

Breaking down barriers to data sharing.

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Breakthrough services in local
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Data sharing

- What do we mean by data sharing?
- $A \rightarrow B$
- $A \rightarrow B, B \rightarrow A$
- $A + B \rightarrow C$
- $A + B \rightarrow C \rightarrow D \rightarrow E \dots$
- $A + B + C + D + E \rightarrow F \rightarrow ? + ? + ?$
- Different models = different but related compliance issues
- Complex information chains / many partners

Opportunities...

- Multi-agency co-operation, 'joined-up' services – personalisation
- Convenience – 'tell us once'
- Child protection / crime reduction
- Crime / fraud prevention: mass data analysis
- People expect information sharing, but...

Risks...

- More data about more people available to more officials for more purposes?
- How do we explain very complex information systems to the general public
- How much control do they have over their information? How much do they want?
- Choice? Consent? Objection? Legal challenge?

How the Data Protection Act applies

- Deciding to share personal information
- Fairness and transparency
- Information standards
- Retention of shared information
- Security of shared information
- Access to personal information
- + Freedom of information
- Information rights more relevant than ever

Public sensitivity

- Electricity company → mobile phone company. Mobile phone company offers special tariff to customers in 'fuel poverty'
- Drug users more likely to have house fires. Fire brigade wants addresses of registered drug users from healthcare organisation
- Victim support – disclosure of victims of violence details to charity workers
- Commercial data sharing, list brokerage etc.
- Try to understand public sensitivity: the law doesn't answer all your questions

ICO data sharing code

- practical guidance re: the sharing of personal data in accordance with the DPA + other guidance the IC considers appropriate
- Good practice includes, but not limited to, compliance with the DPA
- Duty to consult with trade associations and individuals
- Submitted to SoS for approval (re: UK international obligations)

Data sharing code: status

- No legal duty to comply with CoP
- Admissible in evidence in legal proceedings
- Provisions must be taken into account – eg by Tribunal – when relevant to proceedings

Data sharing code: what will be in it?

- Strong on individuals' rights
- Public, private and 3rd sector advice
- Drafting 'info-sharing protocols'
- Transparency – esp. FoI
- Clear explanation of 'other law' + DPA
- 'Nuts and bolts' practical issues / governance
- Section on mergers / abolitions etc.
- Things to avoid
- Consultation ends January 5 – please participate

Further Information

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