**Information Sharing**

A partnership arrangement to deliver the 30 hours extended free entitlement should consider the basis for information sharing about children and their parents.

There are two potential approaches to be considered:

**Option 1: Lead partner**

A lead partner could take responsibility for all the administrative and support arrangements, acting as admissions body and holding all the data about both children and their families. In this case, the lead partner would be the Data Controller ([**see ICO website guidance**](https://ico.org.uk/media/for-organisations/documents/1546/data-controllers-and-data-processors-dp-guidance.pdf)) for the purposes of ensuring compliance with the Data Protection Act and would assume the legal responsibilities related to gathering, storing and sharing data. The other partners would, for example, collect monitoring information about a child’s progress which would be held on one central file by the lead partner on behalf of the partnership. The most straightforward approach would be to ensure that the admissions form states which partner is the Data Controller and includes a consent clause for parents to allow data to be shared between partners. The parental contract should include a privacy notice summarising how the consent will be used.

This should be underpinned by an information sharing agreement between the partners about how data will be collected, stored and managed.

**Option 2: Joint responsibility**

Each partner continues to take responsibility for their own data gathering, collection and storage, acting as an individual Data Controller. In order to monitor effectively a child’s progress and meet Ofsted requirements, the partnership will need an information sharing agreement. The agreement should be made available to parents on request and the admissions form should include a consent clause to allow data to be shared between partners. The parental contract should include a privacy notice summarising how the consent will be used.

**Systematic data sharing**

‘Routine sharing of data sets between organisations for an agreed purpose…group of organisations making an arrangement to ‘pool’ their data for systematic purposes’. Systematic data sharing should be outlined in an Information Sharing Agreement.

**Active consent**

Individuals are told what is being shared and what the implications are, and asked to consent that this data is shared between the specified organisations on this basis

**Privacy Notice**

This sets out who you are; what you are going to share and who you will share the data with

**Information Sharing Agreement Checklist**

The Information Commissioner’s Office (ICO) publishes a [**Data Sharing Checklist**](https://ico.org.uk/media/for-organisations/documents/1067/data_sharing_checklists.pdf) which should be used to draw up an information sharing agreement. The ICO website provides a full explanation of the statutory [**Data Protection Code of Practice**](https://ico.org.uk/media/for-organisations/documents/1068/data_sharing_code_of_practice.pdf).

In summary an information sharing agreement should:

* explain why data sharing is necessary including clarifying the purpose of sharing data and what the shared data will be used for
* list all the organisations who will be involved in the data sharing including contact details for key members of staff
* include the process for adding new organisations to the agreement if the partnership expands and for managing the data consequences of the partnership ending or one partner leaving
* have a clear basis for sharing data – in this case it will be by consent rather than as a statutory duty, except where child protection requirements apply and take priority
* explain how requests by an individual for access to data held by the Partnership (made using the Data Protection Act [DP]) or Freedom of Information Act [FOIA]) will be met
* detail information governance procedures including: specifying what data is to be shared; how you will make sure the data held is accurate; agreeing the format in which data will be held by all partners; agreeing how long data will be held for and when it will be deleted; common standards for securing data and how it will be shared between partners (for example manually or electronically)
* say how you will know if information sharing is achieving its objectives
* be risk assessed and regularly reviewed to ensure it is up to date