

Every Child Matters *In Lincolnshire*



LCP SCORECARD – DATA SHARING PROTOCOL

1. Introduction

The Children Act 2004 requires Local Authorities to have in place the arrangements that produce integrated working at all levels, from planning through to delivery, with a focus on improving outcomes. Lincolnshire has chosen to call this 'Children's Trust Arrangements'. Importantly Children's Trust Arrangements are a way of working which facilitates integration and improves outcomes for children and young people. This includes joining up the schools standards agenda with Every Child Matters – schools are at the heart of the community and are well placed to take up the challenge of making Every Child Matters a reality for children, young people and communities.

In Lincolnshire all the services and organisations specified in the Children Act have developed a range of strategic and operational partnerships to bring about the improvements needed to ensure that every child and young person, in every part of the county, has the best possible start in life and is able to achieve their potential. The key strategic partnership is the 'Children and Young People's Strategic Partnership' which includes representation from all partners identified in the Children Act 2004 as having a responsibility for the health, safety, welfare, achievement and economic wellbeing of Children and Young People in their area.

Role of the Children and Young People Strategic Partnership (CYPSP):

- To bring partners together to build a shared vision and foster mutual respect to create a single organisation
- To drive local delivery through a strategic commissioning framework
- Based on local knowledge, evidence and through partnerships define the priorities for improving outcomes for children - this will be through the **Children and Young People's Plan**

One of the agreed objectives for 2008 identified in the Plan is the requirement 'to devise a performance scorecard to provide performance information at a local level'.

Another requirement is to set up and support 'Local Children's Partnerships'

Role of the Local Children's Partnerships

The Local Children's Partnership is the key delivery mechanism for encouraging co-operation and collaboration at a local level, ensuring service delivery meets local community needs and leading integration to improve outcomes for children and young people.

Its key strategic themes are:

- All children achieving potential – excellence in learning with support
- Prevention – early action resulting in a shift of resources from Specialist to Universal
- A new, single organisation – developing integrated working
- Safeguarding our children – ensuring children are safe in every environment
- Participation and aspiration – listening and acting on what children, parents/carers tell us
- Partnership – creating sustainable futures through collaboration

Its key aims are to:

- Support CYPSP as strategic commissioner of children's services to identify needs, recommend strategies based on robust evaluation, assist in writing service specifications to ensure local needs are met and monitor and elevate outcomes for children and young people.
- Create a local system where access to all services is seen as an opportunity to engage the family, to identify wider needs, and offer support both to the individual and the wider family
- Encourage all local partners to have a shared sense of responsibility to achieve positive outcomes for all children and young people including the most vulnerable families linking adults and children's services
- Provide a creative response to the challenges of delivering a high quality, consistent and integrated professional service to children, young people and their families
- Drive the use of key processes including CAF/LP/Directory of Services and ContactPoint
- Identify and deliver training to develop the children's workforce at a local level encouraging multi agency training as the norm
- Actively involve children, young people and their parents ensuring that the strengths of families are built upon

LCPs are local children's services delivery areas. They work to ensure better outcomes for children and young people through encouraging co-operation, collaboration and integration:

Co-operation – focusing on improving interagency processes through the implementation of the Common Assessment Framework and the Lead Professional Role

Collaboration- including limited co-location, joint training and the development of multi agency teams

Integration - bringing all services together through harmonisation of structures, cultures and business processes

The LCP will reflect the 0 – 19 age range

The Children's Plan 2008 – 2010

The CYPSP developed and approved an updated Children's Plan in April 2008 which emphasised how they can make a difference. This can be best expressed as follows. Using common processes (Common Assessment Framework/Lead Professional arrangements) plus working as a single organisation results in integrated working which promotes "Children's Trust Arrangements" (the arrangements to integrate services) which in turn delivers better outcomes for children and young people.

One of the expectations in the Plan for 2008 is the introduction of a 'Local Children's Partnership (LCP) Scorecard'. The concept behind the Scorecard is that all LCPs will be able to access quickly and simply the range of performance intelligence that they will need to analyse what is working well in their area and what is not. The LCPs will then be in a position to start the process of addressing the aspects of underperformance to improve outcomes for children and young people.

The LCP Scorecard

A) Background

Lincolnshire is committed to delivering services locally that meet the needs of children, young people and families. Our customers want us to provide services that are local and joined-up and that meet their spectrum of need(s). The Children and Young People's Strategic Partnership (CYPSP) has agreed that the delivery model for this will be through the 7 Local Children's Partnership (LCP) areas.

LCPs have intentionally been made coterminous with District Council boundaries so that they can support the Local Strategic Partnerships (LSPs).

Delivering services locally means that the locality needs to be able to assess its own strengths and shortcomings so that it can instigate the changes/actions required to bring about improvements. To this end the concept of an LCP 'scorecard' was developed to enable this to happen.

B) Conceptual Design Principles

These principles describe the expectations of the approach:

- The scorecard must ensure that LCPs understand their performance so that action can be taken to address under-performance
- Lincolnshire's key priorities and targets will be disaggregated, where possible, to LCP-level so that their commitment to delivery is clear
- Localities are different so the scorecard must also describe the locality's issues and not just solely Lincolnshire's issues on a smaller scale
- The accountability of services to citizens and communities must be strengthened and be more transparent
- The information/data used must support other products or initiatives, as well as the scorecard, in a consistent and reliable way
- The system¹ should be child-centric and not service-centric
- The evolution of the system will be in the hands of its users

¹ 'System' is used to describe other products that can be produced in addition to the scorecard

C) How will the scorecard be used?

The scorecard will be available through a web-based system hosted by the Lincolnshire Research Observatory. It is expected that the indicator set and the scorecard will **eventually** be public documents thus strengthening our accountability to citizens and communities. Where necessary a suppression rule will be in place to prevent the display of information based on less than 11 people (*'publish on 11 or more, suppress on 10 or less'*). The scorecard will enable a LCP to understand its areas of under-performance together with its commitment to key strategic plans such as the Local Area Agreement and Children and Young People's Plan, all of which will be set within the context of the area itself. Key priorities will be identified and available to the 'LCP Board'² to enable them to decide what local solutions need to be applied to correct under-performance. The output from these decisions will be a local plan that can be performance managed with the potential to use the current Lincolnshire County Council's performance management system (Performance Plus).

Information Sharing

Guidance from 'Every Child Matters' states 'It is often necessary for agencies to share information so that children and young people can receive the services they need. Sometimes, it is only when information held by different agencies is put together that a child or young person is seen to be in need of additional or alternative services'.

The statutory guidance for section 10 of the Children Act 2004 states that good information sharing is key to successful collaborative working and that arrangements under section 10 of the Act should ensure that information is shared for strategic planning purposes and to support effective service delivery. It also states that these arrangements should cover issues such as improving the understanding of the legal framework and developing better information sharing practice between and within organisations.

In order to turn the concept of the Scorecard into reality it will be essential for the partners listed in the Children Act 2004 to share data effectively in order that LCPs can deliver the best outcomes for children and young people.

2. General Purpose of the Protocol

The purpose of this Protocol is about supporting information sharing between agencies to enable early intervention to help children, young people and families who need additional services to achieve positive outcomes. It is unlikely that one agency on its own can meet all the often complex needs of vulnerable children. Most families rightly expect inter-agency services to be well co-ordinated. In many cases it is only when information from a range of sources is put together that a child can be seen to be in need of extra support.

This protocol describes the legal framework that will enable agencies to provide information for the purposes of implementing the Local Children's Partnership Scorecard. It provides guidance on how the exchange of sensitive, personal and depersonalised information can be used to help the Children and Young People's Strategic Partnership and the 7 Local Children's Partnerships combat the effects of

² 'LCP Board' is a working title for the governance arrangement at LCP level. In its first instance this may be an LSP level body.

social exclusion. The protocol is intended to facilitate the supply of data to the organisation responsible for processing it (Lincolnshire County Council) in order to meet the Partnership commitment to develop and implement the LCP Scorecard.

This protocol is intended to meet general bulk information sharing needs, where the consequences of parties failing to meet their obligations are not considered excessively damaging. Typically this would be situations where the legal constraints are based primarily on the Data Protection Act 1998 and the Freedom of Information Act 2000 and where the financial or practical risks of non-compliance are manageable.

An additional feature of this protocol is that it has been designed for situations where the purpose of the information sharing is not to make decisions about **individuals**. Typically, this will be where the purpose of the data sharing is analysis or decision making about general situations and the facts about any individual in isolation are immaterial. This covers the very large and important activity of analysis of information about individuals for the purpose of policy formulation or management planning, but which is often hampered by misunderstanding of the legal framework and uncertainty about the controls that can be applied to the sharing process. This protocol deals effectively with these concerns and allows all parties involved to have trust and confidence in their partner's ability to give and receive data.

Unlike other arrangements this protocol is intended to provide a consistent framework and common standard for different organisations to adopt. By accepting this protocol an organisation shows its desire to share information in a lawful and controlled way with other organizations that also accept the protocol.

3. SCOPE & APPLICATION

There are three types of data sharing situations that are covered by this protocol.

A *Non-Personal Data*

Non-personal data is data that does not refer to living individuals. There are two types of non-personal data:

1. Data that has never referred to people; for example information on organisations, natural resources and projects.
2. Data about people that has been aggregated or tabulated in ways that make it impossible to identify the details of individuals.

Sharing of non-personal data for any purpose is covered by this protocol.

B *De-Personalised Data*

De-personalised data is data that describes individuals, but where identification of the individual is not possible by the organisations using the data, either from the data or in conjunction with other data or information they hold or are likely to acquire.

Note that although an organisation holding de-personalised data may not be able to identify individuals, there is a risk that a third party with other information may be able to. For this reason care may be needed with the storage and disposal of de-personalised information to comply with legal obligations.

Sharing of de-personalised data for any purpose is covered by this protocol.

Both non-personal and de-personalised data are outside the scope of the Data Protection Act.

C Personal Data

Personal data is data about individuals who can be identified from the data, either directly or by pooling with other information available to the organisation.

Personal data is specifically covered by the Data Protection Act 1998 (DPA), which imposes a number of obligations and duties on those who hold such data and gives rights to individuals to know what data is held about them. The Act also has different provisions for personal data (e.g. address, demographics, education, financial status) and sensitive personal data (e.g. religious & political beliefs, health and sexual behaviour).

In relation to this protocol the DPA provides some exemptions for data used for the purpose of research and planning (including statistical or historical purposes). These are given in Section 33 of the Act and allow:

1. Personal data to be used for research and planning even if this was not obtained for this purpose.
2. Personal data used for research and planning to be kept indefinitely.

Only the sharing of personal data for research and planning purposes (i.e. where a DPA Section 33 exemption applies) is covered by this protocol.

APPLICATION

- 1) The protocol applies to partners included under the Children Act 2004 who are responsible for holding data for one or more of the 69 national indicators for Children and Young People's Services or the locally agreed indicators which are included in the CYPP
- 2) The protocol is a basis for the bulk supply of elements of data to Lincolnshire County Council in order to allow both the CYPSP and LCPs to identify performance issues and redress them in order to provide better outcomes for young people.
- 3) The protocol specifies the standards for the effective supply of data which cover the issues of fair processing, accuracy, security, format and timescales
- 4) The protocol informs the participating organisations of the legal, commercial or practical issues that they must consider when supplying data

- 5) The protocol covers the use of transferred data by the staff of Lincolnshire County Council assigned to the LCP Scorecard project

D) COMPONENTS

This protocol has three components:

1. This document.
2. A standard Data Sharing Agreement that is used to set out the details of how data will be shared in the LCP Scorecard Project and the obligations on all parties involved in that project.
3. A set of appendices which require completion and are to be reviewed annually

**LINCOLNSHIRE CHILDREN AND YOUNG PEOPLE'S STRATEGIC
PARTNERSHIP DATA SHARING AGREEMENT FOR THE DEVELOPMENT AND
MAINTENANCE OF THE LCP SCORECARD**

1. AGREEMENT TYPE

This agreement covers

- a) The supply of personal data (with Data Protection Act Section 33 exemption) from partners of the Children and Young People's Strategic Partnership to Lincolnshire County Council
- b) The supply of de-personalised data (outside the scope of the DPA) from partners of the Children and Young People's Strategic Partnership to Lincolnshire County Council
- c) The supply of non personal data (outside the scope of the DPA) from partners of the Children and Young People's Strategic Partnership to Lincolnshire County Council
- d) The use of the data by the Lincolnshire County Council which has been supplied by partners

2. DATA SHARING PURPOSE STATEMENT

- i. The purpose of the data sharing between the organisations which are signatories to this agreement is to supply data to the Lincolnshire County Council and for LCC to process the data in order to provide the research, management planning and performance analysis capability to the partners of the CYPSP and LCPs
- ii. Staff from Lincolnshire County Council assigned to the LCP Scorecard Project will process the transferred data securely and present it in aggregated form through the web enabled Local Children's Partnership Scorecard.
- iii. The data to be supplied will be solely for the purposes of:

Research,
Performance analysis and
Management planning

Measures or decisions made as a result of the activity will not be made in relation to particular individuals.
- iv. The transferred data will enable both the Children and Young People's Strategic Partnership and Local Children's Partnerships to analyse performance in Lincolnshire and plan change in order to improve the outcomes for children and young people.
- v. Personal bulk data will be transferred to LCC in a pseudonymous format (the data transferred and received is technically capable of being matched or linked) and contain only the following information

DOB
GENDER
POST CODE
ETHNICITY

The data conventions in relation to these individual data items are outlined in Appendix 5

The basis for providing details of ethnicity is to enable partners to monitor performance and identify potential inequalities for this group.

Note: There is one condition within Schedule 3 of the Data Protection Act which justifies the provision of this data without gaining client consent, this being;

Condition 9. – (1) The processing –

- a) is of sensitive personal data consisting of information as to racial or ethnic origin,
- b) is necessary for the purpose of identifying or keeping under review the existence or absence of equality of opportunity or treatment between persons of different racial or ethnic origins, with a view to enabling such equality to be promoted or maintained, and
- c) is carried out with appropriate safeguards for the rights and freedoms of data subjects

The supply of this data will enable reporting on performance at a ward/district /LCP area level in order to effect change and improve outcomes for children and young people.

- vi. All data transferred will match the specification required for reporting against the National Indicator requirements published by the DCSF and these should be identified clearly on the Data Specification Agreements at Appendix 1

This will enable the precise and accurate representation of performance on the Scorecard

- vii. All data will be transferred in line with the schedules agreed on the Data Specification Agreements at Appendix 1

This will enable the accurate and timely representation of data on the Scorecard

3. DATA OWNERSHIP and Parties to the Agreement

- i. The Providers (drawn from section 10 of the Children Act 2004) of the source data are

Lincolnshire County Council

District Councils

West Lindsey District Council

East Lindsey District Council

Lincoln City Council

North Kesteven District Council

South Kesteven District Council

South Holland District Council

Boston District Council

Lincolnshire Police

Lincolnshire and Rutland Learning and Skills Council

Strategic Health Authorities and Primary Care Trusts

The Probation Service

Youth Offending Team

Data protection registration numbers are identified at Appendix 2 and separately on the Data Specification Agreements (Appendix 1)

Each organisation will nominate a person who is authorised to complete the Data Specification Agreement.

- ii. The receiver of the data is

Lincolnshire County Council (Staff assigned to the LCP Scorecard Project)

The data protection registration number is identified at Appendix 2

- iii. The owners of the resulting data are

All suppliers and recipients identified in 3i) and 3ii) above

4. CONDITIONS ON USE OF SUPPLIED DATA

- i. The transferred data will be processed by staff employed by Lincolnshire County Council who are assigned to the LCP Scorecard Project for the sole use of updating the LCP Scorecard
- ii. Pseudonymised personal data (the data transferred and received is technically capable of being matched or linked) will only be accessible in its transferred form to staff assigned to the LCP Scorecard Project identified above and the contact from the supplying organisation identified in Appendix 3
- iii. The data will be published in a pseudonymised and aggregated form through the LCP scorecard
- iv. Data supplied will be accurate and as specified on the Data Specification Agreement (Appendix 1) which is to be reviewed annually
- v. Organisations will provide an agreed set of metadata to describe the dataset supplied. This additional data will be needed to help assist users in their understanding of where the data came from, when it was provided and expected refresh dates etc.

5. CONDITIONS ON USE OF RESULTING DATA

- i. The aggregated data will be published through the LCP Scorecard for the use of Partners of the CYPSP and LCPs
- ii. All suppliers of data have the right to request any errors in the published data to be corrected by within 7 working days of an error being identified. The contacts for error reporting are listed in Appendix 4 which will be updated and circulated whenever a change to the contacts list occurs
- iii. Data which could identify individuals will not be published on the Scorecard. Information in relation to any single aspect of performance where the level of children or young people involved is 10 or less in a single LCP Area will not be published

6. MEASURES TO ENSURE SECURITY OF SUPPLIED DATA

- i. Pseudonymised personal data files will, wherever possible, be transferred by the supplying organisations either to :
 - The S2S Secure Data Transfer Website or
 - The LCC Secure data exchange Website

both of which are hosted by Lincolnshire County Council

- ii. If for any reason data is transferred in a format other than through the designated secure web system, suppliers agree to use 256 AES encryption methods as this is now the nationally recommended level of encryption.
- iii. LCC will maintain effective systems for access, processing, storage and security including back up, fire and flood protection and disaster recovery.
- iv. LCC staff assigned to the LCP Scorecard project will have sole access to the transferred data
- v. Data will not be held off site or accessed from an employees home other than via a secure and dedicated network link to a computer provided specifically for the purposes of home working.

7. RETENTION PERIOD FOR SUPPLIED DATA

- i. All data supplied to LCC will be retained for 5 years to enable the production of trend analysis

8. FORMAT OF SUPPLIED DATA

- i. Bulk personal client level data will be supplied to LCC with the following fields:

DOB
GENDER
POST CODE
ETHNICITY

The data conventions in relation to these individual data items are outlined in Appendix 5

- ii. Data files will be transferred in Excel or CSV format
- iii. Data files will be cleansed prior to transfer
- iv. All data will be supplied to match the requirements of the National Indicator sets identified on the Data Specification Agreement (Appendix 1)
- v. Organisations will provide an agreed set of metadata, to describe the dataset supplied. This additional data will be needed to help assist users in their understanding of where the data came from, when it was provided and expected refresh dates. The metadata description will form part of the Data Specification Agreement (Appendix 1)

9. FAIR PROCESSING

- i. It is expected that all signatories to this protocol have processes in place for the issue of fair processing notices to their client groups.
- ii. While notices issued to date may cover the collection of personal and sensitive data for the purposes of research and planning the specific transfer

of personal data to LCC as host for this activity is unlikely to have been covered.

- iii. In signing the protocol the organisations covered by the protocol agree to update and issue their Fair Processing Notices in line with their normal business cycle.
- iv. Given that a significant proportion of the data to be supplied is historical, the time and cost of seeking consent retrospectively prohibitive and any personal data anonymised it can be argued that it is not in the public interest to gain consent prior to agreement to supply the data that is currently available for supply.

10. ORGANISATIONAL COMPLIANCE

The organisations that are signatories to this protocol agree to comply with the following additional requirements:

- Organisations will ensure that their Data Protection notification is up to date within 2 months of signing this agreement
- Organisations will maintain the accuracy and clarity of data they supply under the agreement to aid usefulness and consistent interpretation.
- Organisations will maintain the confidentiality of data in any form, during collection, transmission and storing with appropriate security arrangements.
- Organisations will apply relevant regulations to the retention & disposal of records, only keeping information for as long as is necessary in relation to the original purpose(s) for which it was collected.
- Organisations will ensure all relevant staff are aware of, understand and comply with these principles and organisational policy on the collection and uses of information, supported by terms of employment
- Organisations will ensure that any third parties providing a service to them agree and abide by these principles by inclusion in contracts/agreements.
- Organisations will have at least basic processes/systems for recording wishes/restrictions on information expressed by individuals.

Appendix 1

Data Specification Agreement

Appendix 2

Data Protection Registration Numbers of all the supplying/receiving partners

Appendix 3

Names of all the people authorised by their organisation to negotiate the Data Specification Agreement and supply data under this agreement.

Appendix 4

Names of all LCC staff assigned to process data for the LCP project

Appendix 5

Data Conventions

11. DECLARATION OF AGREEMENT & PARTICIPATION		
We agree to supply and use data in accordance with the conditions listed above to absolve the other party from loss and liability in the event of us being in default of this agreement.		
SIGNATURE		
NAME	Peter Davies	
POSITION	Assistant Chief Constable	
ORGANISATION	Lincolnshire Police	
DATE	12 January 2009	

SIGNATURE		
NAME		
POSITION		
ORGANISATION		
DATE		

SIGNATURE		
NAME		
POSITION		
ORGANISATION		
DATE		

APPENDIX 1

DATA SHARING AGREEMENT LOCAL CHILDREN'S PARTNERSHIP SCORECARD

DATA SPECIFICATION AGREEMENT

NAME OF SUPPLIER _____ ;

DATA PROTECTION

REGISTRATION NUMBER:

NATIONAL INDICATOR(S) COVERED

DATA TO BE SUPPLIED

FREQUENCY OF SUPPLY

FORMAT OF DATA TO BE SUPPLIED

AGREED DEVIATIONS FROM DATA CONVENTIONS AT APPENDIX 5

METADATA DESCRIPTION

REVIEW DATE :
SUPPLIER :
SIGNED :
PRINT NAME :
DATE :
RECEIVER :
SIGNED :
PRINT NAME :
DATE :

APPENDIX 2

DATA SHARING AGREEMENT

LOCAL CHILDREN'S PARTNERSHIP SCORECARD

Data Protection Registration Numbers of all partners
supplying/receiving data under this Agreement

Organisation	Data Registration Number
Lincolnshire County Council	Z 8397628
Lincolnshire Police	Z 4888040
Lincolnshire and Rutland Learning and Skills Council	
Youth Offending Team	
Lincolnshire Teaching Primary Care Trust	Z 967158X
Lincoln Partnership NHS Foundation Trust	Z 540243O
United Lincolnshire Hospitals NHS Trust	

APPENDIX 4

DATA SHARING AGREEMENT LOCAL CHILDREN'S PARTNERSHIP SCORECARD

**LCC staff assigned to process data for the LCP
Scorecard project**

Performance Management Team

Caroline Jackson, Assistant Head

Marcus Coleman, Principal Information Officer

Lee Brooks, Information Officer

APPENDIX 5

DATA SHARING AGREEMENT LOCAL CHILDREN'S PARTNERSHIP SCORECARD

LCP Scorecard Data Conventions

DOB

DD/MM/YYYY e.g. 14/06/1987

Gender

M
F

Postcode

LLNN NLL e.g. LN11 1PL

LNN NLL e.g. LN1 1PL
L = letter N = number

Ethnicity

Ethnicity Code	Ethnicity Description
1	White - British
2	White - Irish
3	White - Traveller of Irish heritage
4	White - Gypsy/Roma
5	White - any other White background
6	Mixed - White and Black Caribbean
7	Mixed - White and Black African
8	Mixed - White and Asian
9	Mixed - any other mixed background
10	Asian or Asian British - Indian
11	Asian or Asian British - Pakistani
12	Asian or Asian British - Bangladeshi
13	Asian or Asian British - any other Asian background
14	Black or Black British - Caribbean

- 15 Black or Black British - African
- 16 Black or Black British - any other Black background
- 17 Chinese
- 18 Any other ethnic group
- 19 Parent/pupil preferred not to say
- 20 Information not yet obtained