

Data Sharing Review

Richard Thomas and Dr Mark Walport

Consultation paper on the use and sharing of personal information in the public and private sector

List of questions for response

We would welcome responses to the following questions set out in this consultation paper. Please follow the question order as set out in the consultation paper, leaving a blank response box for any questions not answered.

Please email your completed form to contact@datasharingreview.gsi.gov.uk

Alternatively you can send a hard copy response to:

Data Sharing Review Secretariat
5.26 Steel House
11 Tothill Street
London
SW1H 9LJ

Thank you.

Section 1: Background

Question 1.

Comments: As a district council, we collect information relating to all statutory legislation with which we have to comply, relating to all financial orders under which we work and other services which the District Council has a duty to undertake.

We hold data for purposes of Staff Admin, Accounts and records, Property management, Leisure and Cultural services, Assessment and Collection of Council Tax, NNDR, Benefits, Grants and Loans admin, Environmental Health, Planning Licensing, Registration and Regulation, Crime Prevention and Prosecution of Offenders, Corporate Functions, Other non-commercial activities, Other Commercial services, Advertising, Marketing, PR and General Advice.

Section 2: Scope of personal information sharing, including benefits, barriers and risks of data sharing and data protection

Question 2.

Comments: The benefits of sharing personal information for the individual are that like-minded individuals can make contact with each other if they have issues of concern in their locality. Eg Individuals in the Local Plan Consultation stage can identify other individuals with

similar views.

Question 3.

Comments: The risk of this sharing may result in the identification of individuals who have differing views to others and the possibility of “extreme” reactions against that individual.

Question 4.

Comments: Sharing of personal information within the Council would assist in providing a central knowledge base about the customer, which on most occasions would be welcome to the customer. We currently are reluctant to do this due to the multiple purposes for which we collect data.

Question 5.

Comments:

Question 6.

Comments:

Question 7.

Comments:

Question 8.

Comments:

Section 3: The legal framework

Question 9.

Comments: The area of improvement we would find useful is the identification of the main information transfers/disclosures that could occur in a given type of organisation and the reason for the link eg

Acceptable disclosures/transfers list could contain Council Tax to Benefits;
Reason; to evaluate the personal information supplied by the Benefit claimant.

The current problem we encounter is that staff will not disclose data between areas of the Council as they feel they are not allowed to under the DP Act. In particular this occurs after a new piece of legislation (or amendment) has come into force.

I believe that the identification of these transfers would be assist in clarifying what could and could not be done for a given organisation and its set of data. The list would be long but it could be held as a reference tool on the ICO website for others in the same situation.

Question 10.

Comments:

Question 11.

Comments:

Question 12.

Comments:

Question 13.

Comments: We have a particular problem with paragraph 31 (b) of the Town & Country Planning (Local Development) Regulations 2004 which states that where practicable local planning authorities should publish representations on their website and that the representations must be made available to the public. We have received advice from the Planning Inspectorate that we should not publish signatures on the website (due to the possibility of identity fraud).
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However, we appear to have to make the representations publicly available which would normally include publishing the full details of the individual and their comments on the website and producing a hard copy at our offices. This appears to conflict between the need to make the information available to the public and the needs of the individuals who may not wish to be identified if their comments are particularly contentious.

Question 14.

Comments:

Question 15.

Comments:

Section 4: Consent and transparency

Question 16.

Comments:

Question 17.

Comments:

Question 18.

Comments:

Question 19.

Comments:

Section 5: Technology

Question 20.

Comments:

Question 21.

Comments:

Question 22.

Comments:

Section 6: International comparisons

Question 23.

Comments:

Question 24.

Comments:

Question 25.

Comments:

Question 26.

Comments:

Section 7: Additional questions

Question 27.

Comments:

Question 28.

Comments:
