

**Office of Police and Crime Commissioner – Devon & Cornwall
Policy Cover Sheet**

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Office of the Police and Crime Commissioner – Devon & Cornwall Information Sharing Policy

Version dated: 27 February 2015

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2.0 Introduction [FOI Open]

- 2.1 Responsible data sharing across and between organisations plays a crucial role in the delivery of efficient services to customers.
- 2.2 Some data sharing doesn't involve personal data, for example where only statistics that cannot identify anyone are being shared. This policy does not apply to that type of sharing.
- 2.3 The sharing of personal data is governed by the Data Protection Act and associated codes of practice.
- 2.4 In his Data Sharing Code of Practice, the Information Commissioner states that *'People expect organisations to share their personal data where it's necessary to provide them with the services they want. They expect society to use its information resources to stop crime and fraud and to keep citizens safe and secure. However, people also want to know how their information is being used, who has access to it, and what that means for them. People also expect an appropriate level of choice and control, especially over their sensitive data'*.

3.0 Policy Statement [FOIA Open]

The Office of the Police and Crime Commissioner fully understands its obligations to ensure that personal information is processed lawfully and is

committed to protecting the rights of individuals with regard to the sharing and processing of personal data.

- 3.1 The Office of the Police and Crime Commissioner will follow the standards for information sharing set out in the [Information Commissioner's Data Sharing Code of Practice](#) which provides clear and transparent procedures that satisfy the requirements of the law, ethical practice and standards of best practice. This guidance will be used to regulate working practices in both the disclosing and receiving organisations. In some circumstances these procedures and the underpinning standards will be set out within agreed information sharing agreements or protocols.

4.0 Procedures [FOIA Open]

- 4.1 In accordance with the Data Protection Act, personal data will not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.
- 4.2 Personal data collected and processed by the Office of the Police and Crime Commissioner as described in the Register held by the ICO (registration number Z3447559) may, on occasion, need to be shared. Decisions to share data will be in accordance with the 9 'purposes' recorded in the register and will have full regard to the [Information Commissioner's Code of Practice on Data Sharing](#).
- 4.3 Data sharing agreements that set out a common set of rules to be adopted by the Office of the Police and Crime Commissioner and the other organisations involved in a data sharing operation will be put in place where information is to be shared on a large scale, or on a regular basis.
- 4.4 A privacy notice will be published on the Office of the Police and Crime Commissioner's website which will include information about why information may be shared, and with whom it may be shared.
- 4.5 Individual roles and responsibilities:
 - 4.5.1 Following the provision of initial guidance and training, individual members of staff, agency, associated and affiliated workers will be

required to comply with the requirements of this policy and associated standards, procedures and guidelines.

4.5.2 Staff who fail to comply with the requirements of the Policy, and associated standards, procedures and guidelines will be assessed in accordance with the OPCC's Capability Policy and Procedures and if it is determined that non-compliance is a conduct matter, they will be considered for action under disciplinary procedures.

5.0 Audit / Assessment Compliance [FOIA Open]

5.1 This policy has been drafted and audited to comply with the principles of the Human Rights Act. Equality and diversity issues have also been considered to ensure compliance with Equality legislation and policies. In addition Data Protection, Freedom of Information, and Health and Safety issues have been considered. Adherence to this policy will therefore ensure compliance with legislation and internal policies.

6.0 Monitoring [FOIA Open]

6.1 This policy will be updated as needed if there are any changes in the business or regulatory environment.

6.2 The Chief Executive, line managers and individuals each have responsibility in ensuring the successful and consistent delivery of this policy, and supporting standards, procedures and guidelines.

6.3 Compliance with this policy will be monitored by the Office Manager (with the support of workplace Managers).

6.4 Compliance with this policy will be monitored via:

- Incident reporting and escalation procedures
- Data sharing audits
- Independent audits

Levels of compliance will be reported at least annually to senior management.

7.0 Review and Ownership [FOIA Open]

Not Protectively Marked

7.1 The review of the contents of this policy is the responsibility of the Office Manager. Review of the policy will be undertaken annually.

8.0 Useful Links [FOIA Open]

- [Data Protection Policy](#)
- [Privacy notice](#)
- Data sharing agreements:
 - Devon and Cornwall Police
 - Devon Audit Partnership