercise of functions conferred on any person by or under any enactment (police / Social Services) (DPA, sch 2 & 3)	
In accordance with a court order	
Adult Support and Protection (Scotland) Act 2007	
Local Government in Scotland Act 2003	
Overriding public interest (common law)	
Child protection – disclosure to social services or police for the exercise of functions under the Children and Young Person’s (Scotland) Act 2014 where the public interest in protecting the child’s safety and wellbeing overrides the need to keep the information confidential (DPA, sch 2 & 3)	
Right to life (Human Rights Act, art. 2 & 3)	
Right to be free from torture, of inhuman or degrading treatment (Human Rights Act, art. 2 & 3)	

Balancing Considerations (please tick)

Pressing need		Risk of not disclosing	
Respective risks to those affected		Interest of other agency / person in receiving it	
Public interest of disclosure		Human rights	
Duty of confidentiality		Other	
Comments			
Internal consultations			

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(Names / Dates / Advice / Decisions)	
External consultations <i>(Home Office, Information Sharing Helpline)</i>	

Survivor Notification

Client notified	Y / N	Date notified	
If not, why not?			

Review

Date for review of situation <i>(review to include feedback from the agencies informed as to their response)</i>	
Name of person responsible for ensuring the situation is reviewed by this date	

Record the following information-sharing in case file:

Date information shared	
Agency & named person informed	
Method of contact	
Legal authority for each agency	
Signature of caseworker	
Date (as signed by caseworker)	
Signature of manager	
Date (as signed by manager)	

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