

Notes arising from DSA Meeting

1000-1200 Thursday 27 October 2016, Livingston

Present: (Chair) Dundee City Council
Scottish Government
National Records of Scotland
Improvement Service
Improvement Service

Discussed status of National Records of Scotland (NRS) agreements with Improvement Service (IS).

These are being reworked, as a Memorandum of Understanding (MOU) with IS and as a number of Data Sharing Agreements (DSA), one with each Local Authority (LA) (and one with each NHS Board).

IS are effectively a Data Processor (DP) for the Registrar General (RG), and *a DP for each of the 32 LAs; effectively, a Data Processing Agreement (DPA) is in place between RG and IS, and between 32 LAs and IS which covers the data that originates from RG.*

This a) explicitly meets the LEARS requirement (legally NRS allowed to share with LA, not IS), and b) allows the omission of the other demographic details from the existing documents to be rectified (e.g. sharing a change of name is covered).

NRS are taking a position with e.g. Leisure Trusts, SPT etc., that they are allowed access to the data so long as they use it only under the direction of the LA, i.e. the LA retains control. The nature of LEARS does mean that the agreements for data that came from NHSCR form one group of agreements; data without such data is another group, hence the need, e.g. for separate agreements covering LAs making use of myaccount.

The meeting drew up a "core" list of agreements that we need to reflect the "as is" for myaccount interaction with NEC and LAs - and note that there was agreement that sometime in the future - in preparation for 2018 and GDPR – that this should be managed down to follow the Scottish Information Sharing Toolkit overarching agreement model.

Agreed that in an ideal world, the 32 LAs would not be signing up for something "from The Improvement Service" multiple times - but needing to plug current gaps.

- 1) MOU SG - IS
- 2) MOU NRS - IS
- 3) DSA x33 NRS - LA, Health Board
- 4) SLA IS - DCC
- 5) Information Exchange Protocol CMS - myaccount (i.e. the daily file spec + login spec). This may also be needed to reflect other similar exchanges, but it may be that they can form part of e.g. the TS SLA
- 6) DSA x32 IS - LA (non NHSCR data, i.e. data hub) 2

7) DSA x32 NECPO/DCC - LA

8) myaccount Ts & Cs

Obviously some work would be required for 5) to incorporate the login data and also aggregate files based on the daily file – the data should be identical in this case)

7) Improvement Service indicated that this would have thought to have been covered previously in an agreement between IS and LA's which may have been "mis-placed", but as far as they knew there wasn't a current equivalent. The DSA needs to include reference to myaccount verification, and reference to e.g. SEEMIS data (i.e. it must be certain to mention that data will potentially come direct from a customer or from a LA system), and also any restrictions on the use of identifiers (although that might be with reference to another agreement, "e.g. any use of UCRN that is shared with you is governed by your separate agreement with NRS"). The meeting suggested that this agreement should now be between Dundee City Council and the other local authorities - one of the arguments for this NOT to be an IS owned document was that very little data interchange between CMS and myaccount i.e. the majority of the data handled by the NEC Scheme on behalf of LAs is not exchanged with myaccount; ultimately, the suggestion is that the NEC Scheme data domain is now to be viewed separately from the myaccount data domain and not under the direct control of IS. This change would need to be subject to DCC legal agreement.

Note that this is a "core" list. There are other agreements, e.g. the Data Processing Agreement between IS and ESP dated 20 December 2007 which also need to be in place.