



Vulnerable People Data Sharing Guidance

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Review:	3 yearly
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FREEDOM OF INFORMATION ACT 2000

This document will be made publicly available through the SRF website. Where content has been redacted under the freedom of Information Act 2000 (FOI) in the publically available version, the paragraph number will be highlighted to show there has been a redaction and the relevant section of FOI referenced.

ENVIRONMENTAL INFORMATION REGULATIONS 2004

This plan presumes disclosure of all environmental information, under Environment Information Regulations. Where exemptions are claimed under Environment Information Regulation 12 (5)a, this will only be where one of the responder agencies has judged that the information may adversely affect either international relations, defence, national security or public safety. Where such content has been identified, the paragraph number will be highlighted and the paragraph text removed from public versions of the plan.

DATA PROTECTION ACT 1998

This plan does not include personal data that has been shared under the Data Protection Act 1998. It does include data relevant to achieve planning arrangements and identifies how more specific personal data will be used during any emergency.

REVIEW

This guidance will be reviewed by the Suffolk Joint Emergency Planning Unit on behalf of the Suffolk Resilience Forum at least every 3 years. Earlier reviews will take place if there is a change in working practices, legislation or lessons or best practice are identified during local incidents or exercises or nationally.

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Public Health England	- East of England PH Team
East of England Ambulance Service NHS Trust	- Emergency Planning
Suffolk Constabulary	- Contingency Planning
Suffolk Fire & Rescue Service	- Resilience Team
Suffolk CCGs	- Emergency Planning
Suffolk Local Authorities	- via JEPU
Norfolk and Suffolk Foundation Trust	

AMENDMENT RECORD

Suffolk Resilience Forum Vulnerable People Data Sharing Guidance

References:

- A. Cabinet Office - Identifying People Who are Vulnerable in a Crisis (2008)
<https://www.gov.uk/government/publications/identifying-people-who-are-vulnerable-in-a-crisis-guidance-for-emergency-planners-and-responders>
- B. HM Government - Data Protection and Sharing –Guidance for Emergency Planners and Responders (2007)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/60970/dataprotection.pdf
- C. Cabinet Office - Formal Information Sharing under the Civil Contingencies Act 2004 (2012)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/61026/Chapter-3-Formal-information-sharing-revised-March-2012.pdf
- D. Data Protection Act 1998
<http://www.legislation.gov.uk/ukpga/1998/29/contents>
- E. European Convention of Human Rights(ECHR) Article 8
http://www.echr.coe.int/Documents/Convention_ENG.pdf

1. INTRODUCTION

This local guidance is intended for use during an emergency incident requiring the identification of vulnerable people, within a specified geographic area. Potential vulnerable groups for consideration, as stated in reference A include:

- Children
- Older people
- Mobility impaired
- Mental/cognitive function impaired
- Sensory impaired
- Individuals supported by health or local authorities
- Temporarily or permanently ill
- Individual cared for by relatives
- Homeless
- Pregnant women
- Minority language speakers
- Tourists
- Travelling community

2. AIM

The purpose of this guidance is to assist multi-agency response planning, during an incident involving the evacuation or potential evacuation of vulnerable people.

3. IDENTIFICATION OF THE VULNERABLE

3.1 Many of the vulnerable groups or individuals at para 1.1 will be known to existing service providers/statutory authorities (i.e. people who live or are present in vulnerable establishments such as nursing homes, day centres, residential care homes, very sheltered housing etc.). There will be others who, for a variety of reasons, are more difficult to identify – such as those individuals who live in the community, visitors to the area, or the homeless.

Identifying, planning for, and providing for the needs of these vulnerable groups will involve a number of partners sharing a large amount of complicated and changing information. Suffolk Resilience Forum has therefore created a ‘list of lists’ to assist in this process at **Appendix 1**. This list provides:

- A list of organisations holding and maintaining vulnerable people data.
- Contact details for these organisations.
- Lists the type of vulnerability.
- Lists vulnerable establishments.

3.2 Although this list may assist in planning, it must be accepted that the accuracy and currency of the data, will depend on maintenance by the relevant organisation.

3.3 Due to the diverse definition of ‘vulnerable’ (persons that are less able to help themselves in the circumstance of emergency, it must be accepted that there is no guarantee that all vulnerable people will be identified within a specified area using this process.

4. DATA SHARING

4.1 Under the Civil Contingencies Act 2004 (CCA) and Contingency Planning Guidance, Category 1 and 2 responders have a duty to share information with other Category 1& 2 responders. During past emergency events, the poor sharing of personal data between statutory agencies and humanitarian support agencies has “hampered the connection of survivors to support services”.

The concern was that the Data Protection Act 1998 might prevent the sharing of personal data without the explicit consent of those concerned. Within the Data Protection Act, **sensitive** personal data comprises of information about an individual’s:

- Racial or ethnic origin
- Political opinions
- Religious beliefs
- Trade union membership
- Health
- Sexual life

- Criminal activity

4.2 Although different areas of law apply specifically Reference D, E, above and common law of confidentiality, it is important to recognise that there is overlap between them. The particular rules of various pieces of legislation cannot be ignored. When considering the issues and to help get to the right decision in an emergency, it is acceptable for responders to have in mind some fairly broad-brush and straightforward questions:

- Is it unfair to the individual to disclose their information?
- What expectations would they have in the emergency at hand?
- Am I acting for their benefit and is it in the public interest to share this information?

4.3 Although the above are not a substitute for deciding about fair and lawful processing, whether a Data Protection Act 1998 condition is met, or whether a duty of confidentiality applies, but they are useful tools in decision making. Following these broad principles, in an emergency it will mean that the sharing of data is unlikely to be found unlawful. Ideally all agencies should advise data subjects that their information may be shared in emergencies, and subjects should be informed when their information is shared.

5. CONDITIONS

Those holding data (data controllers) should ensure that at least **one** of the following conditions is met when sharing personal information:

- The subject has given consent to share information; or
- Sharing information is necessary to protect the person's vital interests (i.e. life or death/significant harm); or
- Sharing information is necessary to comply with a court order; or
- Sharing information is necessary to fulfil a legal duty; or
- Sharing information is necessary to perform a statutory function; or
- Sharing information is necessary to perform a public function in the public interest; or
- Sharing information is necessary for the legitimate interests of the data controller, or of the third part or parties to whom the data is disclosed, unless the rights or interests of the data subject preclude sharing.

6. EVACUATION

6.1 During emergencies, it is highly likely that the key purpose for the identification of vulnerable people; will be to plan the evacuation/potential evacuation of residents from a geographic area affected or at risk. The vulnerable may need

additional support and assistance compared to other residents, therefore the following may need to be considered:

- Communicating with vulnerable individuals/groups/facilities (early) to advise of the need to evacuate or potential for evacuation.
- Establishing their needs in relation to the evacuation i.e. type of vulnerability, alternate accommodation, accessibility, appropriate transport, etc.
- Appropriate carers, equipment, and medication to ensure their wellbeing during and following evacuation.

6.2 Some of the above may be addressed in Business Continuity or Contingency Plans, if the affected is a care setting, whereas vulnerable 'individuals' may have no arrangements in place.

6.3 Established local Community Emergency Groups (CEGs) or voluntary organisations (Suffolk Voluntary Organisations Group and others) may be able to assist statutory responders with some of the above dependant on the situation and level of care required.

6.5 During multi-agency evacuation planning, numbers of vulnerable people should be collated/recorded by the Tactical Coordinating Group (TCG) in the 'List of Lists' table at **Appendix 5** to assist with the planning.

6.6 It is expected that this guidance will be used during a 'rising tide' emergency event where there is time to plan, more so than a dynamic 'rapid onset' event. Realistically it will take time to share data between agencies.

6.7 Clearly, this guidance can also be used during situations that do not require evacuation, but there is need to share data on the vulnerable i.e. co-ordination of support to the vulnerable during prolonged severe weather/those that refuse to evacuate.

APPENDIX 1 - SUFFOLK RESILIENCE FORUM (SRF) VULNERABLE PEOPLE DATA SHARING

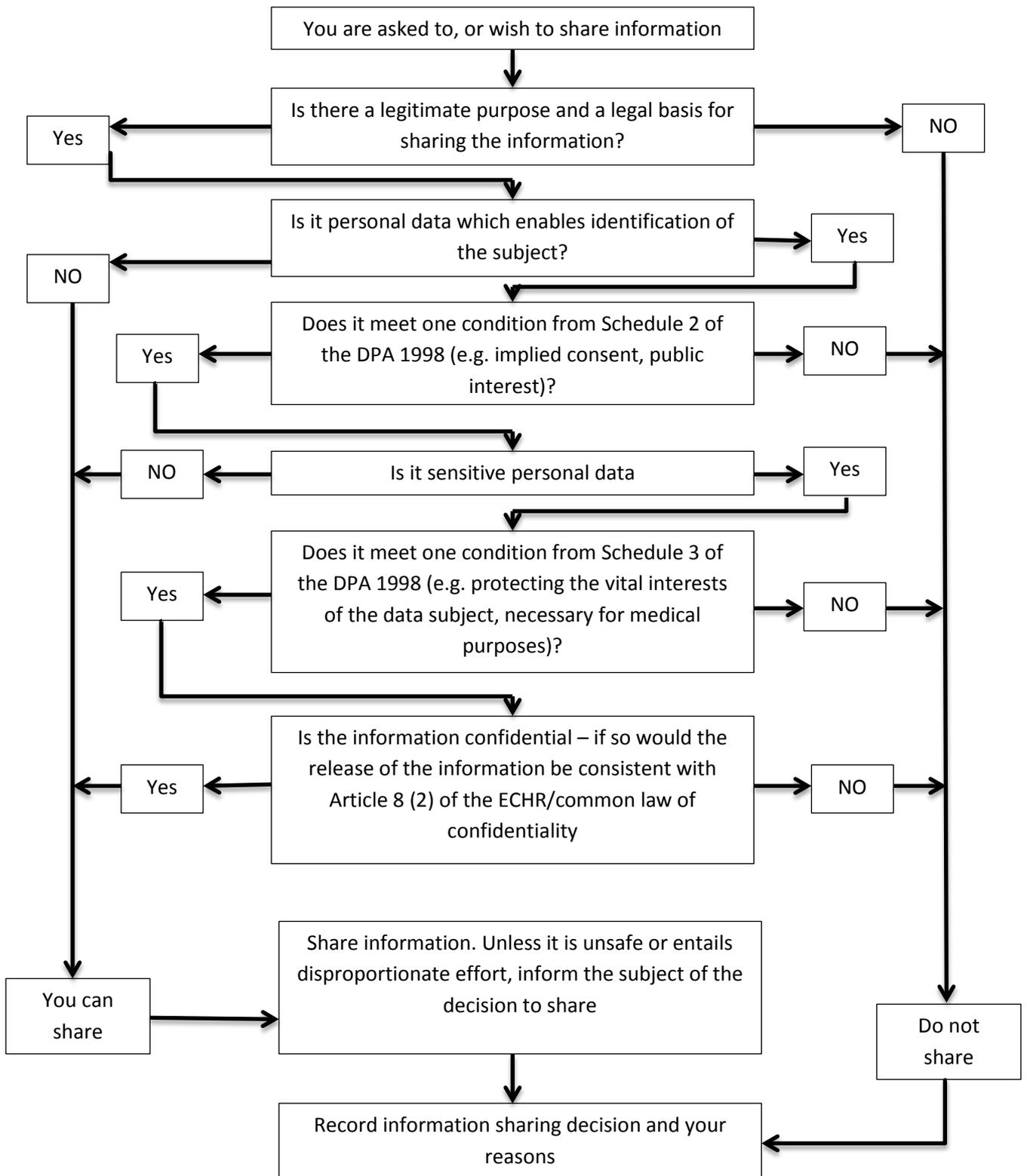
TCG Evacuation Planning Action Card

If there is a requirement to share vulnerable people data between agencies during emergencies (e.g. evacuation planning), agencies involved should consider the following:

- Is evacuation necessary .i.e. will it be more harmful to evacuate the vulnerable to temporary accommodation than remain in shelter?
- Is it necessary to share '**sensitive personal information**' to achieve a successful outcome (i.e. would numbers/type of vulnerability suffice)?
- Use of the flowchart at **Appendix 2** as a part of the decision making process.
- Use of Resilience Direct (RD) mapping to determine potential vulnerable facilities/people/property numbers within the area affected – this can be obtained using various map 'layers' stored on RD.
- Use of the SRF 'List of Lists' at **Appendix 5** to establish other potential vulnerable groups/facilities/individuals, not displayed on a RD mapping layer.
- Use of the Information Request Proforma/Information Response Proforma **Appendices 3 & 4** to share vulnerable people data between organisations on the List of Lists/TCG.
- Appropriate alternate locations for the vulnerable – this may be an element of individual organisation/facility Business Continuity (BC) plans. A local authority Rest Centre may **not** be appropriate, unless arranged with the required staff/equipment/welfare support and used exclusively short term for an individual affected facility.
- Specialist transport requirements for the mobility impaired/other disabilities. This may be provided by the individual 'care setting', a request to Suffolk County Council, St John Ambulance or EEAST dependant on the facility, level of vulnerability and situation.
- Consider care, support, equipment, medication for the affected, once they have left their normal accommodation – this may also be an element of the BC plan.

- The most vulnerable/disabled living unassisted in the community may not be able to answer to door, telephone, or have access to the internet/local media. Those conducting the evacuation may need to consider options/a multi-agency procedure for these identified properties.
- Is there a need for interpreters or, assistance from volunteers within the community with the ability to interpret/use of Language Line?
- Consider the use of Suffolk Voluntary Organisation (SVOG) members, Community Emergency Groups (CEGs) and other voluntary groups to assist statutory agencies in evacuation if appropriate. Some voluntary groups have existing emergency arrangements with statutory Cat 1 & 2 responders.
- If voluntary organisations are deployed in a widespread incident, i.e. flooding or severe weather, prioritisation and coordination of available assets will be required by the TCG, in consultation with the voluntary organisation coordinator.
- Early public communication messages regarding an evacuation may be important to enable vulnerable facilities/groups/individuals, to prepare and make arrangements for a structured/safe 'self-evacuation'. This will also allow responders to prioritise resources to assist those less able. Dependent on the situation this may be achieved using the local media/social media/leaflets/locally established CEGs.
- Due to the diverse definition of 'vulnerable', it must be accepted that there is no guarantee that **all** vulnerable people will be identified within a specified area using this process.

APPENDIX 2 - INFORMATION SHARING DECISION FLOWCHART



APPENDIX 3 - INFORMATION SHARING REQUEST PROFORMA

Information request under the Civil Contingencies Act 2004

Requesting organisation(s)	
Information holding organisation(s)	
Information requested (inc postcode of affected site/s)	
Reason why the information is required in connection with the Act (CCA) or other civil protection duties (and how the information is likely to be used)	
Date of request	
Date by which information is required	
Form in which the information is required	
Place to which information should be sent	
Contact details	

APPENDIX 4 - INFORMATION SHARING RESPONSE PROFORMA

Response to information Request under the Civil Contingencies Act 2004

Requesting organisation(s)	
Information holding organisation(s)	
Information requested	
Request accepted	Yes/No
If no , please set out the exceptions on which you are relying	
If yes, please set out any sensitivities or further background information which might be necessary to ensure the information is properly understood and properly protected.	
Date information was supplied	
Contact details	

APPENDIX 5 - SRF LIST OF LISTS

Use the table/contacts below in conjunction with Resilience Direct Mapping layers to determine the number of vulnerable people (by group) within a defined geographic area:

Potential Data Set Holders	Vulnerable Groups	Elderly & Frail	Mobility Impaired	People with Long term Medical Problems	Visually Impaired	Hearing Impaired	Pregnant Women & Newborns	Children with Disabilities	Ethnicity & Language	Homeless	People with Learning Difficulties	Drug/Alcohol Dependent	People with serious health problems	Tourists
Suffolk CC Adult & Community Services (ACS) - SCC Emergency Control Centre: 01473 260101 e-mail: cec@suffolk.gov.uk														
Suffolk CC Children & Young People (CYP) – SCC Emergency Control Centre: 01473 260101 e-mail: cec@suffolk.gov.uk														
Ipswich BC Home Emergency Alarm Service (HEARS) 01473433440 e-mail: ESC Controllers ESCControllers@ipswich.gov.uk														
Suffolk District & Boroughs LA – Sheltered Housing Contact: individual in accordance with SRF Alerting Directory including e-mail.														
NHS - Suffolk GP Surgeries – Contact CCGs via Director on Call pager 07659551791														
NHS – Community Healthcare – Senior Manager on call via Care Coordination Centre: 03001232425														
NHS Acute Hospitals Contact Senior manager on Call via switchboard. IHT – 01473 712233 bleep 690 WSFT – 01284 713000 bleep 888														

NOT PROTECTIVELY MARKED

Potential Data Set Holders	Vulnerable Groups	Elderly & Frail	Mobility Impaired	People with Long term Medical Problems	Visually Impaired	Hearing Impaired	Pregnant Women & Newborns	Children with Disabilities	Ethnicity & Language	Homeless	People with Learning Difficulties	Drug/Alcohol Dependent	People with serious health problems	Tourists
Nuffield Hospital Ipswich 01473279100														
BMI Hospital, Bury St Edmunds 01284 701371														
East Anglian Children's Hospice 01473 276193														
St Elizabeth Hospice, Ipswich 01473727776														
Norfolk & Suffolk Foundation Trust.(Mental Health) Contact Director on Call via switchboard 01603 421421														
NHS Suffolk Marginalised Adults outreach Services suffolk.smash@nhs.net 01473 286525														
UKPN - Priority Service Customers : Duty manager: 01473216185 e-mail:?														
Anglian Water - WaterCare Customers Duty Manager:08450703446 01522534500 e-mail:?														
Essex & Suffolk Water 24hr Control Room: 08457820999 e-mail: peter.barrett@nwl.co.uk														
Age UK(Suffolk) 01473 359911 e-mail: office@ageuksuffolk.org														
British Red Cross (Suffolk): 014730800777100														

NOT PROTECTIVELY MARKED

Potential Data Set Holders	Vulnerable Groups	Elderly & Frail	Mobility Impaired	People with Long term Medical Problems	Visually Impaired	Hearing Impaired	Pregnant Women & Newborns	Children with Disabilities	Ethnicity & Language	Homeless	People with Learning Difficulties	Drug/Alcohol Dependent	People with serious health problems	Tourists
e-mail:														
Salvation Army Contact details as the SRF Alerting Directory e-mail:														
Shelter National helpline: 0808 800 4444 e-mail: info@shelter.org.uk														
Traveller Liaison Officers (Norfolk & Suffolk) Gypsy, Roma & Traveller Service 07733302806 e-mail: keren.wright@norfolk.gov.uk														
Womens Institute(WI) (Suffolk East) 01473 251632 e-mail: office@sefwi.org.uk														
YMCA 01473 252456 e-mail: admin@ymcasuffolk.org.uk														
Housing Associations Orwell 01473 218818 e-mail: info@orwell-housing.co.uk Havebury 03003300900 e-mail: office@havebury.com														
Department of Work & Pensions?														
Suffolk Careline 0845 6007724 e-mail: info@careline.co.uk														