**Working Practice Agreement**

**For the Sharing of Information on Social Care Providers**

**Version 0.1**

**Agreement Date:**

Agencies signed up to the agreement:

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**1. Introduction**

***1.1 Who is this agreement for?***

1.2 This agreement is for staff and contractors who share data with each other as part of the Release of Data Fund project investigating Social care provider performance.

1.3 The agencies involved in drafting this agreement are:

**2. Purpose of this agreement**

2.1 This agreement has been developed to:

* Bind contractors to the Information Security Policies of each host organisation.
* Define the specific purposes for which the signatory agencies have agreed to share information.
* Describe the roles and structures that will support the exchange of information between agencies.
* Identify who the key information sharing leads (i.e. Partnership Contact Officers) are within each of the agencies signed up to this agreement (appendix 4).

***2.2 Why is it needed?***

2.3 This agreement supports the Cabinet Office-funded project that will investigate the potential of releasing social care provider performance data as open data.

2.4 As part of this project, existing data sets held by the three councils involved will be identified, risk assessed and catalogued as suitable, not suitable, or potentially suitable for release.

2.5 Some of these data sets will be common to all councils whereas others will only exist within one council.

2.6 Therefore an agreement to ensure the correct processing of this data is required to cover employees and contractors of all councils

**3.Procedure for Sharing Information under this Agreement**

The data in question will be anonymised and will relate to the performance of provider organisations. Individuals will not be identifiable.

Copies of these datasets will be held securely by each council. The Business Analyst will follow the security guidelines of each council to access the data.

Once audited and signed off by each council’s Social Care Information lead, any datasets that can be released as open data will be uploaded to data.gov.uk and/or a local data store as appropriate.

This agreement covers each Council and is to be signed and agreed to in addition to the Council’s Personal Information Security Policy.

**4. Certification**

**Certification of this agreement**

By signing below, contractors accept the working practice arrangements set out in this agreement and agree to sign and be bound by the information security policies of each council.

|  |
| --- |
| Signed  **[Insert signature]** |
| By [ ]  **[Authorised signatory’s name and position]** |
| For and behalf of [ ] |
| **Date** |
| Data Protection Act 1998 Registration Number  **[Partner organisation registration number]** |

**Appendix 1**

**Information Standards and Agreement Review**

**Privacy Notices and Consent**

***Information quality and relevance***

When sharing data under this agreement, employees agree to share only the minimum information necessary to enable the stated activity within this agreement.

Employees agree, where practical, to check that the information they disclose is accurate and where necessary up to date, at the time of disclosure.

Employees agree to make a pragmatic decision as to whether the information they disclose is relevant to the aim of this agreement**.** Irrelevant or excessive information should not be disclosed.

***Limited use and retention*** ***of the information***

The information collected as part of this agreement will only be for the purposes of carrying out the specified project**.** Personal data is not expected to be encountered during this project, and will only be shared with individuals or agencies accordance with this agreement and in compliance with the Data Protection Act 1998.

The information received by agencies as part of this agreement will be held by those agencies for no longer than is necessary.

***Holding the information securely***

The councils are classed as the ‘Data Controller’ under the Data Protection Act 1998 for the information held on these systems. Access to the information held on these systems will be restricted on a *need to know basis.*.

Staff understand their responsibilities for keeping personal data secure and will only disclose relevant and proportionate information to persons who are legally entitled to see the information and in accordance with this agreement.

***Sharing the information securely***

Agencies agree to send and receive information using nominated secure methods**,** to enable that any personal data and other sensitive information shared is transmitted and received securely.

***Reporting a security incident or breach***

It is good practice for agencies to have in place a mechanism for staff and the public to report information security incidents (for example, loss or theft of personal or confidential data held on computer equipment or paper) whether they are actual incidents or near misses. These incidents should be reported to the person responsible for Information Security or Data Protection within the relevant agency. If personal data is lost or stolen and contains information which has been provided by another agency, the originating agency must be told and kept informed of the outcome of the investigation into the incident.

Security incidents involving information shared for the purposes of this agreement must be brought to the attention of the Information Governance Manager at each Council – who will report the incident to the appropriate Information Governance Manager within the relevant agency. Serious security incidents will be reported to the Senior Information Risk Owner at each council.

***Agreement Review and Changes***

The nominated holder of this agreement is \_\_\_\_\_ in the Information Governance Manager for \_\_\_\_\_\_ Council. The nominated holder will make sure that the agreement is reviewed on a regular basis, taking into account any new legislation or official guidance. This will be done after the first six months and then on an annual basis thereafter.

Agencies can ask for changes to be made to the agreement at any time by submitting a request to the nominated holder, who will circulate the requests to the signatories; co-ordinate responses and where appropriate seek agreement to the requested changes from partners.

**Appendix 2**

**Partnership Contact Officers**

|  |  |  |
| --- | --- | --- |
| **Organisation** | **Name and Role** | **Contact Details** |
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