

INFORMATION SHARING PROTOCOL SUMMARY SHEET

Client Caseload Information System (CCIS) Information Sharing Framework				
Organisation Name	Head Office Address	Telephone	Email for Information Governance Team	ICO Registration reference
Essex County Council	County Hall Chelmsford Essex CM1 1QH	08457 430430	Informationgovernanceteam@essex.gov.uk	Z6034810
Thurrock Unitary Authority	PO Box 1 Civic Offices New Road Grays Thurrock Essex RM17 6SL	01375 652652		Z8228055
Southend Borough Council	Civic Centre, Victoria Avenue, Southend-on-Sea, Essex, SS2 6ER	01702 215000	council@southend.gov.uk	Z6929331
Kent County Council	Room 2.71, Sessions House, Maidstone, ME14 1XQ	03000 416286	informationgovernance@kent.gov.uk.	Z5297748
Medway	207-217 New Road Chatham Medway ME4 4QA	01634 334343	graham.clewes@themytrust.org,	Z1733738
Royal Borough of Kingston	The Royal Borough of Kingston upon Thames, Guild hall, Kingston upon	020 8547 5000	phillip.furby@kingston.gov.uk	Z7987138

	Thames, KT1 1EU			
15billion	Unit 12, SOV, Stratford, London, E15 4EA	020 8536 3630	lan.porter@15billionebp.org	Z6234309
East Sussex	County Hall, St Anne's Crescent, Lewes, East Sussex BN7 1UE	01273 335651	Janis.Dear@eastsussex.go v.uk	Z5664005

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Agreement owner (Organisation)	Essex County Council, PO Box 11, County Hall, Chelmsford, Essex CM1 1LX
Agreement drawn up by (Author(s))	Tracy Eve, Essex County Council, Employability and Skills Unit, IAG Manager
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Information Sharing Protocol – Client Caseload Information System (CCIS) Information Sharing Framework

1.Introduction and Partners

This protocol is between Local Authority (LA) organisations for which it is relevant to share information or there is a legal requirement to undertake the sharing of information through the Client Caseload Information System (CCIS) Framework. Local Authorities (LA) refers to Local Authorities and representatives working on their behalf. The agreement will be effective for 3 years unless there are significant changes to the requirements on Local Authorities or legislation requirements.

The CCIS Information Sharing Framework includes the following members:

Kent County Council (KCC), Essex County Council (ECC), Medway Youth Trust (on behalf of Medway Council), Brighton and Hove, East Sussex County Council (ESCC), Thurrock Council, Southend Borough Council (SBC), 15billion for the London East sub regional CCIS service (on behalf of City of London, Royal Borough of Greenwich, London Boroughs of Tower Hamlets, Newham, Redbridge, Barking and Dagenham, Havering, Lewisham and Bexley) and the Royal Borough of Kingston (RBK) South London CCIS Service (on behalf of Royal Borough of Kingston, Bromley, Merton, Richmond and Sutton London Boroughs).

2.Purpose

Effectively sharing information relating to young people (between the ages of 13–19 and up to the age of 25 for those with learning difficulties and disabilities) between the local authorities will bring significant benefits in supporting the learning, welfare and safeguarding of children and young people within the defined local authority areas.

Data sharing will enable the LAs to fulfil key strategic responsibilities, including:

- Secure sufficient suitable education and training for all young people aged 16-19 and for those aged 20-24 with a Learning Difficulty or Disability.
- Make available to young people aged 13-19 and to those aged 20-24, with a Learning Difficulty Assessment (LDA) or Education Health Care Plan (EHCP), support that will encourage, enable or assist them to participate in education.
- Ensure that its functions are exercised so as to promote the effective participation in education or training of persons belonging to its area to whom Part 1 of Education and Skills Act (ESA) 2008 applies, with a

view to ensuring that those persons fulfil the duty to participate in education or training.

- Make arrangements to enable the identities of persons belonging to its area to whom Part 1 of ESA 2008 applies but are failing to fulfil the duty to participate in education or training.
- Ensuring effective planning, commissioning and delivery of services to children and families, in particular to support vulnerable young people and their families.
- Information at a whole school/college and individual level will be used to plan and deliver services and support decision making on a case-by-case basis.
- Safeguarding Childrens' welfare and their duty to cooperate with other agencies in ensuring Childrens' safety.

3. Information to be shared

There is a requirement on local authorities to share a complex range of information.

Appendix 1 outlines the following information:

- the purpose/relevance for sharing information
- the information to be collected or shared
- frequency for collecting/sharing the information
- the processes for sharing information between CCIS Information Sharing Framework members.

4. Legal Basis for Sharing Information

In signing this document all parties are agreeing to comply with the Data Protection Act 1998 (DPA) or any subsequent replacement legislation. Principle One requires that personal information is shared fairly and lawfully. In order to achieve these organisations must comply with at least one condition from schedule 2 and, where sensitive information is included, at least one condition from schedule 3 of the DPA.

Appropriate schedule 2 conditions:

- The data subject has given their consent to the processing.
- The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject.

Appropriate schedule 3 conditions:

- The data subject has given his explicit consent to the processing of the personal data.
- The processing is carried out in the course of its legitimate activities by anybody or association which:
 - (i) Is carried out with appropriate safeguards for the rights and freedoms of data subjects
 - (ii) Does not involve disclosure of the personal data to a third party without the consent of the data subject

Other Legislation or Statute:

- Education and Skills Act 2008 Part 1 s16 and 17 and Chapter 2-s10
- To encourage, enable and assist young people into education, employment and training, through the provision of data.
- Apprenticeship, Skills Children and Learning Act 2009.
- Children's and Families Bill 2014

Fair processing requirements

It is essential to seek the consent of service users. However, Partners agree that disclosure without consent is lawful if certain conditions are met i.e. refer to point 4 of page 4.

The Data Controller is responsible for ensuring that data subjects are advised that their information is being or may be shared. Where an individual refuses to give consent to share their information and it is lawful to share such information in spite of the refusal, the Data Controller must record the refusal of consent and the reasons for overriding that refusal. This protocol relates to the welfare children under the * Children Act 2004 and the ^ Education and Skills Act 2004 and therefore 8.3 is exempt under * part 2 section 11 and ^ Section 2 Chapter 2.10 of the Acts.

5. Access and individuals' rights

Subject Access is an individual's right to have a copy of information relating to them which is processed by an organisation.

Once information is disclosed from one agency to another, the recipient organisation becomes the **Data Controller** for that information. With regards to subject access requests, the **Data Controller** has a statutory duty to comply with section 7 of the DPA, unless an exemption applies. It is good practise for the recipient organisation to contact the originating organisation. This enables the originating organisation to advise the use of any statutory exemptions that may need to be applied prior to disclosure to the requesting individual. Communication should take place speedily thus allowing the servicing of the request to take place within the Statutory 40 calendar day, time period.

If a party receives a request for information under the Freedom of Information (FOI) Act [2000] that relates to data that has been disclosed for the purposes of this Information Sharing Protocol, it is best practice to seek advice from the originating organisation prior to release. This allows the originating organisation to rely on any statutory exemption under the provisions of the FOI Act and to identify any perceived harms. However, the decision to release data under the FOI Act is the responsibility of the agency that received the request.

Essex Partner Agencies' Information Sharing Agreements are made publicly available on the Whole Essex Information Sharing Framework website.

6. Keeping information secure

- LAs will only send and receive information through the secure* NCCIS Platform using the Designated Person listed in the point 9.
** This Management Information (MI) Requirement sets out the information that **must** be reported to the Department for Education's (DfE) National Client Caseload Information System (NCCIS) in the financial year beginning April 2016. It is designed primarily for data managers who have responsibility for the local client caseload information system (CCIS) and reporting information to DfE.*
- LAs will ensure that their employees are able to access only the shared information necessary for their role and are appropriately trained so that they understand their responsibilities for confidentiality and privacy.
- Local Authorities must ensure the physical security of the shared information.
- All portable devices that hold information must have appropriate industry standard encryption.
- CCIS Information Sharing Framework members must not pass on or sell the data to other parties or organisations not party to this agreement.
- LAs are required to have contracts and systems in place to ensure sub-contractors are managing all aspects of data security and are fully aware of and abide by this.
- Any information breaches e.g. theft, loss, damage or inappropriate disclosure of information must be reported to the relevant Data Controller within the relevant LA listed in the contacts.

Partners receiving information will:

- ensure their employees can only access the shared information appropriate to their role;
- ensure that their employees are appropriately trained to understand their responsibilities to maintain confidentiality and privacy;
- protect the physical security of the shared information.

7 Information format and frequency of sharing

Information is shared through dedicated support systems within NCCIS

The frequency with which the information will be shared is included within Appendix 1.

8.Data Retention

Local Authorities are required to keep information on young people in line with the DfE's Management Information Guidance. Each local authority is required to manage their data retention in line with their LA systems and local policies.

Data shared between LAs should be used within two months. By nature of the process non-relevant data, i.e. young people who do not live/study in the receiving LA, will be sent to other local authorities. Therefore all receiving LAs must extract and destroy all non-relevant data immediately following processing of all relevant data i.e. within 2 months.

9.Responsibility for exchanging these data and ensuring data are accurate

The quality assurance checks generally applied within all local authorities signed to this agreement are:

- LA CCIS Data Managers implement Department for Education's CCIS Management Information Guidance which requires Local Authorities to implement due process in the sharing of information and therefore managing the quality of the information held on the CCIS database.
- Student data is obtained and transferred onto the CCIS database from the schools/college/training provider/ DWP/DfE systems and those partners will have organisational data quality assurance procedures in place to comply with legislation. Where information is received and it is later identified as being inaccurate e.g. a young person has moved, the Data Manager and Data Processors will verify new addresses.
- Local Authorities have procedures that enable the Data Managers to regularly verify young people's data i.e. from frequent surveys.

For the purposes of this Protocol, the Local Authorities listed in section 1 will act as Data Controllers in Common.

["In common" is where data controllers share a pool of personal data, often disclosing data to each other but with each processing the data independently of the other(s). As with 'joint' arrangements, data controllers in common should have written agreements and processes for ensuring that all data controller responsibilities are satisfied. Each needs to exercise due diligence in ensuring that all parties involved are meeting the requirements of law.]

CCIS Data Manager responsible for ensuring managing daily sharing of information:

Name	Authority	Role	Contact email	Contact
Annis Burns	Essex County Council and on behalf of Thurrock Unitary Authority	Organisational Intelligence Analyst	Annis.burns@essex.gov.uk	03330131646
Kim Trennery		Participation Tracking Adviser	Kim.trennery@essex.gov.uk	03330134729
Kate Koslova Boran	Thurrock Unitary Authority	IAG Manager	kkboran@thurrock.gov.uk	
Kieran Harkness	Southend Borough Council	Data Officer	kieranharkness@southend.gov.uk	01702 212185
Wendy Murray	Kent County Council	Performance & Information Manager	Wendy.Murray@kent.gov.uk	03000 419417
Helen Robinson	Medway	Business Intelligence & Analytics Lead	helen.robinson@themystorytrust.org	01634 335525
Justine Rego	Royal Borough of Kingston	Maintenance of CCIS	Justine.Rego@Kingston.gov.uk	020 8547 5730
Paul Ellis			Paul.Ellis@kingston.gov.uk	020 8547 5756

Shereen El-Shennawy	15billion	IMS Systems Manager	mi@15billion.org	020 8536 3630
Stephen Hudson	East Sussex	Aspire Database Coordinator	aspire@eastsussex.gov.uk	01273 336216
Chaitra George		Information Analyst (RPA/NEET)	Robert.moore@eastsussex.gov.uk	01323 463709
Robert Moore				

10. Complaints

The CCIS Information Sharing Framework members will use their standard organisation procedures to deal with complaints from the public arising from information sharing under this protocol.

11. Breach of Confidentiality

In the event of a security breach, the identifying Local Authority should escalate the breach to their Information Governance Lead and follow the LA resolution processes. If the security breach involves another LA or the group of LAs, each Data Manager within the agreement must be notified of the breach who will escalate their findings to the Information Governance lead immediately. Each LA will then implement due process to minimise the impact of the breach.

The CCIS Information Sharing Framework members signing this agreement will not be liable for any financial or other costs incurred by other parties to this protocol; as a result of any information being wrongly disclosed by another party to this protocol; or as a result of any negligent act or omission by another party to this protocol.

12. Agreement

We undertake to implement and adhere to this protocol.

Signed by Governance Lead

Print: David Wilde – Senior Information Risk Officer

Signed:



On behalf of ESSEX COUNTY COUNCIL

Signed by Governance Lead

Print: XXXXXX

Signed:

On behalf of SOUTHEND BOROUGH COUNCIL

Signed by Governance Lead

Print: XXXXXXXXXXXX

Signed:

On behalf of THURROCK LOCAL AUTHORITY

Signed by Governance Lead

Print: XXXXXX

Signed:

On behalf of 15 BILLION for the London East sub regional CCIS service (on behalf of City of London, Royal Borough of Greenwich, London Boroughs of Tower Hamlets, Newham, Redbridge, Barking and Dagenham, Havering, Lewisham and Bexley)

Signed by Governance Lead

Print: XXXXXX

Signed:

On behalf of EAST SUSSEX COUNTY COUNCIL

Signed by Governance Lead

Print: XXXXXX

Signed:

On behalf of ROYAL BOROUGH OF KINGSTON

(on behalf of Royal Borough of Kingston, Bromley, Merton, Richmond and Sutton London Boroughs)

Signed by Governance Lead

Print: XXXXXX

Signed:

On behalf of KENT COUNTY COUNCIL

Signed by Governance Lead

Print: XXXXXX

Signed:

On behalf of (Organisation): MEDWAY COUNCIL

Appendix 1 - Information sharing schedule

Types of information that may be shared to support local authorities:

- Post 16 activity updates for young people aged 16 - 24
- Offers of Post 16 Learning for Year 11 & 12
- Post 16 Joiners and Leavers updates for those young people attending out of area
- Post 16 address and contact detail updates for young people aged 16 – 24

3.2 Data Sharing Schedule

To support activity programme	Activity Details	Info. Required	Freq.	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March
Post 16 Destinations (16-18 NEET & Not Known, participation)	Post 16 Activity updates for those young people who are resident in the area of framework partners (Ages 16-24)	Full name, Address, post code, ULN, DOB, All phone numbers, email address, destination, start dates, establishment attended, qualification type	1 st week of the month												
Where relevant and able movers across LA			1st week of the month												
Activity Survey	Year 12 Activity updates for those young people who were previously attending schools in year 11 within the area of framework partners (Year 12)	Full name, Address, post code, ULN, UPN, DOB, all destination, start dates, establishment attended, qualification type	Download from NCCIS				Year 11 data from DfE list supplementary list o to LAs								



Year 11	Resident in LA Extract of residents to provide supplementary Information to down load from DfE	Full name, Address, post code, ULN, UPN, DOB, all phone numbers, email address, offers of learning destination, start dates, establishment attended, qualification type																
Post 16 Destinations (16-18 NEET & Not Known)	Year 14 Destinations Essex and Thurrock only process Essex	Full name, Address, post code, ULN, DOB, All phone numbers, email address, destination, start date.	3rd week in the month															

To support activity programme	Activity Details	Info. Required	Freq.	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March
September Guarantee	Year 11 and Year 12 Offers of Learning	Name, address, DOB, ULN, current institution, course, level, phone numbers, offering institutions	Monthly												