SAVVI - IG Workshop - Learning Points

Drawn from the full workshop notes of the SAVVI event held on 13th November 2020.

The break-out boxes summarise the points that were made by people at the event, and the organisation that they represent, but they are not necessarily the opinions of those organisations.

The IG Problem - Getting agreement across partners on the legal basis for data sharing

Often partners did not agree on the legal basis for data sharing, or how data would be handled once shared.

> County councils do not have a rich data source, need to liaise with partners but they did not always agree with the legal basis of sharing. DPO not necessarily agrees, a real need to standardise. Huge opportunity to improve processes due to the high level of participation by 300+ organisations.

Difficult to determine the legal basis to share the information held and in a lawful way. IG can be perceived as a blocker.

Some partners did not agree about how long the data that they shared, data should be held.

SAVVI can help by

- Defining the steps that partners should go through to establish data sharing - particularly for secondary use of data
- Standardising the terminology and definitions of common vulnerability scenarios
- Enabling IG outputs to be shared so that others can see how partnerships have succeeded

IG Functions and Roles

To be able to define a SAVVI IG Framework, we will need to clarify the functions and roles.

Improvements made to [SAVVI Document on IG Functions and Roles](#)

Definitions of Vulnerability

We have focussed on vulnerability to
- COVID19
- Homelessness
… and we have mentioned other such as
- poverty
- loneliness

We will need to point to unambiguous definitions of each vulnerability, as the basis of the purpose for sharing data.

Some of these may be defined in the LGA's LG-Inform standards under their 'powers and duties' list.

> Need to clarify used cases, you cannot determine information access without this and could get into problems.
>
> NHS England

> If the ISG could see a list of purposes - we could include these in sharing agreements to identify areas of work / purposes - then we can report on and quickly view these agreements.
>
> Information Sharing Gateway

> Identifying the relevant lawful basis is the key to enable sharing data for secondary use purposes. Other IG products will assist in providing support and governance around the sharing, but the primary consideration is lawfulness.
>
> North Yorkshire C.C.

On ICO website it states: You can only use the personal data for a new purpose if either this is compatible with your original purpose, you get consent, or you have a clear obligation or function set out in law.

https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/principles/purpose-limitation/

SAVVI can help by

- Starting a register of definitions of vulnerabilities which can be the 'purpose' of data sharing

Legal Basis for 'secondary' use of data

> On ICO website it states: You can only use the personal data for a new purpose if either this is compatible with your original purpose, you get consent, or you have a clear obligation or function set out in law.
>
> Somerset County Council

> Has anyone considered use of Digital Economy Act, and would this be something that SAVVI be looking into?
>
> Somerset County Council

> What we need to do is put in a legal basis for data sharing, in terms of GDPR the framework is covered by the ICO. Reason for the lack of templates is due to each case needing to be assessed correctly and in a compliant way.
>
> GDS

> Feel we need a public interest process for balancing individual's rights versus secondary use data.
>
> Somerset County Council

> A public enabling approach would be more appropriate than reviewing on a case by case basis.
>
> ICO

How to Request data?

The DWP have recently launched a set of templates
- reuse of existing data
- access to new data

The templates ensure that all the information needed by the Data Controller (in this case the DWP), is given.

If a Local Authority completes these, the request will be considered.

SAVVI can help by

- Promoting the DWP templates and process
- Standardising the templates across government.
- Exploring the use of the Digital Economy Act for Vulnerability

An IG Framework for Vulnerability

Does it need a regulatory body to sustain it and ensure quality?

> I think the success of an IG framework for SAVVI-type projects is also dependent on the authority of such a framework, and a 'regulatory'/governance process behind it that establishes a 'final say'
>
> Local Digital programme

> Will require a body/dept to take this forward but as this subject has wide implications the cabinet office may take this forward.
>
> GDS

Applying Algorithms

The Huntingdonshire project is an example where an algorithm is applied to a set of data, to arrive at a risk score.

> Increasingly important are reviews, governance and validation of the use and results coming out of algorithm use and predictive analytics in data analysis and vulnerability risk assessments. The LGA published a new report and early guidance on predictive analytics in local government here: https://www.local.gov.uk/using-predictive-analytics-local-public-services
>
> LGA

> Potential use for predictive modelling & analytics to look at where early interventions would help. Big data, AI and appropriate use of data for profiling and forecasting is the future, but balancing these benefits against the rights of an individual's privacy is a delicate balance
>
> North Yorkshire C.C.

Information Handling

> If sharing data within the NHS toolkits were available. District Councils do not necessarily have social care data and so it is ideal to have a baseline across local authorities. Need appropriate standards across information sharing and information handling etc. There isn't a standard outside of the NHS or social care which makes it more difficult to share data, especially if organisations are not ICO accredited.
>
> Fundamental aspects:-Confidentiality/Integrity /Availability - utilise Cyber /essentials

Recommendations for further action

We need to drive through parliament the basis for sharing, via the Digital Economy Act, similar to the current provisions for 'multiple-disadvantaged' people that helps sharing for 'troubled families'. Need a similar vehicle to identity 'vulnerability' and take action. Not an easy process to get through parliament, it is a wider problem.

GDS

Tools

There are some subscription services available that can support IG for the local public sector.

The LGA also provides tools for local authorities to match their services to legislation as "powers" and "duties". This eases their ability to understand what they have to do and why. See the Compliance and Governance Tools here: https://home.esd.org.uk/compliance

LGA

The Information Sharing Gateway is being used by over 6000 users currently. https://www.informationsharinggateway.org.uk/account/register

Information Sharing Gateway

DAPIAN has been developed to help the process of Data Protection Impact Assessments. See the Video

DAPIAN

Follow up actions

Somerset are developing an IG Framework	A multi-disciplinary team framework in Somerset led by CCG to ensure our MDTs have the relevant IG documentation in place, and can share data by being confident that they have the right documentation and processes in place, and to not fear Data Protection, which I think is also key. I don't know if other organisations find this, but sometimes data sharing is prohibited due to fear of getting it wrong.
Greater Manchester's are developing an Information strategy	In GM we are working across the various sectors to remove those barriers to data sharing. We are developing a GM Information Strategy that you may be aware of which amongst other things is aimed at doing this and enabling data sharing across sectors and localities It would be good for you to come to GM to see what we are doing with our Information Mgt Strategy, our GM wide digital platform and the sharing we are doing across our public sector reform projects
LGA GDPR Knowledge Group	Much of these areas are discussed by over 1300 registered members of the Local Government GDPR Knowledge Group here: https://khub.net/group/gdpr-local-gov
DWP Data Sharing Request Template	A secondary access usage template is now available, organisations still need to provide all related information.
Plan out how we will make recommendations for the DEA	Looking at DWP and MHCLG to have thoughts around the matter. Requires consultation with ministers and then needs to go through parliament, the process will take approximately 12 months . SAVVI needs to state that it identifies the Digital Economy Act as the vehicle to facilitate the standard and then we need to talk to all the organisations that identify with this issue.
ICO Guidance	See ICO Guidance on COVID
Secondary Use of Data	https://digital.nhs.uk/services/national-data-opt-out National data opt-out for secondary use data!