

# Information Sharing Policy

*London Borough of Barnet*

(c) Copyright London Borough of Barnet 2014

**Document Control**

<b>Document Description</b>	Information Sharing Policy  (to be read in conjunction with the LBB Information Sharing Protocol, attached as Appendix A)		
<b>Version</b>	3.2		
<b>Date Created</b>	February 2011		
<b>Status</b>	Final		
<b>Document Owner</b>	XXXXXX, Information Management Team, XXXXXX		
<b>Document Classification:</b>	Unrestricted		
<b>Authorisation</b>	Name	Signature	Date
<b>Prepared By:</b>			
<b>Checked By</b>			

**Version Control**

<b>Version number</b>	<b>Date</b>	<b>Author</b>	<b>Reason for New Version</b>
1	Feb 2011	XXXXXX	Initial draft
2	April 2011	XXXXXX	Minor amendments
3	28/07/11	XXXXXX	Style updates and review by IMWG
3.1	09/10/12	XXXXXX	Minor amendments
3.2	22/11/13	XXXXXX	Annual Review

*Date last reviewed:* November 2013  
*Date of next review:* November 2014

## Contents

1.	Introduction.....	1
2.	What is Information Sharing? .....	1
3.	Purpose and Scope .....	1
4.	Deciding to share personal data .....	2
5.	Data Protection Principles .....	2
6.	Information Sharing Protocol (ISP) .....	3
7.	What are the benefits of an Information Sharing Protocol (ISP)? .....	4
8.	Information Sharing Agreements (ISA) .....	4
9.	Associated documentation .....	5
10.	Contact Information/Further Guidance .....	5

(c) Copyright London Borough of Barnet 2014

## 1. Introduction

Sharing information across organisational and professional boundaries can bring many advantages, not least to ensure effective co-ordination and integration of services. Due to the growing number of projects with information sharing at their core, there is a need for a joint approach in the creation of robust frameworks within which information can be shared effectively, lawfully and securely.

Information sharing does of course present risks and these need to be managed correctly. We need to ensure that Information Sharing is carried out fairly and lawfully and in adherence with the Data Protection Act 1998 (DPA).

The council deals with a lot of partners/agencies/public bodies and service providers on a regular basis. These include the Health Service, DWP, schools, the police and other partner organisations. A vast amount of information is exchanged with these organisations and there is a need for a joint strategy for setting standards in information sharing with these organisations.

## 2. What is Information Sharing?

Information sharing means the disclosure of information from one or more organisations to a third party organisation or organisations, or the sharing of information internally between different parts of an organisation. Information sharing can take the form of:

- A reciprocal exchange of information
- One or more organisations providing information to a third party or parties;
- Several organisations pooling information and making it available to each other;
- Several organisations pooling information and making it available to a third party or parties;
- Different parts of an organisation making information available to each other;

Or

- Exceptional, one-off disclosures of information in unexpected or emergency situations

## 3. Purpose and Scope

This policy details the overarching framework specifically for the sharing of personal information, or “personal data” (as defined in the DPA), shared between the London Borough of Barnet and other partners, public, private or voluntary sector organisations who we deal with on a regular basis. It focuses on the requirements for sharing “personal data” about service users in a safe and appropriate way.

Information sharing between organisations is often dealt with in a tiered approach:

- The top tier being a shared document defining the commitment to key principles, standards and purposes between organisations (the Protocol)
- The middle tier being that of the functional agreement, which defines the clear objective, the legal basis to share, details the information to be shared, how it will be shared and when (the Agreement)
- The third tier, being the tools and methods for actual sharing which all officers need to adopt (formalised processes and procedures).

An Information Sharing Protocol (ISP) is not usually contractually binding but is used to set best practice standards. The signatories / parties detailed in the protocol are required to meet the stated standards and agree to the terms to ensure collaborative working is undertaken in a structured, legal and fair way, which in turn ensures the security and protection of personal data. It further provides individuals (the Data Subjects), with the confidence that we are protecting their information in an appropriate manner.

You must ensure when entering into any information sharing arrangements that an Information Sharing Agreement is drawn up and agreed by all parties.

#### 4. Deciding to share personal data

Personal data sharing is not an automatic assumption and there must be a clear purpose, for example achieving an objective or set of objectives that can only be achieved by sharing the information.

Personal data should only be shared if it is necessary to do so or the data subjects have given their consent.

Organisations need to consider whether the sharing of data is absolutely necessary in order to achieve their objective. For example, can the objective be achieved by sharing anonymised data?

The ISP to this policy provides further detail and considerations which need to be addressed prior to deciding whether or not to share.

Information sharing must only be done in adherence with the Data Protection Act 1998 and in line with the Information Commissioner's Data Sharing Code of Practice.

#### 5. Data Protection Principles

The eight data protection principles must be adhered to in all information sharing arrangements:

- **First** - Personal data shall be processed fairly and lawfully and, shall not be processed unless: -

(a) at least one of the conditions in Schedule 2 (of the Act) is met, and

(b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 (of the Act) is also met.

Individuals should be made aware of which organisations are sharing their personal data and what their data is being used for.

- **Second** - Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
- **Third** - Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- **Fourth** - Personal data shall be accurate and, where necessary, kept up to date.
- **Fifth** - Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
- **Sixth** - Personal data shall be processed in accordance with the rights of data subjects under the Act.
- **Seventh** - Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- **Eighth** - Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

## 6. Information Sharing Protocol (ISP)

The first tier of information sharing is the ISP. This is an overarching document that is designed to set clear standards for the secure, confidential and lawful sharing of personal data.

It is an agreement between organisations to govern the sharing of personal data about service users and facilitate the development of information sharing agreements.

The ISP is an overarching general set of standards which is agreed in addition to the individual and more specific information sharing agreements (the second tier).

The council has its own Information Sharing Protocol which partner organisations can sign up to.

## 7. What are the benefits of an Information Sharing Protocol (ISP)?

The ISP provides the following benefits:

- **Helps to promote information sharing** – by setting standards agreed by all parties in Barnet’s information sharing community the ISP will help remove organisational barriers which often hinder effective information sharing. It will allow us to delivery high quality integrated services and make us more effective in the way we work.
- **Inspiring public trust by helping to ensure compliance with legislation and guidance** – organisations who sign up to the ISP are confirming that they will comply with the procedures which accompany it whenever information is shared and that they will abide by the monitoring arrangements set within it. This not only ensures compliance with legislation but also improves the public’s confidence that legally required safeguards are in place and information will be correctly processed and protected.
- **Avoiding duplication of agreements and guidance** – the ISP and associated template provides detailed guidance around all information sharing arrangements. This means that there is no need to duplicate information when drafting service specific agreements. By signing up to the ISP, organisations agree to ensure that all agreements established between partner organisations sharing information for a common purpose are consistent with the agreed ISP and template agreement.
- **Transparency** – demonstrates the willingness of signatory organisations to be transparent in their information sharing practices.
- **Reduced reputational risk** – by ensuring we have the correct processes in place we limit inappropriate or insecure sharing of personal data.
- **Increases understanding** – with clear protocols people will gain a better understanding of knowing when it is or isn’t acceptable to share information. This also minimises the risk of a breach occurring and possible enforcement action from the ICO

## 8. Information Sharing Agreements (ISA)

An ISA, the second tier, details the specific arrangements between organisations and departments who need to share information for a common purpose or project. This is the most important of the documents as it provides all parties with clear instructions and information as to how the sharing will work. In large projects or sharing which involve particularly high volumes or sensitive information the ISA will also be backed up by agreed policies or procedures.

An ISA allows organisations to formalise the decision taken to share and ensure that all Data Protection requirements have been accounted for. Barnet ISAs should reflect

internal Information Management policies and procedures with regard to the security of data.

All ISAs should be drafted using Barnet's standard Template Agreement and approved by both the Information Management Team and the relevant service's Information Management Governance Group (IMGG).

## 9. Associated documentation

This policy should be read and used in conjunction with the LBB Information Sharing Protocol and Template Agreement.

## 10. Contact Information/Further Guidance

Further advice and guidance is available from the corporate Information Management Team.

Members of the public who wish to access their personal data should write to the Information Management Team at the address below. Or alternatively a Subject Access Request Pack can be downloaded on our website.

Address: London Borough of Barnet  
North London Business Park  
Oakleigh Road South  
London  
N11 1NP

Tel No: (020) 8359 2029

E-mail: [data.protection@barnet.gov.uk](mailto:data.protection@barnet.gov.uk)

Website: [www.barnet.gov.uk/data-protection-act](http://www.barnet.gov.uk/data-protection-act)