PFCC Decision Report

Please ensure all sections below are completed

Report reference number: 068/2020
Classification Not protectively marked
Title of report: Essex Emergency Services Collaboration Programme – Joint Data Sharing Protocol
Area of county / stakeholders affected: Essex Police, Essex County Fire and Rescue Service, East of England Ambulance Service
Report by: Amanda Johnson, Senior Projects Manager, ECFRS **Date of report:** 17 March 2020 **Enquiries to:** Amanda Johnson, Senior Projects Manager, ECFRS

1.   Purpose of the report

- To obtain endorsement of and commitment to the Joint Data Sharing Protocol and Data Protection Impact Assessment (DPIA) for Essex emergency services collaboration data sharing from Roger Hirst as the Police, Fire and Crime Commissioner (PFCC), and
- To obtain sign-off of the Joint Data Sharing Protocol and Data Protection Impact Assessment (DPIA) for Essex emergency services collaboration data sharing by Darren Horsman (Strategic Head of Policy and Public Engagement) as the Senior Information Risk Owner (SIRO) to the Essex PFCC.

2.   Recommendations

To adopt the proposed Joint Data Sharing Protocol and Essex Emergency Services Collaboration Programme Data Protection Impact Assessment (DPIA) for Essex emergency services collaboration data sharing on behalf of the PFCC.

3.   Benefits of the proposal

During collaborative activity to date, there have been a number of occasions where information sharing between Essex County Fire and Rescue Service (ECFRS), Essex

Police and the East of England Ambulance Service has encountered uncertainty of process.

Closer information sharing practice will allow progress towards a whole system approach to public protection, and a whole place approach to commissioning preventative services in response to assessments of threat, risk, harm and vulnerability, and opportunities for enabling business delivery through shared services.

All three services are part of the Whole Essex Information Sharing Framework (WEISF), and the principles of this framework have been used to develop this protocol and the DPIA that will apply to all projects within collaboration covering the emergency services of fire and rescue, police and ambulance.

This has been developed with a legitimate reason behind it as an enabler, both to meeting the overarching duty to collaborate and as a way of delivering a more efficient collaboration programme.

4.   Background and proposal

The Essex Police, Fire and Crime Commissioner; Essex Police; Essex County Fire and Rescue Service and the East of England Ambulance Service Trust are working to improve public safety through more effective co-working, and a more joined-up approach to responding effectively to the most vulnerable groups and individuals. All organisations have a statutory obligation to collaborate under the Policing and Crime Act 2017.

Development of a joint protocol was commissioned by the Essex Emergency Services Strategic Collaboration Governance Board as an enabler which will clarify and make more efficient the information sharing between these emergency services.

Work has been undertaken via a number of workshops with the Data Protection Officers (DPOs) from Essex Police, EEAST (in liaison with EEAST Caldicott Guardian) and ECFRS to develop a suitable suite of documents which have been certified as General Data Protection Regulation (GDPR) compliant by each organisation's DPO.

Approval has already been received in principle from the Essex Police SIRO (DCC Pippa Mills), ECFRS SIRO (Tracey King), EEAST Caldicott Guardian (Medical Director Tom Davis) and EEAST SIRO (Wayne Bartlett-Syree).

It has been agreed with the DPOs that the information to be shared is defined as:

- Appropriate sharing of any information when in the public interest, under legal obligation and for vital interest of data subjects, which is necessary and proportionate for the collaborative initiative and in compliance with the law.

The document suite consists of:

- Data Protection Impact Assessment (DPIA) - Risk assessment to identify, assess and mitigate or minimise the data protection risks of a project or activity, and
- Data Sharing Protocol – Sets out what and how information will be shared. The document also indicates what security measures are in place to protect data.

5.   Alternative options considered and rejected

The alternative option considered and rejected was to continue with the current process with specific agreements developed for individual projects, which is time consuming and does not allow for the agile working practices being aimed for.

6.   Police and Crime Plan

Collaboration is a key enabler to the delivery of the Police and Crime Plan.

7.   Police operational implications

Specific operational data is unlikely to be shared in this space, however data that informs collaboration activity could lead to some operational improvements in the collaboration programme.

Personal data processed for law enforcement purposes (defined in Section 31 of the Data Protection Act 2018) is not intended to be shared under this protocol.

8.   Financial implications

There are no financial implications associated with approving these documents.

9.   Legal implications

Legal advice has been sought as part of the development process, from all the agencies' Data Protection Officers, Essex Police's Force Solicitor and the Caldicott Guardian for EEAST.

10.   Staffing implications

There are no staffing implications associated with approving these documents.

11.   Equality and Diversity implications

This Data Sharing Protocol is designed to ensure that information is shared in a way that is fair, transparent and in line with the rights and expectations of the people whose information is being shared.

A joint Data Protection Impact Assessment (DPIA) has been developed alongside the Joint Data Sharing Protocol to ensure that all requirements are met under the Data Protection Act 2018.

12.   Risks

Any risks associated with the Joint Data Sharing Protocol are listed in the DPIA with appropriate and agreed mitigating actions.

The risks of not having a Joint Data Sharing Protocol include a lack of clarity around information sharing and inefficient information sharing processes between these emergency services.

13. Governance Boards

Agreement to progress this has been given at the Essex Emergency Services Strategic Collaboration Governance Board.

14. Background papers

Essex Emergency Services Data Sharing Protocol
Essex Emergency Services Collaboration Data Protection Impact Assessment (DPIA)

Report Approval

The report will be signed off by the PFCC Chief Executive and Treasurer prior to review and sign off by the PFCC / DPFCC.

Chief Executive / M.O.　　　　　Sign:

　　　　　　　　　　　　　　　　Print:　P. Brent-Isherwood

　　　　　　　　　　　　　　　　Date:　14 May 2020

Chief Finance Officer / Treasurer　　Sign:

　　　　　　　　　　　　　　　　Print:　Elizabeth Helm

　　　　　　　　　　　　　　　　Date:　19 May 2020

Publication

Is the report for publication?　　　　**YES**　　X

　　　　　　　　　　　　　　　　　　　NO

If 'NO', please give reasons for non-publication *(Where relevant, cite the security classification of the document(s). State 'None' if applicable)*
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……………………………………………………N/A……………………………………………………

If the report is not for publication, the Chief Executive will decide if and how the public can be informed of the decision.

Redaction

If the report is for publication, is redaction required:

1. Of Decision Sheet? **YES** ☐   **2. Of Appendix?** **YES** ☐

NO X   **NO** X

If 'YES', please provide details of required redaction:

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Date redaction carried out: ………………..

Treasurer / Chief Executive Sign Off – for Redactions only

If redaction is required, the Treasurer or Chief Executive is to sign off that redaction has been completed.

Sign: ……………………………………………...........

Print: ………………………………………………….

Chief Executive/Treasurer

Date signed: ....

Decision and Final Sign Off

I agree the recommendations to this report:

Sign:

Print: Roger Hirst

PFCC

Date signed: 20 May 2020

I do not agree the recommendations to this report because:

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Sign: ……………………………………….............

Print: …………………………………………………

Decision and Final Sign Off

I agree the recommendations to this report:

Sign:

Print: Darren Horsman

SIRO

Date signed: 2 June 2020

I do not agree the recommendations to this report because:

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Sign: …………………………………………...............

Print: ……………………………………………………