



Scottish Community  
Safety Network

# **Information Sharing Protocol**

## **Template**

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## Purpose of the Protocol

This document is not a legally binding document, it aims to provide the basis for an agreement between the agencies and other organisations engaged in *[Insert the name and function of the partnership]* to facilitate and govern the efficient, effective and secure sharing of good quality information. It sets out:

- The principles underpinning information sharing.
- The general purposes for information sharing.
- The responsibilities and commitments of partners to this agreement.
- The arrangements for monitoring and review.

This protocol complies with the information sharing principles defined in *[Give name of any overarching protocols]* It aligns with all other protocols to which agencies may already be signatories and does not in any way supersede those existing agreements.

It is not intended that this document be definitive or exhaustive, it is recognised that as policy develops and implementation arrangements mature, this protocol will need to be reviewed and amended in light of new information sharing requirements to ensure that it is 'fit for purpose'.

As this protocol aims to provide a set of guiding principles for information sharing within the context of *[provide the name of the programme, policy area or function for which the partnership has been formed]* to which partners can sign up, its purpose is not to be specific. It is a key principle of this agreement that this protocol should be underpinned by a series of specific data sharing agreements that detail the specific data/information sharing requirements between agencies.

## Policy Context

*[Enter statement that explains the policy area within which the partnership activities sit and what it aims to achieve through a multi agency approach]*

In order for the development of the *[Enter name of programme]* to be successful it is essential that all agencies and organisations engaged in its development and implementation are empowered and committed to share good quality and relevant information in a responsible and secure way.

## Scope

As stated above the protocol covers the sharing of information between all agencies and organisations engaged in/or who are identified as holding relevant information for the purposes of developing, implementing, monitoring and evaluating *[Name of programme]*

A list of signatories is included at Annex A. This is not exhaustive and will be updated regularly as part of the protocol monitoring and review process as required.

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Information may be *[State types of information to be shared e.g. anonymised, personal and/or sensitive or confidential]* in nature and may be shared where *[state the basis for sharing e.g. is a legal power to do so, where informed consent has been sought]*.

The relevance of the scope of the protocol should be considered as part of a regular monitoring and review process.

## Purposes for Sharing Information

Under the terms of this agreement information may be shared for any purpose that supports the development of the *[name of programme]* in *[place]* and that has been agreed within a specific information sharing agreement. In general information sharing will be required to support the development and operation of *[name the programme/function]*. This may include the following: *[list the different functions for which information will be required]*.

This is not intended to be an exhaustive list as policy changes or delivery approaches mature other purposes may be identified and these will be incorporated into the protocol during the monitoring and review process.

## Information Sharing Requirements

<b>Purpose</b>	<b>Type of Information</b>	<b>Recipients</b>	<b>Data Controller</b>
<i>State the function for which information is required</i>	<i>e.g. Anonymised qualitative and quantitative information</i>	<i>State who will receive and use the information</i>	<i>State who will provide the information</i>

## Consent

Explicit consent will be sought from data subjects in accordance with individual partner agency policies and procedures where it has been identified as a necessary condition for the processing of the information as set out in the data Protection Act 1998.

Where consent is required it is the responsibility of partner agencies to seek consent from their clients to share information for the purposes identified.

Where consent is refused or withdrawn by the data subject that information will not be used unless there is a risk of harm to the individual or others.

It should be made clear to the data subject/s the circumstances under which information will be shared with other agencies without their consent and the implications to them of not being able to share their information. The responsibility for ensuring this lies with the partner agency.

## Legislative Context

It is essential that all information shared under the terms of this protocol will be done so in compliance with the following key legislation:

- The Data Protection Act 1998
- The Human Rights Act
- Common Law Duty of Confidentiality

In addition each agency/organisation signed up to this protocol will have their own legal framework that governs their functions and that sets out the circumstances under which personal and sensitive information may be shared. The relevant legislation is as follows: [Insert list of legislation].

It is the responsibility of the individual agency/organisation to ensure that their data sharing transactions undertaken are done so legally and fairly and that they comply with their own legal powers and the legislation detailed above.

## Key principles

In signing up to this protocol the signatories agree and commit to the following principles:

- This protocol aims to align with individual partner agency statutory, legal and common law duties. This agreement is to be entered into alongside any existing protocols, procedures, policies and guidance to which the partner already adheres and does not supersede them.
- This protocol will be underpinned by individual data sharing agreements that will govern data sharing transactions between partners.
- Information will only be used for the purposes stated in this protocol, and as detailed in individual Information Sharing Agreements.
- Partner agencies comply with the requirements of the Data Protection Act 1998 and in particular the eight Data protection Principles
- Partner agencies support, endorse and promote the accurate, timely, secure and confidential sharing of information for the purposes stated in this protocol.
- Where it is agreed that it is necessary to share personal information it will be shared only on a 'need to know' basis and this will be detailed in the individual information sharing agreements. All other information will be statistical and aggregated.
- Personal and sensitive Information will only be shared under this agreement where there is a statutory power to do so and the conditions for processing as determined in the Data Protection Act 1998 can be met.
- Agencies agree to ensure that data sharing takes place in accordance with their legal, statutory and common law duties and that responsibility for ensuring that they have adequate notifications, privacy notices, policies, procedures and guidance to do so remains with them.
- Signatories agree to the roles and responsibilities set out
- All information will be supplied in line with the relevant standards for information quality and security, in particular the HM Government's security Classification guidance on using and handling intelligence data.

## Roles and Responsibilities

In signing up to this protocol, the signatories agree to the following roles, responsibilities and actions in order to achieve agreement and 'sign off ' by *[state who will endorse the protocol]* and to ensure that the Protocol is maintained appropriately.

<b>Role</b>	<b>Responsibility</b>	<b>Implementation</b>	<b>Date</b>

## Supporting Policies

It is important that partners commit to ensuring that all information sharing is in line with their own existing standards, policy and guidance with reference to:

- Information Quality
- Information Security
- Data protection
- Confidentiality

Individual agencies are responsible for detailing their requirements for compliance in their individual information sharing agreements and are responsible for their own processes and procedures to monitor and ensure compliance.

## Governance, Monitoring and Review

The review, monitoring and amendment of the protocol will be undertaken by *[state who will be responsible]*. Formal review will be undertaken annually unless legislation or policy changes dictate otherwise.

New parties to this agreement may be included at anytime, the formal arrangements for which will be managed by *[state who will be responsible]* and agreed by *[state who will endorse the decision]*.

All amendments to the protocol will be reported to and signed off *[insert who will be responsible for endorsing changes to the protocol]*.

## Conclusion

This protocol proposes a consistent approach to the sharing of information between partner agencies for the purposes of developing and implementing the *[name of programme]*

All partners need to be able to balance the conflicting demands between the need to share information with other agencies and the requirement to maintain confidentiality. These conflicting demands are acknowledged by this protocol which provides a basis for partners to be confident that where information is shared it will be done in a consistent, responsible and secure way for the purpose of *[state the programme/partnership aims]*.



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