

Data sharing in local councils

– six steps to take

These six steps have been produced following a series of workshops and discussions with local councils across the UK and will be of interest to parish council clerks looking for steps they can take to improve their council's data protection compliance.

1 | Be clear about your purposes

There must be a specific [purpose](#) for sharing personal data. Before you share information with another organisation you should be clear on what the sharing is meant to achieve. You will need to record your purposes and specify them in your council's privacy information to individuals.

There are a variety of reasons why local councils may need to share personal data. For example, it may be necessary for you to share data to deal with a residential complaint or perhaps for employment purposes or to administrate community memberships.

2 | Identify your lawful basis

To comply with GDPR you must identify and document an appropriate lawful basis for sharing the information. There are six lawful bases and no single basis is better or more important than the others – the most appropriate one for your council will depend on your purpose.

Use our [lawful basis tool](#) to identify your lawful basis.

3 | Check the sharing is necessary

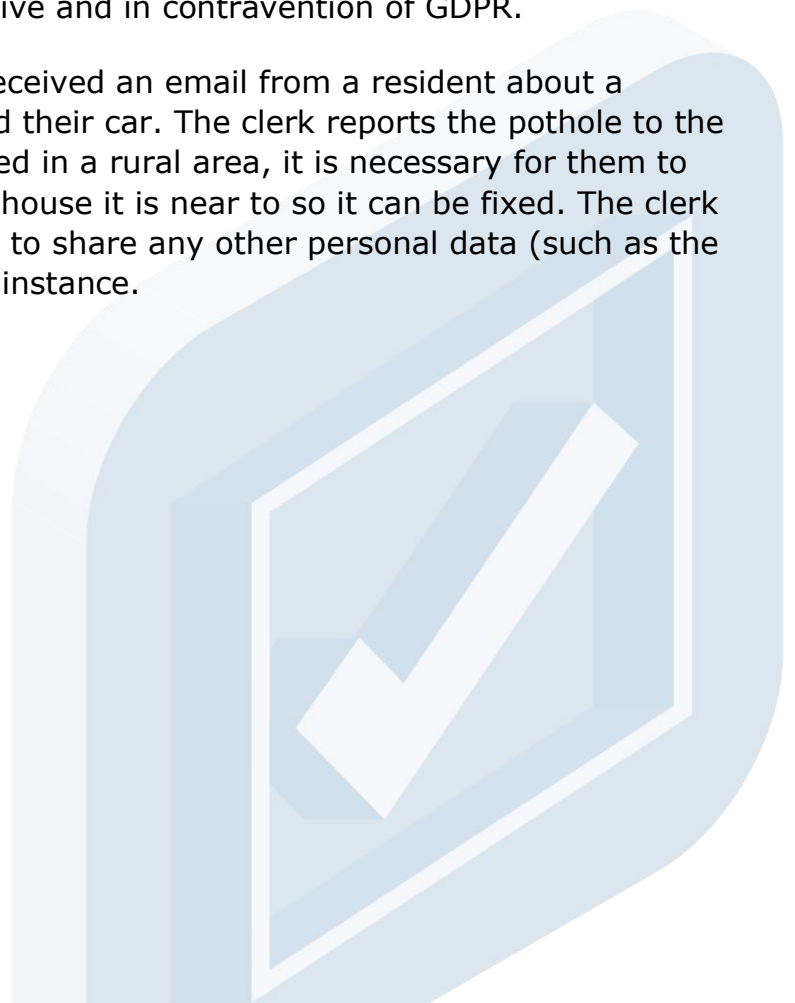
Many of the lawful bases for processing depend on the processing being [necessary](#). The sharing has to be more than just useful or standard practice for it to be necessary. If you can reasonably achieve the same purpose another way or by sharing less information, then the sharing won't be necessary and your lawful basis won't be valid.

For example, a parish council receives reports of anti-social behaviour on a number of its allotments. The police want to offer crime prevention advice to the allotment tenants and asks the council for a list of contact details of the tenants from its allotment database. The council decided that sharing the contact information with the police in this instance was not necessary. The same purpose (crime prevention advice) could still be achieved by the council distributing the advice to the tenants themselves, on behalf of the police.

4 | Only share the personal data you need to

Councils should only share the [minimum](#) amount of personal data that is needed to help your council achieve its purpose. Sharing more information than is needed may be considered excessive and in contravention of GDPR.

For example, a local council has received an email from a resident about a pothole that has recently damaged their car. The clerk reports the pothole to the highways agency but as it is located in a rural area, it is necessary for them to provide the address details of the house it is near to so it can be fixed. The clerk recognises that it is not necessary to share any other personal data (such as the complainant's information) in this instance.



5 | Inform individuals about the data sharing

Individuals have a right to be informed about the use of their personal data. It's also a key transparency requirement under the GDPR. When you collect the information from individuals, the GDPR requires you to inform them of certain information. This is known as privacy information. Even if you don't get the personal data directly from the individual concerned, you still must provide them with privacy information.

For example, before [sharing any data](#) with a third party, make sure that individuals have been informed about it. You must tell individuals (amongst other things) who you will share their information with, the reason(s) why, and your lawful basis for doing it. You can meet this requirement by putting the information in the council's privacy notice but you must make individuals aware of it and give them an easy way to access it – for example providing them a link to the privacy notice on the council's website when you collect their information.

6 | Demonstrate your accountability

The [accountability principle](#) requires you to take responsibility for what you do with personal data and how you comply with the other principles of GDPR. If you're sharing personal data you'll need to evidence your compliance and justify your approach.

Documenting the purposes and lawful bases for your council's data sharing is a good example to demonstrate your accountability. If you regularly share data with the same organisation, then a data sharing agreement would be good practice to demonstrate your accountability.

More information

For more information please visit www.ico.org.uk/for-organisations.