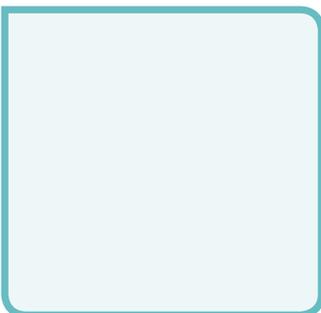
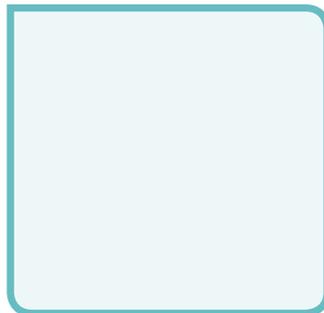


# Tackling worklessness

## Data sharing



## Why does sharing data matter?

Opportunities for greater impact on worklessness can be realised through sharing data: data about the customers of employment, skills and 'wrap around' services, their needs and experiences, and the benefits and rewards they gain from taking up these services.

However, for a variety of reasons - some good, some bad - data are not shared as widely and effectively as it could be. This is a big issue: lack of data sharing can undermine value for money, partnership-wide, wasting resources and leading to disjointed services that fail to offer what customers need.

### This guide:

- highlights the ways in which shared data can contribute in tackling worklessness
- sets out what can get in the way of data sharing - and what lies behind this
- draws distinctions between different types of data sharing, and the importance of personal consent
- explains the legal basis for data sharing in tackling worklessness, including that affecting what DWP can and cannot share
- highlights good practice and explores data sharing as partnership in action.

Data sharing may seem self-evidently a good thing, but this must be balanced with protecting individual privacy and keeping within the law governing the work of public bodies.

This 'How To' guide accompanies 'DWP Guide: Data sharing to tackle worklessness' (<http://www.dwp.gov.uk/docs/datasharingguide.pdf>) and a forthcoming DWP guide to data sharing and Housing Benefit and Council Tax Benefit (which will be available on [www.dwp.gov.uk](http://www.dwp.gov.uk)).

Data for Neighbourhoods and Regeneration ([www.data4nr.net](http://www.data4nr.net)) signposts readily available datasets: sometimes information is already available which obviates the need for data sharing requests.

### How can data sharing contribute in tackling worklessness?

Data drawn from partner sources can make a real difference in:

- planning, commissioning and targeting services
- tailoring what is provided to needs of individuals, households and communities, and
- working out the difference employment programmes and services really have made to disadvantaged people - what works, for whom, and at what cost.

Figure 1 sets out a range of functions where shared data could contribute to improved delivery.

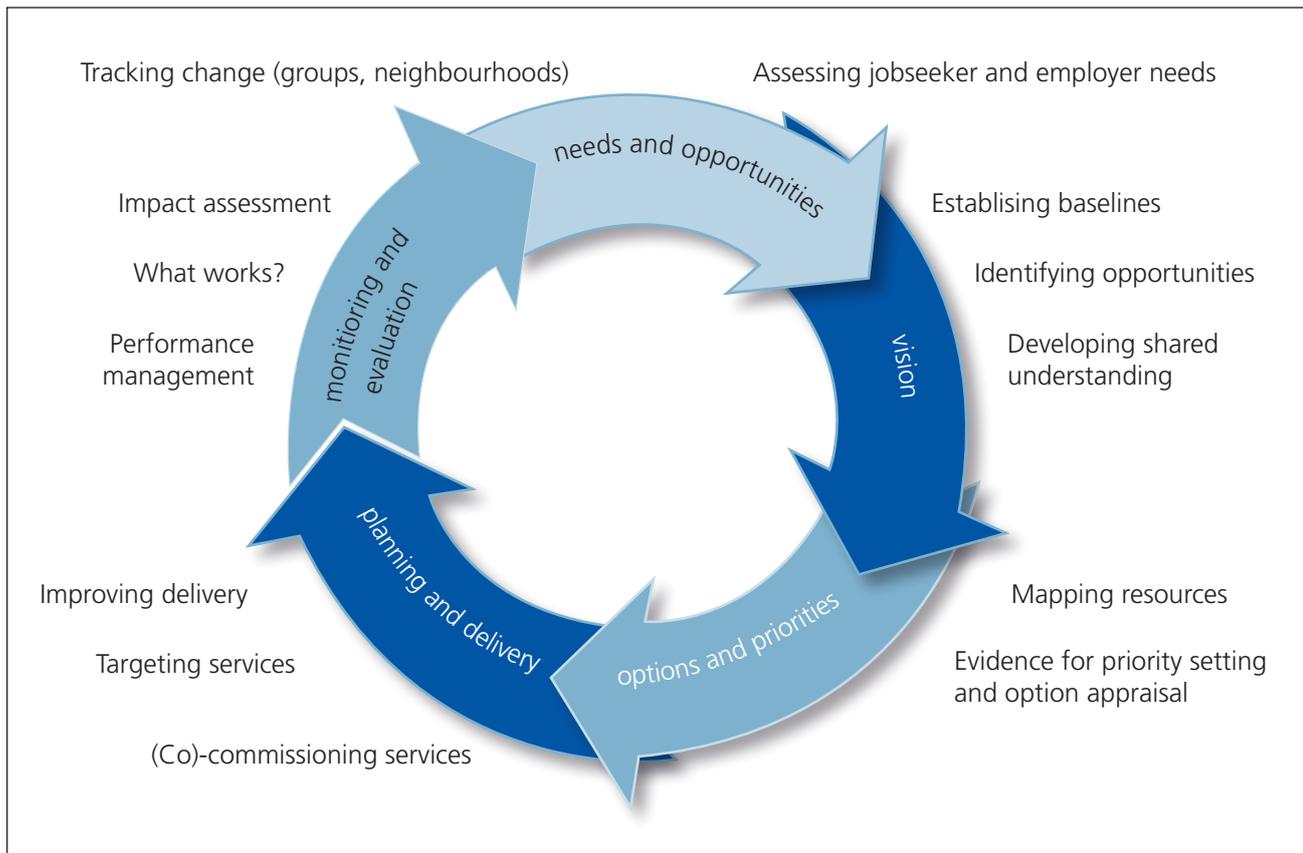
It is important to be aware of the variety of sources you can draw on to support such activities, from local partners and from national sources such as NOMIS (for labour market statistics) and DWP (eg, high level performance data on welfare-to-work programmes). Local analysts can advise on national sources, and on local resources to bring together partner data through initiatives such as Local Information Systems.

### What (rightly and wrongly) can get in the way of data sharing?

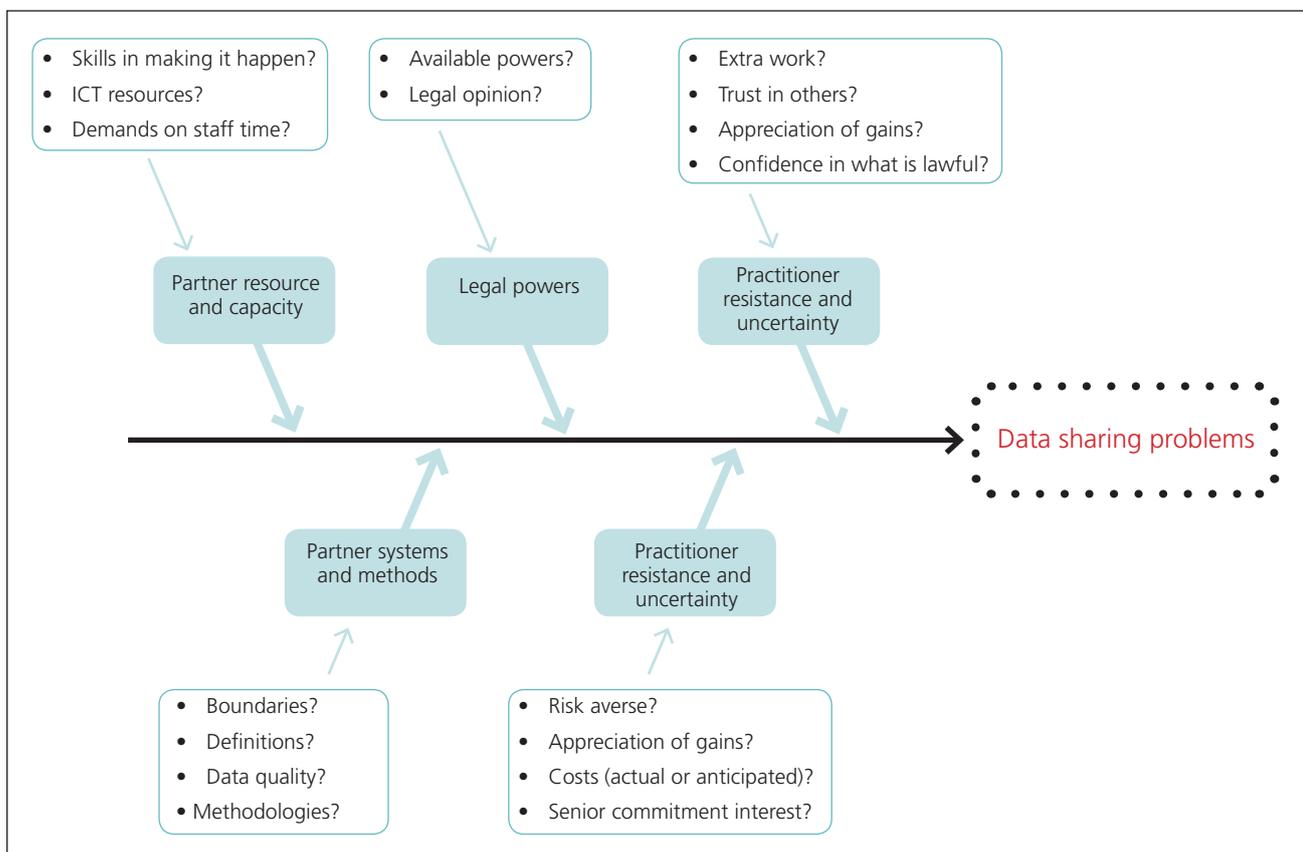
Figure 1 sets out types of factor which affect the extent to which data is shared at local level. Typically they involve some combination of:

- a) a lack of knowledge and confidence about what can and cannot be shared
- b) costs associated with sharing data
- c) differing definitions and methods
- d) available resources and capacity
- e) culture and attitudes.

**Figure 1**  
Strategic and Operational Drivers of Information Needs



**Figure 2**  
Factors which get in the way of effective data sharing



### a) Lack of confidence in what is lawful

Very often people are unsure: “what can we share and what can’t we share?”, they ask. This can lead to situations where they find it easier to say ‘no’ to requests than find out the answer.

There is often confusion about what is a Data Protection Act (DPA) issue and what in fact relates to other legislation, where different statutes (e.g., affecting Council Tax and benefits administration) take precedence. There can also be differences in interpreting the DPA, for instance in determining whether or in what ways information may be used beyond the original purpose in gathering it.

### b) Costs (and risks) in sharing data

The actual costs in supplying data (e.g., associated with reformatting, data cleansing, etc) can be a barrier, as can perceived costs in sharing data, stemming, for example, from management concerns about what can be afforded, or from staff expectations that data sharing will mean extra work. Managers and staff may be under pressure, and requests for data sharing may be seen as an unjustifiable addition to the priorities of their ‘day job’.

### c) Differing definitions and methods

Inconsistent definitions (e.g., in measuring ‘distance travelled’ by jobseekers, and in recording disability or ethnicity) can make sharing difficult or impossible, and as can the adoption by agencies of different boundaries or base levels of geography when coding or analysing data.

### d) Available resources and capacity

Inadequate resources and capacity for data gathering systems, research and analysis can inhibit sharing and better use of data. Even where there are staff with expertise in economic and labour market analysis, much of their time can be taken up by tasks such as data cleansing and producing performance reports – which detract from time available for making data sharing happen and for genuine analytical work relating to strategies or problem solving.

### e) Culture and attitudes

Issues relating to culture and attitude intertwine these barriers. It is not unusual to encounter behaviours which display:

- a view that ‘knowledge is power’ and to be kept to oneself, one’s team or organisation
- fears that shared data may highlight organisational weaknesses
- expectations that others will not treat the data with professional integrity and skill, perhaps using the data for inappropriate purposes or with methods leading to invalid interpretations
- a lack of a ‘can do’ attitude, where people are averse to taking risks, find reasons not to do things, or fail to see opportunities.

Organisational culture may even create an ‘atmosphere of fear’, where there is an emphasis on what can’t be done rather than what can.

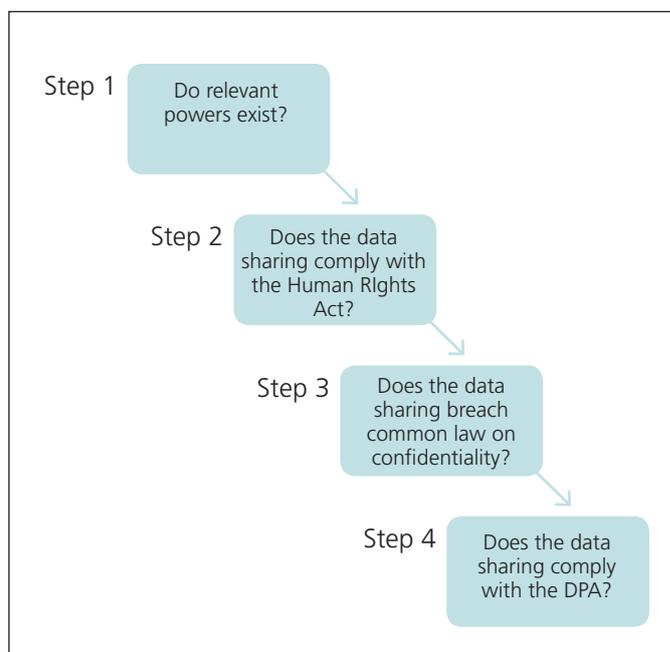
## What can you do about these obstacles?

### Understand the legal basics of data sharing

The Data Protection Act 1998 seeks to strike a balance between individual concerns and the common good, giving individuals certain rights of privacy regarding information held about them and placing obligations on those who process information.

Figure 3 sets out the sequence of questions which need to be addressed in determining whether any proposed data sharing can take place.

**Figure 3**  
Establishing the legal basis for sharing personal data<sup>1</sup>



In considering Step 1, it is important to understand that there are no general powers available to statutory bodies such as local authorities to obtain, hold, process or disclose data. In reviewing the potential for data sharing, it is necessary first to establish whether or not legal powers exist to undertake the data sharing. These powers may be derived from specific legislation, such as the Children Act 2004, or from enabling legislation such as economic, social or environmental well-being power contained in section 2 of the Local Government Act 2000 (although these powers may be limited or restricted by statute).

There are also limits to data sharing contained within specific legislation. For example, the Local Government Finance Act 1992 constrains the use or disclosure of data obtained for Council Tax administration solely for this purpose. Various statutes constrain the scope for data sharing by individual

<sup>1</sup> This is a simplified version of a flowchart which appears as Appendix 2 in Public Sector Data Sharing: Guidance on the Law [www.justice.gov.uk/guidance/docs/data\\_sharing\\_legal\\_guidance.pdf](http://www.justice.gov.uk/guidance/docs/data_sharing_legal_guidance.pdf)

Government Departments: e.g., the Department for Work and Pensions to employment, training and social security purposes only.

With regard to Step 2, data sharing must comply with Article 8 of the Human Rights Act 1998 (“Everyone has a right to respect for his/her private and family life, his/her home and his/her correspondence”), subject to exemptions relating, for instance, to public safety and protection of individual rights and freedoms. Step 3 concerns common law (the case law that has been built up over time) in relation to protection of confidentiality.

The core to understanding what is possible at Step 4 is the set of principles at the heart of the DPA. These include that data be:

- processed fairly and lawfully (Principle 1)
- processed for limited purposes only (Principle 2)
- adequate, relevant and not excessive (Principle 3)
- kept secure from unauthorised or unlawful access (Principle 7).

Importantly, the DPA<sup>2</sup> allows the further processing of personal data for research purposes which relate to the original intent in collecting the data. This is provided that the data are not used in ways which lead to measures or decisions affecting particular individuals, nor used in ways which cause substantial damage or distress to individuals.

### The law, data sharing and DWP

The subject of data sharing involving data from DWP is complex, though now made easier by the publication of DWP’s own data sharing guide, available at [www.dwp.gov.uk/docs/datasharingguide.pdf](http://www.dwp.gov.uk/docs/datasharingguide.pdf)

Understanding the provisions of the Social Security Administration Act 1992 is key to appreciating constraints in what DWP can and cannot share. There are clauses which allow some information to be provided to local authorities and to organisations operating on behalf of local authorities (eg, in administering Housing Benefit or Council Tax Benefit). Section 123 of the Act, however, makes it an offence for a person engaged in social security administration (which includes JCP and officers administering HB/CTB) to share social security information relating to any particular individual without lawful authority. And what is more, the SSAA effect comes into play before the Data Protection Act (Step 1 above).

Legislative change has been necessary to facilitate data sharing in this context. For example, the Welfare Reform Act 2009<sup>3</sup> contains provision for regulations to facilitate data sharing based on the informed consent of the individuals involved, in helping people back to work. These would be limited to passing on employment and training-related

information (e.g., the job and training aspirations and plans of JSA claimants being passed on to a training provider).

There is a pilot programme (see box below) led by DWP and CLG to explore how data sharing can make more of a difference in tackling worklessness. The main focus has been on specific data shares between DWP and participating local authorities.

### Data Sharing and Worklessness: National Pilots

Three areas (Kent, Leeds and Liverpool MAA) have been taking part in a national pilot with DWP and CLG to explore ways of sharing data safely and legally to improve services and learn lessons for wider application.

Ideas explored have included the passing of names and contact details of lone parents with older children to the local authority to allow targeted approaches about training, childcare and employment options ahead of the requirement for work-focused interviews with Jobcentre Plus. In one of the areas, the focus has been on obtaining data about claimants at very small area level (Output Areas – OAs – the basic building block in national statistics).

Proposals have required the preparation of a business case and have been subject to legal tests and requirements for data security. The pilots have been evaluated to gather evidence to demonstrate the difference data sharing can make to tackling worklessness and assess whether or not there should be wider roll-out. Legislative change appears to be required before more widespread sharing of contact details can be allowed; meanwhile the OA data is being made available.

DWP have paid especial attention to identifying the legal ‘gateways’ that allow for data sharing, and have undertaken Privacy Impact Assessments. This process seeks to ensure that risks to the invasion of privacy are avoided or at least mitigated where possible intrusion is justified in the public interest.

The project has sought to identify and disseminate successful, methods, tools and guidance. The ‘DWP Guide: Data sharing to tackle worklessness’ is one of the products, and this ‘How To’ guide has been informed directly by the pilot programme.

<sup>2</sup> Section 33(2), in the context of defining ‘limited purposes’ (DPA Principle 2)

<sup>3</sup> Clause 25 amends previous legislation such as the Social Security Administration Act 1992 and Jobseekers Act 1995 to specify that employment or training information be taken as “information relating to social security”. Specific information relating to benefits may not be passed on.

## In and Out of Work

'In and Out of Work' is a national pilot programme which is intended to make it easier for people taking up or leaving a job to deal with the benefits system. It features a 'tell us once' philosophy - information and evidence is gathered once and shared; seeks to enable quicker payment of benefit and reduce overpayments; and helps ensure that new jobseekers are seen by Jobcentre Plus as soon as possible.

The pilot involved DWP, six local authorities, 24 Jobcentres, Jobcentre Plus Benefit Delivery Centres and the HMRC Tax Credit Office. Evaluation highlights the gains for individuals, increased awareness in Jobcentres of Housing and Council Tax Benefits, and improved partnership working. A better understanding of what each partner does has been underpinned by joint training. Local authorities found that they had less recourse to contacting customers for additional documentation, that the process was simpler, and that JCP provided more information than before. Staff have welcomed the new way of working as they believe it is better for customers. The time it takes to process claims has been cut and there is evidence that people are more confident about taking up new offers of work.

See <http://www.dwp.gov.uk/local-authority-staff/housing-benefit/claims-processing/closer-working-with-dwp/in-and-out-of-work-project/#ev>

## Data sharing within local authorities

The Information Commissioner's Office (ICO)<sup>4</sup> treats a local authority as a single organisation under the DPA. This means that if one department passes information to another, it will not automatically be treated as disclosure of personal information. However, if the information is passed for another purpose, the local authority must comply with the DPA principles – notably in relation to:

- Principle 1: 'Fair processing' means that individuals from whom personal information is gathered must understand what is being collected, why, and who is likely to have access to it. Any secondary uses for the data must be explained – especially if these may not be obvious
- Principle 2: 'Limited purposes' means that personal data shall be obtained only for one or more specific purposes and may not be processed further in ways incompatible with those purposes. This means that, for example, information gathered for assessing eligibility for benefit may not be used for promoting other related services, unless this is made clear at the outset in making a claim.

## Use of Housing Benefit data in Dudley

Dudley Council have used Housing Benefit records to provide an up-to-date picture of the distribution of people on benefit within the borough using mapping software. Data gathered benefit applicants include name, date of birth, dependants, full address (including post code) and receipt of other benefits (JSA, IS, IB/ESA). This customer database allows analysis combining age, whether the claimant has dependants, and type of benefit, in ways not possible in accessing publicly available DWP claimant statistics. Dudley have proceeded to use the database to target people in priority wards to invite to Community Information Days, organised with Jobcentre Plus and other partners. These events provide information about training, employment and other support for people without work. For the first of the Information Days some 1,100 invitation letters were sent to residents in one of the wards. Some 400 replied saying they were interested or unable to attend, and 200 took part – a response which well exceeded previous partner experience.

Staff from the Community Renewal Team have contacted with participants to find out what links they have followed up from the Information Days, and have provided further signposting and encouragement. They have also got in touch with people who did not, or were not able to attend.

## The legal basis

Dudley acted on the ICO guidance on 'Data sharing between different local authority departments' which allows for data sharing within any Council provided that DPA principles are observed. To comply with the 'Fair' processing requirement – where individuals should understand why the information has been requested and why – Dudley used the following wording on the claim form: "The information you provide will be used to help us deal with your enquiry/claim. It may be shared with other Council Services and partner organisations to prevent and detect fraud, ensure that our records are accurate and to help us to identify services you may be entitled to or be interested in."

This approach observes the limitations on what can be done under the terms of social security legislation which requires data gathered in benefits administration to be used solely for benefits administration purposes. Dudley's method encourages individuals to take full advantage of benefits available and to explore ways in which they can come off benefit. In effect, they are invited to 'opt in' before their information can be used for further relevant purposes.

4 ICO Data Protection Good Practice Note: Data sharing between different local authority departments (2008) [http://www.ico.gov.uk/upload/documents/library/data\\_protection/practical\\_application/local\\_authorities\\_-\\_data\\_sharing.pdf](http://www.ico.gov.uk/upload/documents/library/data_protection/practical_application/local_authorities_-_data_sharing.pdf)

## Understand different types of data sharing

It is essential to understand different types of data sharing and their implications: how 'personal data' is defined, when data it is considered 'sensitive', and the use of aggregate and anonymised data.

### 'Personal data'

First, there is a need to understand that 'personal data' not only relates to information such as someone's name, address or other personal characteristics, but also to any information about a living person from which they can be identified. This means, for example, that even in making a request for statistical data from a partner, there could still be a risk of disclosing the people concerned (eg, where there are very small numbers of the specified population in a particular neighbourhood). Data can also become 'personal' if they are combined with information from another source in such a way as to allow an individual to be identified.

Secondly, 'sensitive personal data' needs to be treated especially carefully. Such data relates, e.g., to race/ ethnic origin, religious beliefs, health or physical condition, sexual life, trade union membership, previous offences or court proceedings. It is necessary to avoid the interests of the individual being prejudiced in any way by the use of shared data. Any proposals for data sharing involving such details must be compelling and robust in proportion to those risks.

### The importance of personal consent

Obtaining consent from individuals to sharing information about them is generally the key to making progress on data sharing at an operational level. Agreeing to allow the data to be shared may be seen as a better safeguard than presuming that the individual agrees unless they state otherwise.

The role of personal consent has been recognised in DWP policy and there are examples where local authorities and Jobcentre Plus have set up local arrangements for information sharing based on such consent, eg, in delivering the Leeds LPSA2 agreement. The City Strategy partnership, West London Works, is expecting Flexible New Deal Providers to "use their reasonable endeavours to seek customer agreement to the sharing of personalised information requested by CSP partners"<sup>5</sup>.

### Aggregate and anonymised data

There is substantial scope for sharing aggregated data for research and planning, provided that DPA principles are observed and the uses remain close to the original purpose in gathering the data.

Such sharing is happening increasingly through Local Information Systems or observatories, which maintain local data collections and draw down national data sets to enable local analysis focusing on particular neighbourhoods, vulnerable or disadvantaged groups or customer segments. Localities such as Newham have been seeking to make full use of a range of sources of data (such as Disability Living Allowance and Council Tax reductions for properties with adaptations for disabled people; pupil census and National Insurance number registrations) to develop a fuller understanding of equalities groups in the borough and changes in populations and needs. Newham has developed data sharing protocols involving partners, covering, eg, the data to be used and what it will be used for, access by individuals to their personal data held, and procedures for transferring data, its storage and subsequent destruction.

Sharing anonymised data may be possible, ie, where details are removed which would otherwise allow the identification of individuals. Records may then be shared for research purposes or, e.g., matching against another dataset to enable comparative evaluation. This is potentially important, e.g., in assessing the outcomes of worklessness interventions in one area, or for one group, or for tracking outcomes for sets of beneficiaries. Technically it can be done by using a unique identifier, such as a National Insurance Number, and encryption software.

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<sup>5</sup> source: FND Phase 2 Provision Specification and Supporting Information

## Work and Pensions Longitudinal Study

The national Work and Pensions Longitudinal Study (WPLS) integrates data on benefits, employment, address, etc, and offers potential for analysis in tackling worklessness, in targeting services, tracking neighbourhood change, etc. It provides a longitudinal data series on individuals, containing details of DWP benefits and of HMRC data on earnings.

The potential advantages of using such a source of administrative data is that it is comprehensive, cost-effective, can be processed and published more quickly than surveys, and normally produces reliable data down to more detailed geographies. It is used mainly by a small, restricted number of DWP analysts and by DWP research contractors on specific projects. Access is very tightly controlled, with legal restrictions in place through the Social Security Administration (Fraud) Act 1997.

Purposes for which WPLS has been used by DWP include:

- establishing how effective employment programmes are in getting people off benefits and into work
- understanding why employment rates vary between areas
- undertaking a net impact study on the DWP Working Neighbourhoods Pilot to determine its cost-effectiveness

WPLS has also been used in the evaluation for HM Treasury of the Kent Supporting Independence Programme (LPSA2) programme which helped long-term Incapacity Benefit claimants back to work. This research monitored individual change in claiming patterns over time and tracked geographical mobility of people on benefit, compared with patterns of change between Kent priority wards and the rest of the South East.

WPLS has been used in a similar way to analyse the impact of New Deal for Communities on worklessness<sup>1</sup>. This has informed conclusions, e.g., to the effect that consistent relationships have emerged between a range of variables on the one hand, with area and individual-level change, on the other. The research has substantiated both that:

- factors such as lack of qualifications, poor health, and being in rented accommodation are associated with lower likelihoods of entering employment or improving employment rates at an area level
- beneficiaries of NDC employment projects are significantly more likely to make the transition into

<sup>1</sup> Source: CLG (2009) Understanding and Tackling Worklessness, Volume 1: Worklessness, Employment and Enterprise: Patterns and Change. This report includes commentary on the use of WPLS as a data source.

## Put good partnership in action

Overcoming many of the barriers to data sharing requires good partnership working practice – not least where local partners come together in targeting services on particular neighbourhoods groups and households. Elements include:

- Put yourself in your partners' shoes - understand the pressures on them and what is in it for them in sharing data

Ask how you can help them achieve their goals? Relieve pressure on their resources? Provide safeguards to assuage their concerns about how 'their' data will or may be used?

Building and maintaining trust is critical. It is important to appreciate why limits are needed on what can be passed on, and make sure that any data shared is kept secure and does not lead to any adverse consequences for individuals. Trust further depends on:

- respecting confidentiality and keeping promises
  - being responsive to partner concerns and taking care in how data they have provided is presented in any publication
  - giving partners the opportunity to comment on how their data has been used and interpreted
  - adhering to partnership agreements, including data sharing protocols.
- Draw on colleagues in other fields

Staff working in domains such as Community Safety and Children's Services are likely to have relevant experience to offer. Here data sharing arrangements tend to be more advanced - thanks in part to specific legislation which expects data sharing to feature in multi-agency service delivery.

- Develop protocols to govern data sharing

Protocols may be used as a means of helping to strengthen data sharing arrangements, clarifying the process and types of information that may be exchanged. The process of developing a protocol may be very helpful in managing the potential uncertainties about what can be shared, by whom and under what circumstances, and allay fears about what is legal and what is not. Protocols typically cover topics such as: the purpose, objectives and scope of the data sharing; principles and relevant legislative powers; partner undertakings; risk management/ indemnity; and DPA compliance (including information security). It is not uncommon – as in Lambeth, Leeds, Liverpool, North East Lincolnshire, to find that they have been set up under a partnership umbrella on more than one level, with an overarching protocol setting out the strategic purposes and principles to be adopted by partners, and more detailed protocols covering more specific themes (e.g., community safety or children and young people's services) and operational requirements.

Effective protocols depend on action within partner organisations, to ensure staff understanding and support. Joint training may be an important part of this - and has been especially important, e.g., in the context of children's

services where uncertainties over data sharing can lead to serious consequences for vulnerable children and their families.

- Enable opportunities for data sharing by encouraging networks and task groups that bring analysts together across services and partners

Such groups often sit behind Local Information Systems and increasingly, as in Leicestershire, they are geared to working on performance priorities. They play a helpful role in developing collaborative relationships and understanding of what data sources are available and how they can be accessed. They may also provide the foundation for greater trust across organisations and disciplines about data sharing and how shared data will be used. Networking in the East Midlands brought out the notion that, “we should be talking about sharing customers, not sharing data”: a mind shift that can be key to partnership action.

- Explore the use of Circles of Need as a technique to understand the needs of local residents and where improved data sharing is needed to improve service quality and outcomes

This technique was developed in a pioneering initiative by Chorley Council and Aperia to improve understanding of unmet needs, customer groups and service delivery mechanisms<sup>6</sup>. Behind the Circles of Need model lies a classification system for use in customer management systems, enabling appropriate referrals. This is used in the context of customer relationship management (CRM) systems for referral and for monitoring needs in real time.

- LSP/ MAA partners should seek to create the conditions for data sharing to thrive.

Organisational leaders must identify themselves with the need for improved data, promoting connections across partners, ask challenging questions of each other about the robustness of local evidence and about hidden costs where data sharing has not been developed. And they must act to ensure that there are no unwarranted barriers to data sharing within their own organisations.

## Circles of Need in Ashfield and Maryport

Local authorities in Ashfield (Nottinghamshire) and Maryport (Allerdale, Cumbria) have applied the ‘Circles of Need’ technique to reviewing needs of unemployed local residents and the constellation of local public and voluntary sector services that relate to these. They used this analysis to work out how partners need to respond in providing better, joined-up services, underpinned by data sharing where required.

The Ashfield project found that it was conceivable that a recently unemployed person might have to complete 17 separate application forms and be subject to 19 separate eligibility checks and undergo 11 different assessments. Nottinghamshire councils, led by Bassetlaw DC, are now developing a co-ordinated approach to signposting unemployed customers, relying on a single eligibility process across 38 services, available via both web and face-to-face channels.

In Maryport, partners have developed a common working framework, encompassing 28 service providers, and are collaborating on personalisation of services, better information, and improved transport and childcare access. It is underpinned by a data sharing protocol and a commitment to train staff.

Tackling worklessness in Maryport: Towards an action plan for service agencies

<http://www.cumbria.gov.uk/elibrary/Content/Internet/536/40008142359.pdf>

Common working framework for agencies serving workless people

<http://www.cumbria.gov.uk/elibrary/Content/Internet/536/4000814276.pdf>

## Develop systems to facilitate data sharing

Improved services and efficiencies can be gained if partners get together and think ahead:

- Build the need for data sharing into data capture and IT/ database systems design

This will avoid later costs and reduce risks of resistance to data sharing (on the grounds of extra effort to produce the data in the right form to be shared).

Think through what will be needed – and what will comply with specific legislation and the DPA. The Dudley Housing Benefit example shows how a simple explanatory statement can open up sharing possibilities. Where personal consent is a requirement, then ensure that the client database contains a field or fields relating to this consent and any referrals, etc as necessary.

6 See <http://www.chorley.gov.uk/index.aspx?articleid=3011>

- Adopt consistent definitions

Ideally, it is best to adopt national standard definitions. Relevant examples include:

- the Data Dictionary<sup>7</sup>, the central repository of information about business and data-related terms used by the Learning and Skills Council. It is organised as a hierarchy from high level definitions to the supporting data items, calculations and data coding
- the Ethnicity Data Standard<sup>8</sup>, developed by the Information Standards Board for Education, Training and Children's Services.

The latter standard is expected to bring benefits in terms of: reduced costs of collecting ethnicity information (based on the 'COUNT' principle: collect once and used numerous times); improved statistical relevance of data when compared to other datasets; better targeting of public resources based on better quality of data; and reduced costs of adapting to subsequent changes in standard definitions used by ONS (eg, in recording religion).

- Ensure data security

Recent scandals over loss of confidential data by government departments and contractors highlight the risk to public confidence around data sharing – and make it more likely that there is opposition to justifiable forms of data sharing. The national roll-out of GovConnect<sup>9</sup> is fundamental to any extension of data sharing between local and central government, in providing an accredited and secure network between central government and every local authority in England and Wales. Without it, an initiative like In and Out of Work would not be possible.

Local partners may need to consider how to ensure data security within local sharing arrangements, e.g., through the use of PGP ('Pretty Good Privacy') encryption software. (These concerns relate to DPA Principle 7).

- Respect the need for privacy of the individual

National guidance acknowledges that while there may be risks of what an individual may see as intrusion of their privacy, such risks are acceptable if there is a good enough justification in the public interest. The Information Commissioner's Office in its handbook on privacy impact assessment advocates the use of 'mitigation measures' which compensate partially or wholly for possible negative impacts. Examples include:

- minimising the retention of personal data retention and adopting 'destruction schedules'
- limiting the use of information to a very specific purpose, with organisational and technical safeguards preventing its wider application
- incorporating a complaints handling system, backed by sanctions and enforcement powers.

7 <http://www.thedataservice.org.uk/datadictionary/>

8 <http://www.escs-isb.org.uk/standardslibrary/Ethnicity+Data+Standard.htm>

9 <http://www.govconnect.gov.uk/index.php>

## Shared Customer Tracking Systems

While local partnerships may develop bespoke systems for tracking clients, there are potential savings and efficiencies to be gained by buying a proprietary system, ideally in conjunction with partners. One such (supplied by Hanlon) has been successfully applied in the North East, first by the Tyne and Wear City Strategy Partnership. This has now been rolled out in various ways, e.g., as a requirement on ESF contractors and, in Northumberland, organisations being funded through the Working Neighbourhoods Fund are expected adopt the system. The DWP Flexible New Deal specification in Tyne and Wear expects FND providers to access, either directly or through linkage to their own systems, the regional system, and the Tees Valley MAA partners have recently agreed to adopt the system.

Tyne and Wear partners have helped to refine the proprietary system to make it more user-friendly. It builds on previous work in the sub-region to develop a Skills Register system, underpinned by a common data framework.

Where individual data is shared amongst partners, consent needs to be built in, and DPA requirements observed. There are also different levels of permitted access, depending in job roles within partner organisations and 'who needs to know'.

## Accessing publicly available DWP data

A great deal of data relating to worklessness, derived from benefits administration and from national surveys, are available through three websites:

- ONS Neighbourhood Statistics [www.neighbourhood.statistics.gov.uk/](http://www.neighbourhood.statistics.gov.uk/)
- NOMIS [www.nomisweb.co.uk](http://www.nomisweb.co.uk)
- DWP Tab Tool <http://research.dwp.gov.uk/asd/tabtool.asp>

Available data includes breakdowns by type of benefit, age of claimant, duration on specific benefits, small area analysis, flows on and off benefits, etc.

Data4NR ([www.data4nr.org.uk](http://www.data4nr.org.uk)) signposts sources of official data relevant to tackling worklessness, including skills and earnings as well as benefits data and outputs from the Annual Population Survey. Data4NR allows the user to search for statistics by theme and also set criteria for data required, such as level of geography. It also highlights, wherever possible, breakdowns relating to equalities groups.

The 'DWP Guide: Data sharing to tackle worklessness' provides further information on accessing DWP statistical data: [www.dwp.gov.uk/docs/datasharingguide.pdf](http://www.dwp.gov.uk/docs/datasharingguide.pdf)

Local authorities may apply to DWP for access to DWP data beyond these official sources – though in the first instance it may be as well to discuss with the Jobcentre Plus District Office whether they can support (resources permitting) what you want to do, for example, by contacting claimants by mail to invite them to take advantage of a particular service offer.

If it is still necessary to make a request to DWP it is important to appreciate the Department's standpoint, which reflects its legal position and policy perspectives. These stress:

- the need for specific 'legal gateways' that permit data sharing – that there are laws which limit what data DWP can share, and under what circumstances – and scope for data sharing may need to be tested
- the needs to maintain client confidentiality, keep data secure and avoid intrusions on privacy – it is crucial to the workings of the national benefits system that the government is seen to do this, and to avoid any undermining of public trust
- the requirement to prepare a business case for any data share, according to a standard format. This is requirement within DWP as well as for outside bodies.

### Applying for a DWP data share

It is possible to apply to DWP for a data share, but be aware that this Data Sharing and Access Management (DSAM) process is very rigorous and can be time-consuming. DSAM aims to ensure that the use of the data is legal, proportionate in terms of its cost, and proportionate in terms of its benefit to the public.

Before making any approach, be clear about the data you need and what you aim to achieve. There will be a business case to prepare: what evidence do you have to back your argument? And are there other ways of achieving what you want without having to negotiate a data share with DWP? It is also essential to secure a 'sponsor' within DWP for your proposal, arranged through DSAM.

Further guidance is available in '[Data sharing to tackle worklessness: a DWP guide for local partners](#)' this is essential reading.

DWP advise defining requests tightly and submitting applications as early as possible. The time taken to the stage of receiving the requested DWP data can take weeks or months, depending on the level of requests being handled by DWP, the quality of the business case submitted, the extent to which legal and policy advice may be required, and available staff resources within DWP.

### Top tips

- It's OK to share more often than you might think
  - Remember that the Data Protection Act is there for good reason - to protect the privacy of personal data. Get to know the legal basics and do not make the DPA an unnecessary barrier
  - Lots of information sharing can be done readily within the law
    - for 'research' (and planning) purposes
    - anonymised records
    - and importantly – with personal consent built in.
  - Make sure that you are taking full advantage of information you can already access, local and national. There may be some untapped or underutilised sources.
  - Effective data sharing is about:
    - a concern for how data sharing can really help the customer - think, "sharing customers not sharing data"
    - good partnership practice, based on trust built on competence in managing and using data and keeping it secure
  - Seek to learn from colleagues in other fields who have more experience of data sharing arrangements, protocols, etc.
  - Develop client tracking systems, designed to enable sharing of customer data (based on personal consent) and underpin a seamless service. This can be part of an approach to common assessment across key services, governed by a common protocol.
- ### Approaching DWP for data
- There is a lot of DWP data already available – make the most of it
  - Understand the limitations on what DWP can share, and why
  - It is possible to approach DWP for data shares involving personal data, or aggregate data from the Work and Pensions Longitudinal Study. The onus is on you making the case - and DWP may not be able to agree for legal and/or resource grounds
  - Be clear about why you want to share information, and build an effective business case that meets DWP requirements. Consider alternatives to achieving the same ends
  - Jobcentre Plus may be able to undertake targeted mailshots on behalf of local partners. This will depend on the scale of the marketing exercise and staff capacity.

## Useful links

### Data sources

NOMIS  
<http://www.nomisweb.co.uk>

Data4NR  
[www.data4nr.org.uk](http://www.data4nr.org.uk)

DWP Tab Tool  
<http://research.dwp.gov.uk/asd/tabtool.asp>

The Data Service  
[www.thedataservice.org.uk](http://www.thedataservice.org.uk)

Local Information Systems  
[www.data4nr.net/local-information-systems/local/](http://www.data4nr.net/local-information-systems/local/)

Regional Observatories  
[www.data4nr.net/local-information-systems/regional/](http://www.data4nr.net/local-information-systems/regional/)

### DWP and data sharing

If you work in local government and your need for DWP data cannot be met through DWP statistics, it may be possible to have access to other personal data. This is only allowed where it is legal and in carefully controlled circumstances. If you would like to discuss the implications of this, please contact Gina Tierney on 0191 225 9245 or by e-mail at: [Gina.Tierney@dwp.gsi.gov.uk](mailto:Gina.Tierney@dwp.gsi.gov.uk)

### Work and Pensions Longitudinal Study

[http://research.dwp.gov.uk/asd/longitudinal\\_study/ic\\_longitudinal\\_study.asp](http://research.dwp.gov.uk/asd/longitudinal_study/ic_longitudinal_study.asp)

### Background literature – guidance

ICO Framework code of practice for sharing personal information  
[www.ico.gov.uk/upload/documents/library/data\\_protection/detailed\\_specialist\\_guides/pinfo-framework.pdf](http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/pinfo-framework.pdf)

ICO Data Protection Good Practice Note: Data sharing between different local authority departments (2008)  
[www.ico.gov.uk/upload/documents/library/data\\_protection/practical\\_application/local\\_authorities\\_-\\_data\\_sharing.pdf](http://www.ico.gov.uk/upload/documents/library/data_protection/practical_application/local_authorities_-_data_sharing.pdf)

ICO Privacy Impact Assessment Handbook (2009)  
[www.ico.gov.uk/upload/documents/pia\\_handbook\\_html/html/26-report.html](http://www.ico.gov.uk/upload/documents/pia_handbook_html/html/26-report.html)

Department of Constitutional Affairs (2003) Public Sector Data Sharing: Guidance on the Law  
[www.justice.gov.uk/guidance/docs/data\\_sharing\\_legal\\_guidance.pdf](http://www.justice.gov.uk/guidance/docs/data_sharing_legal_guidance.pdf)

### DWP guides ADD LINKS

DWP Guide: Data sharing to tackle worklessness  
[www.dwp.gov.uk/docs/datasharingguide.pdf](http://www.dwp.gov.uk/docs/datasharingguide.pdf)

Guide to Sharing Housing Benefit and Council Tax Benefit Data (forthcoming)  
– to be available on [www.dwp.gov.uk](http://www.dwp.gov.uk)

Information Standards Board for Education, Skills and Children's Services (2009) Ethnicity Data Standard  
[www.escs-isb.org.uk/standardslibrary/Ethnicity+Data+Standard.htm](http://www.escs-isb.org.uk/standardslibrary/Ethnicity+Data+Standard.htm)

### Background literature – research

CLG (2005) Data Sharing for Neighbourhood Renewal: Lessons from the North West  
[www.communities.gov.uk/publications/corporate/datasharing](http://www.communities.gov.uk/publications/corporate/datasharing)  
content is widely relevant to understanding the factors which get in the way of data sharing and what to do about them

CLG (2008) Research on the Costs and Benefits of Personal Data Sharing at Local Partnership Level  
[www.communities.gov.uk/publications/communities/personaldatasharing](http://www.communities.gov.uk/publications/communities/personaldatasharing)

CLG (2009) Effective Partnership Data Management (EPDM): Findings and recommendations  
[www.communities.gov.uk/publications/localgovernment/epdmfindingsrecommendations](http://www.communities.gov.uk/publications/localgovernment/epdmfindingsrecommendations)

CLG (2009) Understanding and Tackling Worklessness, Volume 1: Worklessness, Employment and Enterprise: Patterns and Change  
[www.communities.gov.uk/publications/communities/worklessnessvol1](http://www.communities.gov.uk/publications/communities/worklessnessvol1)

CLG (2009) Local Information Systems Resources (includes LIS Development Tool)  
[www.esd.org.uk/suppliers/Communities/LIS/ContentView.aspx?ContentType=Content-372](http://www.esd.org.uk/suppliers/Communities/LIS/ContentView.aspx?ContentType=Content-372)

CLG (2010) Understanding the value and benefits of establishing and running a local information system  
[www.communities.gov.uk/documents/communities/pdf/1448815.pdf](http://www.communities.gov.uk/documents/communities/pdf/1448815.pdf)

DWP (2006) Sharing and matching local and national data on adults of working age facing multiple barriers to employment  
[http://research.dwp.gov.uk/asd/asd5/report\\_abstracts/rr\\_abstracts/rra\\_387.asp](http://research.dwp.gov.uk/asd/asd5/report_abstracts/rr_abstracts/rra_387.asp)

DWP (2008) In and Out of Work pilot evaluation: Findings from staff and customer research  
[http://research.dwp.gov.uk/asd/asd5/report\\_abstracts/rr\\_abstracts/rra\\_508.asp](http://research.dwp.gov.uk/asd/asd5/report_abstracts/rr_abstracts/rra_508.asp)

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