

INFORMATION SHARING PROTOCOL

SUMMARY SHEET



Title of Agreement		Inside Out Programme – Commissioning Coaching for Children in Care			
Organisation Name	Head Office Address	Phone	Email	Named Data Protection Officer	ICO Notification reference
Essex County Council (ECC)	County Hall, Chelmsford, Essex, CM1 1QH	08457 430430	informationgovernanceteam@essex.gov.uk	Paul Turner	Z6034810
The Children Society (TCS) - East	114 Springfield Road, Chelmsford, Essex, CM2 6LF	01245 493311	Data-protection@childrenssociety.org.uk	Ian Wakeling	Z8912805
Tavistock Institute of Human Relations (TIHR)	30 Tabernacle Street, London, EC2A 4UE		dpo@tavinstitute.org	Megan Davies	Z8397477
Version Control					
Date Agreement comes into force			August 2018		
Date of Agreement review			August 2019		
Agreement owner (Organisation)			Essex County Council		
Agreement drawn up by (Author(s))			Gemma Gibbs		
Status of document – DRAFT/FOR APPROVAL/APPROVED			APPROVED		
Version			V1.0		

Whole Essex Information Sharing Framework

This Information Sharing Protocol is designed to ensure that information is shared in a way that is fair, transparent and in line with the rights and expectations of the people whose information you are sharing.

This protocol will help you to identify the issues you need to consider when deciding whether to share personal data. It should give you confidence to share personal data when it is appropriate to do so, but should also give you a clearer idea of when it is not acceptable to share data.

Specific benefits include:

- transparency for individuals whose data you wish to share as protocols are published here;
- minimised risk of breaking the law and consequent enforcement action by the Information Commissioner's Office (ICO) or other regulators;
- greater public trust and a better relationship by ensuring that legally required safeguards are in place and complied with;
- better protection for individuals when their data is shared;
- increased data sharing when this is necessary and beneficial;
- reduced reputational risk caused by the inappropriate or insecure sharing of personal data;
- a better understanding of when, or whether, it is acceptable to share information without people's knowledge or consent or in the face of objection; and reduced risk of questions, complaints and disputes about the way you share personal data.

Please ensure all sections of the template are fully completed with sufficient detail to provide assurance that the sharing is conducted lawfully, securely and ethically.

Item	Name/Link /Reference	Responsible Authority
Privacy Impact Assessment (PIA/DPIA)	714	Essex County Council
Supporting Standard Operating Procedure		
Associated contract	Inside Out - Grant	ECC (ART team)
Associated Policy Documents		
Other associated supporting documentation		

Published Information Sharing Protocols can be viewed on the [WEISF Portal](#).

1.	Purpose	REFERENCES
	<p>Essex County Council (ECC) was successful in gaining funding from the Department for Education Children’s Social Care Innovation Programme (under the residential policy brief) to pilot a new approach to residential care. The funding is for ECC and its Local Authority Partners (Hertfordshire County Council and Norfolk County Council) to improve outcomes for children in care who are at risk of escalating to secure accommodation/ high cost residential packages by providing co-ordinated intensive support for the young person and their family. The aim is to facilitate return home or a step down in care wherever appropriate.</p> <p>Coaches would work with a small cohort of young people in care, improving their skills and stability and supporting them to set and achieve personal goals. The provider would work closely with Essex County Council to pilot the approach in Essex in year one, before extending the programme to Hertfordshire and Norfolk in years two and three. The sharing of information from ECC will not be with Herts and Norfolk – they will run their own programmes independently but ECC will be the first pilot to go live.</p> <p>The Childrens Society has been commissioned to promote consistency and quality of the coaching model and support ECC in meeting milestones because TCS would be responsible for recruitment and supervision of Coaches.</p> <p>The programme will be evaluated by the Tavistock Institute. The scope will include focus on the impact of the programme on young people, elements of successful practice and key learning and challenges of implementation. Value for money and savings to ECC and partners will also be monitored.</p>	<p>GDPR Go to article 5</p>

2. Information to be shared		
Agency Name	Data field/description	<p style="color: #0056b3;">GDPR</p> <p>Go to articles 6 - 9</p>
Essex County Council	<p>ECC will make referrals of young people to the provider. This will include information on the young people's current placement provider and an assessment of why the young person meets the criteria for the programme which could include information on: relationship status with their family, history of placement moves, level of risk taking behaviours including drug or substance misuse and any offending history, information on engagement with other services including educational provision and mental health services, history or risks of missing episodes and child sexual exploitation.</p> <p>Including:</p> <ul style="list-style-type: none"> • Family name of child/young person • Name of child/young person • Date of birth • Age • Gender • Ethnicity • Religion • First Language • Additional information/pen picture • Disability • Child protection • Care plan • Legal status/planned legal status • Current address • Name of parent/carer • Name of who has Parental Rights • Parent's home address and contact number • Number of child/yp's previous placements 	

	<ul style="list-style-type: none"> • CIC allocated social worker name • CIC allocated social worker email • Independent reviewing officer (IRO) name • IRO email 	
Agency Name	Data field/description	
The Childrens Society	<p>The provider will hold an identifiable version of the information below and will hold case records for each young person on the programme that will record interventions delivered and progress made.</p> <p>Including:</p> <ul style="list-style-type: none"> • The Coach name • The Coach email • Mental health wellbeing of child/young person • Young person assessment – case file information 	
Agency Name	Data field/description	
Tavistock Institute (Evaluation Provider)	<p>The following sensitive personal information about the programme participants is requested by the Tavistock evaluators for the period prior to and during project participation, in order to assess positive change:</p> <ul style="list-style-type: none"> • The level of risk of sexual exploitation and/or victimhood. • Evidence of drug/substance misuse. • Offending history, including the type of offence and number of convictions. • Mental wellbeing, using the Strengths and Difficulties Questionnaire 	

In order to conduct the Evaluation the Tavistock Institute requests the following data for the individual young people on the Inside Out programme for the periods before and during participation. Comparisons with the children in care cohort will also be made, therefore access to aggregated statistical data for a comparative cohort is also requested.

- Placement history (number of placements, placement types, frequency of placement breakdown)
- Educational attendance and attainment, exclusions, training and / or employment (if applicable)
- The number and length of missing episodes.
- Achievement of personal goals set by the young person and the family.

The Tavistock Institute researchers will also aim to gather qualitative data from:

- Questionnaires and interviews with the young people, their parent/s, and key practitioners working with them. This could be face to face, telephone or other means.

Other qualitative methods could also be used, e.g. in group sessions at Activity days

3. Legal Basis			
General Data Protection Regulation 2016 (GDPR) and Data Protection Act 2018.		GDPR Go to articles 6-14	
Personal Data (identifiable data)	Special Categories of Data (Sensitive identifiable data)		
Article 6:	Article 9: (if appropriate):		
Public Task	Health & Social Care		
Choose an item.	Substantial Public Interest		
Other legislation or statute as follows: The Children Act			
4. Responsibilities			
For the purposes of this Protocol the responsibilities are defined as follows: For help go to https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&from=EN Articles 24 – 29 where these roles are explained.	Tick box	Organisation Name(s)	GDPR Go to articles 13-14, 24 - 31
The Joint Data Controllers for this sharing are:	<input checked="" type="checkbox"/>	ECC and The Childrens Society	
In the case of Joint Data Controllers , the designated single contact point for Individuals is:	<input checked="" type="checkbox"/>	ECC	
Data Processors party to this protocol are (please list):	<input checked="" type="checkbox"/>	Tavistock Institute	
This Protocol will be reviewed one year after it comes into operation to ensure that it remains fit for purpose. The review will be initiated by Essex County Council.			

5.

Subject Rights

Essex Partner Agencies' Information Sharing Agreements are made publicly available on the Whole Essex Information Sharing Framework website to enable compliance with article 12 of the GDPR.

It is each Partner's responsibility to ensure that they can comply with all of the rights applicable to the sharing of the personal information. It is for the organisation initiating the ISP to identify which rights apply, and then each Partner to ensure they have the appropriate processes in place.

<p style="text-align: center;">Subject Rights</p> <p style="text-align: center;">Select the applicable rights for this sharing according to the legal basis you are relying on</p>	<p>Processes are in place to enact this right - please check the box</p>	<p>GDPR Go to articles 12 – 15</p> <p>GDPR Go to article 16 & 22</p>
<p>GDPR Article 13&14 – Right to be Informed – Individuals must be informed about how their data is being used. This sharing must be reflected in your privacy notices to ensure transparency.</p>	<input checked="" type="checkbox"/>	
<p>GDPR Article 15 – Right of Access – Individuals have the right to request access to the information about them held by each Partner</p>	<input checked="" type="checkbox"/>	
<p>GDPR Article 16 – Right to Rectification – Individuals have the right to have factually inaccurate data corrected, and incomplete data completed.</p>	<input checked="" type="checkbox"/>	
<p>GDPR Article 17 (1)(b)&(e) – Right to be forgotten – This right may apply where the sharing is based on Consent, Contract or Legitimate Interests, or where a Court Order has demanded that the information for an individual must no longer be processed. Should either circumstance occur, the receiving Partner must notify all Data Controllers party to this protocol, providing sufficient information for the individual to be identified, and explaining the basis for the application, to enable all Partners to take the appropriate action.</p>	<input type="checkbox"/>	
<p>GDPR Article 18 – Right to Restriction – Individuals shall have the right to restrict the use of their data pending investigation into complaints.</p>	<input checked="" type="checkbox"/>	
<p>GDPR Article 19 – Notification – Data Controllers must notify the data subjects and other recipients of the personal data under the terms of this protocol of any rectification or restrict, unless it involves disproportionate effort.</p>	<input checked="" type="checkbox"/>	
<p>Article 21 – The Right to Object – Individuals have the right to object to any processing which relies on Consent, Legitimate Interests, or Public Task as its legal basis for processing. This right does not apply where processing is required by law (section 3). Individuals will always have a</p>	<input type="checkbox"/>	

right to object to Direct Marketing, regardless of the legal basis for processing.		
Article 22 – Automated Decision Making including Profiling – the Individual has the right to request that a human being makes a decision rather than a computer, unless it is required by law.	<input type="checkbox"/>	
Freedom of Information (FOI) Act 2000 or Environmental Information Regulations (EIR) 2004 relates to data requested from a Public Authority by a member of the public. 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/exception and to identify any perceived harms. However, the decision to release data under the FOI Act or EIR is the responsibility of the agency that received the request.	<input checked="" type="checkbox"/>	
6. Security of Information		
Security measures in place		GDPR
There are good quality access control systems in place	<input checked="" type="checkbox"/>	articles 30 -
Paper information is stored securely	<input checked="" type="checkbox"/>	45
Paper and electronic information is securely destroyed with destruction log for electronic information	<input checked="" type="checkbox"/>	
Laptops and removable media such as memory sticks are secured when not in use	<input checked="" type="checkbox"/>	
Technical security appropriate to the type of information being processed is applied	<input checked="" type="checkbox"/>	
Arrangements are in place to meet the requirements for confidentiality, integrity and availability	<input checked="" type="checkbox"/>	
Disaster recovery arrangements are in place	<input checked="" type="checkbox"/>	
Encryption of personal data is fully implemented	<input checked="" type="checkbox"/>	
Data minimisation has been considered	<input checked="" type="checkbox"/>	
Can pseudonymised or anonymised data be used to meet your processing needs?	<input checked="" type="checkbox"/>	
There are sufficient access controls for systems/networks in place	<input checked="" type="checkbox"/>	
Routine and regular penetration tests are carried out	<input checked="" type="checkbox"/>	
Article 40 Codes of Conduct are adhered to (where applicable)	<input type="checkbox"/>	
Appropriate security is applied to external routes into the organisation; for example, internet firewalls and remote access solutions	<input checked="" type="checkbox"/>	
Confirm entry in Records of Processing Activity	<input checked="" type="checkbox"/>	

Personal information will be securely shared via Egress.

Partners receiving information will:

- Ensure that their employees are appropriately trained to understand their responsibilities to maintain confidentiality and privacy;
- Protect the physical security of the shared information;
- Restrict access to data to those that require it, and take reasonable steps to ensure the reliability of employees who have access to data, for instance, ensuring that all staff have appropriate background checks
- Maintain an up to date policy for handling personal data which is available to all staff
- Have a process in place to handle any security incidents involving personal data, including notifying relevant third parties of any incidents
- Ensure any 3rd party processing is agreed as part of this protocol and governed by a robust contract and detailed written instructions for processing.

There will be the use of pseudonymised data with Tavistock Institute using the Inside Out personal ID for the young person.

7. Format and Frequency

ECC will be sending a referral document in word format, via Egress. ECC will send the referral once per young person. There may be follow up information that needs to be shared on an ad hoc basis by the social worker with The Children's Society.

The Children's Society will be sending ECC fortnightly summary reports to the social worker and a final report at the end of the programme. Updates will be sent via Egress as replies to the original referral documentation or other case specific emails they receive via Egress.

ECC will be sending data sets run from MOSAIC and incorporating information relating to Educational Status, exploitation Risk Level and CSE model from MACE for CiC who are eligible for the programme, flagging those that have been selected for the programme with a unique project identifier, (so anonymised), in excel format, with a project ID allocated to each record. This data set will sent at the outset of the programme (July 2018), then at 3, 9 and 12 months intervals.

There are a number of data from questionnaires and validated scales etc that The Children's Society will be using with the Young People and sharing with Tavistock Institute, but this will be done anonymously using a project ID. The format will be either a word

document or a scanned PDF.

8.

Data Retention

Information will be retained in accordance with each partners' published data retention policy available on their websites, and in any event no longer than is necessary.

[GDPR](#)

Go to article 5

9.

Data Accuracy

Please check this box to confirm that your organisation has processes in place to ensure that data is regularly checked for accuracy, and any anomalies are resolved

[GDPR](#)

Go to articles 5, 16 - 18

10.

Breach Notification

Where a security breach linked to the sharing of data under this protocol is likely to adversely affect an Individual, all involved Partners must be informed within 48 hours of the breach being detected. The email addresses on page 1 should be used to contact the Partners. The decision to notify the ICO can only be made after consultation with any other affected Partner to this protocol, and notification to the ICO must be made within 72 hours of the breach being detected. Where agreement to notify cannot be reached within this timeframe, the final decision will rest with the Protocol owner as depicted on page 1 of this document.

[GDPR](#)

Go to articles 33, 34, 77 - 84

All involved Partners should consult on the need to inform the Individual, so that all risks are fully considered and agreement is reached as to when, how and by whom such contact should be made. Where agreement to notify cannot be reached, the final decision will rest with the Protocol owner as depicted on page 1 of this document.

All Partners to this protocol must ensure that robust policy and procedures are in place to manage security incidents, including the need to consult Partners where the breach directly relates to information shared under this protocol.

11.

Complaints

<p>Partner agencies will use their standard organisational procedures to deal with complaints from the public arising from information sharing under this protocol.</p>	<p>GDPR Go to articles 16 – 22 & 77</p>	
<p>12.</p>	<p>Commencement of Protocol</p>	
<p>This Protocol shall commence upon date of the signing of a copy of the Protocol by the signatory partners. The relevant information can be shared between signatory partners from the date the Protocol commences.</p>		
<p>13.</p>	<p>Withdrawal from the Protocol</p>	
<p>Any partner may withdraw from this Protocol upon giving 4 weeks written notice to the WEISF administration team weisf@essex.gov.uk. The WEISF administration team will notify other Partners to the Protocol. The Partner must continue to comply with the terms of this Protocol in respect of any information that the partner has obtained through being a signatory. Information, which is no longer relevant, should be returned or destroyed in an appropriate secure manner.</p>		
<p>14.</p>	<p>Agreement</p>	

This Protocol must be approved by the responsible person within the organisation (SIRO/Caldicott Guardian/Chief Information Officer).

Approver Name	
Organisation Name	
Date of Agreement	

Please submit this Protocol to weisf@essex.gov.uk with list of approved signatories. The Protocol will then be published on weisf.essex.gov.uk.

Email approvals will only be accepted from an authorised signatory role from each organisation. Please see the list of authorised roles per organisation on WEISF.essex.gov.uk