North East Community Safety Information Sharing Protocol

Quick Reference Guide

1. Introduction

This quick reference guide forms part of the North East Information Sharing Protocol. This quick reference guide is intended to be a practitioner guide that covers the basics of information sharing as set out in the Information Sharing Protocol and Guidance Notes. All officers using this 'quick reference guide' should be familiar with the content of the ISP and Guidance Notes.

2. Information Sharing Declaration

Thos using the quick reference guide should note the following:

"In using this 'Quick Reference Guide' I accept and understand that the principles of both the Information Sharing Protocol and the legislation regulating the exchange of information apply to any information sharing I am involved in. I understand that information shared and exchanged is for the specific purpose of dealing with specific crime and disorder issues and may not be used for any purpose other than that for which it is intended. I represent an agency that is a signatory to the Information Sharing Protocol and that as a Designated Officer I'm authorised to share and exchange information as appropriate."

2. Information Sharing: the Basics (community safety partnerships to set-up hyperlinks to pages in documents)

Key points for considerations when deciding to share information:

- Who is asking for the information?
 - o Is the agency signed up to the ISP? (ISP, Appendix 2, pg 22-24)
 - o Are they a Level A or B partner? (ISP, pg10)
- Is the request from a Designated Officer? (ISP, Appendix 2, pg 22-24)
- What information is being asked for? (Guidance Notes, pg12-14)
- Is the information being requested personal or sensitive, personal information? (Guidance Notes, pg12-14)
- Has a legal gateway to share information been established? (Guidance Notes, pg15-18)
- Can information be shared securely? (Guidance Notes, pq43-46 and Appendix D &E)
- Have I kept a record of the decision to share information, how I reached the decision and what information was shared? (Guidance Notes, pg22-24)

3. Why can I feel confident about sharing information?

- Agencies have signed the ISP
- Agencies are aware of their responsibilities as signatories to the ISP including the importance of ensuring that any information shared is kept securely
- Agencies have appointed Designated Officers empowered to share information
- Section 115 of the Crime and Disorder Act 1998 and the Data Protection Act 1998 (exemptions 29 and 35) both contain specific reference to personal information sharing on a case by case basis for the purposes of crime and disorder.

3. Types of information to be shared

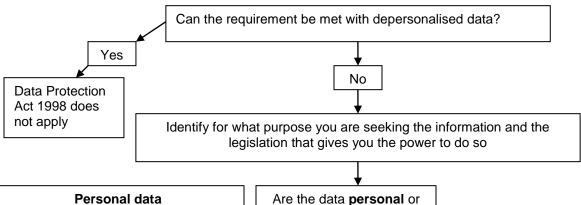
For a list of the types of information that is likely to be shared for particular purposes see the Guidance Notes, Appendix B and C (pg74-77)

4. Key Legislation

- Crime and Disorder Act 1998
- Police and Justice Act 2006
- Data Protection Act 1998
- Human Rights Act 1998
- Freedom of Information Act 2000

NOT PROTECTIVELY MARKED

INFORMATION SHARING PROCESS FLOWCHART



Meet one of the requirements from Schedule 2 of the DPA 1998

- Consent has been given
- Performance of a contract (to which the data subject is party)
- Necessary to comply with a legal obligation placed on the data controller (organisation or person who holds the data)
- Protect the vital interest of the data subject (this is interpreted as life or death situations)
- For the administration of justice
- Exercise of any functions conferred by or under any enactment
- Exercise of any functions of the Crown, a Minister of the Crown or a Govt Dept
- Exercise of functions of a public nature exercised in the public interest
- Pursuing the legitimate interests of the data controller or third parties, except where the processing prejudices the rights or freedoms of the data subject

Are the data **personal** or sensitive personal data?

Sensitive personal data

- Racial or ethnic origin
- Political opinions
- Religious or other similar beliefs
- Membership of a trade union
- Physical or mental health condition
- Sexual life
- Alleged or committed criminal offences
- Proceedings for any offence committed or alleged to have been committed
- Disposal or sentence concerning any

Sensitive personal data

Meet one requirement from Schedule 2 (see personal data box) and one requirement from Schedule 3

- Explicit (informed) consent has been given
- Required by law to process information for employment purposes
- To protect the vital interests of the individual or others
- Processing during the course of legitimate activities by a non-profit organisation
- Information made public as a result of steps deliberately taken by the data subject
- Legal proceedings including prospective legal proceedings, or obtaining legal advice
- the administration of justice
- Exercise of any functions conferred by or under any enactment
- Exercise of any functions of the Crown, a Minister of the Crown or a Govt Dept
- Necessary for medical purposes (Including the purposes of preventative medicine, medial diagnosis, medical research, provision of care and treatment and management of healthcare services)
- By order of the Secretary of State

Record the request for information on ISP2a and submit to a Designated Officer

NOT PROTECTIVELY MARKED

INFORMATION SHARING PROCESS FLOWCHART

Check the received ISP2a and make decision in regard to information sharing Return ISP2a with information or giving reason for not sharing Ensure that any information supplied is: Adequate, relevant and not excessive Accurate and up to date Secure

Information requestor

Keep copy of ISP2a for records

When information is received ensure that information is:

- Stored securely
- Not kept for longer than necessary
- Accurate and up to date (when using)

Keep copy of ISP2a for records

NOT PROTECTIVELY MARKED

