

Accredited Registers' information sharing protocol

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GLOSSARY of Terms used in this protocol:

Accredited Register (AR)

In this protocol the term Accredited Register refers to any of the organisations who are accredited by the Professional Standards Authority under its statutory powers and the term Accredited Registers means all of them collectively.

Accredited Registers Programme

The statutory programme operated by the Professional Standards Authority for the accreditation of registers of health and care practitioners who are not subject to statutory regulation.

Alert

A notification from one AR to all other ARs in the form and with the content referred to in this protocol.

Data

Within this protocol, use of the word data includes only data relating to removal from an AR as the result of disciplinary procedures and which is in the public domain

Disclosure

This is the divulging of, or provision of access to, data.

Information Sharing

The process of sharing by ARs of information, including data within the meaning given in this protocol, in the course of, and within their legal powers and responsibilities, for the purpose of public protection.

Information Sharing Protocol

This is the title of this protocol, the document setting out the general purpose and principles for sharing data. The protocol will show that holders of ARs are committed to maintaining agreed standards on handling data and also who has signed it.

Mutual Recognition

This is the procedure agreed by all signatory ARs for taking into account decisions made by another AR in relation to individuals who may be registrants of that other AR or applicants for registration with that other AR at some time. To the extent that law, including human rights law and natural justice, permits, ARs will participate in an alerts system by which they will share information which they publish about the disciplinary decisions they make to remove a registrant.

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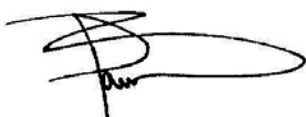
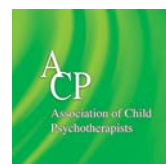
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Association of Child Psychotherapists**



**Paul Hitchcock, Chief Executive Officer
British Acupuncture Council**



**Cristian Holmes, Chief Operating Officer &
Deputy Chief Executive
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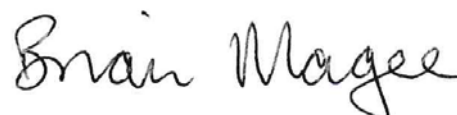
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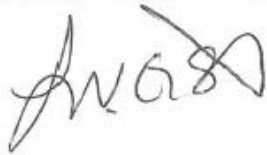


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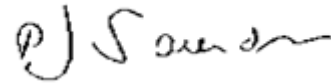


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UKPHR

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Protecting the public – improving practice

Other members of the collaborative are:
Alliance of Private Sector Practitioners
Association of Christian Counsellors
British Association of Sport Rehabilitators and Trainers
Human Givens Institute
Save Face

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1. Purpose of this protocol

Specific purpose

- 1.1 The specific purpose of this protocol is to set out a framework for holders of Accredited Registers ("ARs") to participate in an alerts system by which they will share information so as to support Mutual Recognition of outcomes of disciplinary proceedings that lead to **removal from an AR** ("the Mutual Recognition purpose").

General purposes

- 1.2 The general purposes of this protocol are:
- 1.2.1 To promote cooperation among ARs as far as is appropriate and reasonably practicable in the sharing of information and data within the meaning given in this protocol.
- 1.2.2 To promote and establish a consistent approach between ARs to the development and implementation of information sharing, including clarity as to when information sharing will take place.

No intention to create legal relations

- 1.3 This protocol is not intended to be a contract in law and does not give rise to any contractual rights or intentions. Formal data sharing agreements that go beyond the sharing of data that is in the public domain may additionally be necessary in some circumstances and legal advice should be sought.

2. Scope

- 2.1 This protocol has been developed to guide information sharing among ARs in promoting the Mutual Recognition purpose. It does not replace ARs' existing policies and procedures relating to confidentiality, data protection and disclosure of information.
- 2.2 It explains the alerts system in which ARs agree to participate and that the information to be shared between ARs is information that ARs publish already.
- 2.3 This protocol applies to all the signatory organisations being ARs within the United Kingdom.

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3. Principles guiding the sharing of information

3.1 The following key principles guide the sharing of information between ARs:

3.1.1 ARs endorse the Mutual Recognition purpose and, in its support, agree to promote the accurate and timely sharing of data within the meaning given in this protocol, for the protection of the public.

3.1.2 **Accurate** means ARs have taken care to ensure that records are factually correct and have been checked before being shared.

3.1.3 **Timely** means that ARs will contribute alerts for the sharing of information promptly for the benefit of individuals, communities and effective public protection.

3.2 ARs are fully committed to ensuring that when they share information it is in accordance with their legal (statutory and common law) duties and that it meets the requirements of any appropriate guidance.

3.3 The ARs' Collaborative has published much broader general guidance relating to information sharing which ARs may find helpful.

4. Mutual Recognition - Alerts

4.1 All ARs will maintain an up to date circulation list of ARs and will alert all ARs of a decision relevant to the Mutual Recognition purpose promptly (within 7 working days of such a decision having been confirmed). Notification by email will be sufficient communication of an alert but other written forms of communication will be acceptable.

4.2 For the purposes of this protocol a decision is, depending on the rules of the decision-making AR, confirmed when the decision has been published.

4.3 All ARs will have in place arrangements within their organisations for receiving, recording and considering alerts received from other ARs containing information to be shared. Alerts received will be made available so as to be capable of being consulted by staff of the ARs in connection with the carrying out by them of their registration duties and, where necessary, such information will be specifically drawn to their attention. Staff will be trained and instructed appropriately on the proper uses of information that has been shared in accordance with the Mutual Recognition purpose.

4.4 ARs will take into account information shared with them by other ARs in accordance with the Mutual Recognition purpose to the extent that it is appropriate and relevant for and in accordance with their own rules and processes to do so.

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5. Practical application

- 5.1. ARs will ensure that all registrants and applicants for registration are aware of the terms of this protocol in relation to the Mutual Recognition purpose.
- 5.2. An individual's personal data must be complete and up to date and will only be disclosed in an alert sent to other ARs when it has been published.
- 5.3. ARs will ensure that all relevant professionals, staff and volunteers are aware of, and comply with, their responsibilities in regard to ARs' commitment to issue and receive alerts for the sharing of information for the Mutual Recognition purpose.
- 5.5. All professionals, staff and volunteers will be made aware that disclosure of personal data, which is not in the public domain and cannot be justified on legal or statutory grounds, whether inadvertently or intentionally, could be subject to disciplinary action.
- 5.6. ARs are responsible for putting into place effective procedures to address complaints relating to the disclosure of information, and details of these procedures should be made available to the public, registrants and any other relevant service users.
- 5.7. ARs will keep clear and accurate records of all alerts given and received.
- 5.8. **Appendix 1** contains an indication of the standard content for an alert.

6. Implementation, monitoring and review

- 6.1. This protocol has been developed to provide a purpose-specific protocol to support sharing by ARs of information that is in the public domain. Where not already in place, processes will be set up by ARs to adopt a risk management approach to breaches and/or problems in relation to the implementation of this protocol.
- 6.2. Formal review of this protocol will be by the Accredited Registers' Collaborative at three yearly intervals (unless legislative changes require immediate action), taking into account any changes in practice, relevant legislation or organisational structure.
- 6.3. In the event of a requirement for an urgent change to this protocol, upon agreement of all the parties, an urgent review of the procedures requiring a change will be undertaken.
- 6.4. Prior to the review date, ARs will submit feedback on the use of the protocol and propose options for addressing problems or amending procedures.
- 6.5. Issues, incidents and complaints resulting from failures in the specific agreements set out in this protocol will be fed into the review process.

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Appendix 1 – Standard content for an alert

ALERT OF INFORMATION BEING SHARED	
To: Name of Organisation Name of Person Reference (if any)	
Information being shared	
Web-link to the location of the information on the information sharer's register	
Information sharer's name: Name of Organisation Name of Person	
Information sharer's reference	
Date	
Contact details if you have any queries about this notice	