

Briefing Note for ALL STAFF



Title	GDPR and Public Protection		
Purpose	To update staff on GDPR and Public Protection		
Service	Orkney Health & Care		
Author	Orkney Chief Officer's Group	Date	19 th June 2018

Issue

This briefing note seeks to provide clarity for all those agencies working in Orkney who may have cause to share information in relation to adult or child protection matters in light of new data protection legislation, often referred to as GDPR.

The Scottish Government and the Information Commissioners Office have recently provided clarity by stating,

“For the purposes of processing information in relation to child protection matters, **GDPR will have no impact on practitioners’ ability to share proportionate and relevant information to appropriate authorities in exactly the same circumstances as they now do.** Currently, child protection matters are considered to be up at the significant harm bar and that equates to processing being necessary to protect the vital interests of the child and the reliance on consent may be prejudicial to that purpose. The same lawful purpose is provided for in the GDPR for both personal and sensitive personal information so nothing will change in that regard”.

Likewise, adult protection legislation is in place to protect adults from significant harm and we would wish to be clear that GDPR will have no impact on practitioners’ ability to share proportionate and relevant information to appropriate authorities in exactly the same circumstances as they currently do.

Recommendation & Next Steps

To ensure the ongoing care and support of our most vulnerable citizens Chief Officers wish to ensure agencies share information in good time and in a proportionate way and do so confident that they are not breaching any GDPR legislation. All staff should take note of this information and discuss with their line manager should they have any queries.

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