HMRC - NMWM16070 - Legal Gateways; Providing Information To Another Government Department Or Public Authority, Including Local Authorities

General

One of the circumstances in which it is lawful to disclose information outside HM Revenue & Customs (NMWM02030) is where legislation makes specific provision for HM Revenue & Customs to disclose information to another Government department, agency or public authority. These provisions are known as ‘legal’ or ‘information sharing’ ‘gateways’.

Why are legal gateways enacted

HM Revenue & Customs possesses a large range of information about different individuals, organisations and bodies. This information is often useful to other Government departments, agencies and public bodies as it can help them achieve their organisation’s aims and carry out their functions more effectively. Parliament may legislate to allow sharing of confidential information in this way.

Procedures for disclosure through a legal gateway

The External Data Exchange project introduced a standardised process which ensures the Department’s information sharing is legal, documented and assured.

It is mandatory to follow these processes and to ensure that an Umbrella Memorandum of Understanding (MoU) or Data Usage Agreement (DUA) is in place, setting out the relevant legal and security requirements, before sharing any information with another PSB.

Further information and guidance about External Data Exchange can be found in the security section of the intranet; Security Home > My Information > External Data Exchanges.

Often the procedural documents state that a legal gateway has a centralised procedure for disclosure. In these circumstances officers who do not work in the designated central team may not disclose information and all requests should be passed on to the specified central point. For national minimum wage purposes NMW Risk Team (NMWM02040) act as the focal point for centralised procedures. You should contact them and arrange to pass the relevant information to them. They will then be responsible for ensuring that the correct channels for disclosing information are used.

See NMWM16080 for requests for information from another Government department, or public authority, including Local Authorities.

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