

The Romney Marshes Area Internal Drainage Board

Data Sharing Code of Practice

This Code of Practice aims to enable the Board to collect and share personal data in a way that is fair, transparent and in line with the rights and expectations of the people whose information we are sharing. The Code aims to:

- minimise the risk of breaking the law and the consequence of enforcement action by the ICO or other regulators
- gain public trust by ensuring that legally required safeguards are in place and complied with
- provide better protection for individuals when their data is shared
- allow appropriate data sharing only when this is necessary and beneficial to IDB interests
- develop greater trust and a better relationship with the people whose data the IDB wishes to share
- reduce reputational risks caused by the inappropriate or insecure sharing of personal data
- provide a better understanding of when, or whether, it is acceptable to share information
- reduce the risk of complaints and disputes about the way the IDB shares personal data

Data Sharing is the disclosure of data from one or more organisations to a third-party organisation or organisations, or the sharing of data between different parts of an organisation. This code covers:

- the systematic, routine data sharing with Professional Partners, Contractors and Consultants for carrying out IDB activities such as watercourse maintenance
- exceptional, one-off decisions to share data – not covered by any routine agreement

The RMAIDB is required to hold personal information under the Land Drainage Act 1991, to enable it to carry out its operational and supervisory activities. It shares information so far as it is reasonably necessary for, and in connection with the Board's activities under statutory legislation.

Human Rights Act 1998

The RMAIDB complies with the Human Rights Act 1998, Article 8 which gives everyone the right of respect for their private and family life, their home and correspondence. This is especially relevant to sharing personal data, so the IDB only shares personal information in as so far as it is lawful and proportionate to do so.

Sharing Personal Information

- The objective is to enable the Board's Programme of Watercourse Maintenance Works to be delivered
- Information is shared via email or telephone when needed (mostly as part of the routine maintenance programme), specific to requirements and on a need to know basis and will not be shared with third parties
- Conditions for processing are covered by statute, therefore "the data subject's consent" is not required as the data shared is non-sensitive and is necessary to the Board's activities

Data Sharing Agreement

A Privacy Impact Assessment (PIA) should be carried out before entering a data sharing agreement. Each organisation will have its own responsibilities, liabilities in the data they disclose or have received, and a data sharing agreement should cover the following:

- The purpose(s) of the sharing
- The organisations involved
- Basis for sharing – specific legal power
- The data to be shared and who has authority to share it
- The data quality – accuracy, relevance, usability (current and after amendments)
- Data security, retention of shared data and deletion arrangements for data shared and received
- Individual's rights – procedures for dealing with access requests, queries & complaints
- Review of effectiveness/termination of sharing agreement
- Sanctions for failure to comply with the agreement or breaches by individual staff
- To review the agreements on a regular basis
- Record when data was shared

Notification

The ICO requires a description of the individuals or organisations to whom the Board wish to disclose personal data by providing a description of the recipient(s) – type of organisation not names. This notification must be kept updated and accurate.

Data Protection Policy documents to be reviewed every 5 years and approved by the Board.