

Q1 We intend to revise the code to address the impact of changes in data protection legislation, where these changes are relevant to data sharing. What changes to the data protection legislation do you think we should focus on when updating the code?

The changes to the reasons for processing mean that expanding on these (including special category data) would be welcome. A lot of our client's (we are a solicitor's firm) entering information sharing agreements and data processing agreements feel that GDPR and DPA 2018 is still relatively vague in their descriptions of these gateways.

Q2 Apart from recent changes to data protection legislation, are there other developments that are having an impact on your organisation's data sharing practice that you would like us to address in the updated code?

Yes

No

Q3 Please specify

Q4 Does the 2011 data sharing code of practice strike the right balance between recognising the benefits of sharing personal data and the need to protect it? Please give details.

Yes

No

Q5 In what ways does it achieve this?

Q6 In what ways does it fail to strike the right balance?

The previous code spends most of its time re-explaining basic data protection concepts, with not enough detail being placed on the positive sides of the respective legislation - specifically how it allows data sharing in multiple ways legally.

Q7 What types of data sharing (eg systematic, routine sharing or exceptional, ad hoc requests) are covered in too much detail in the 2011 code?

None, the more detail the better.

Q8 What types of data sharing (eg systematic, routine sharing or exceptional, ad hoc requests) are not covered in enough detail in the 2011 code?

Exceptional and ad hoc sharing need to be expanded on, potentially giving more examples of how this works and what gateways are most likely to be used.

Q9 Is the 2011 code relevant to the types of data sharing your organisation is involved in? If not, which additional areas should we cover?

Yes.

Q10 Please provide details of any case studies or data sharing scenarios that you would like to see included in the updated code?

Scenarios - sharing children's data between schools, controller to processor to sub-processors in business areas, when to share criminal data as an employer, the sharing of data regarding violent/at risk people who may not be best placed to give consent.

Q11 Is there anything the 2011 code does not cover that you think it should? Please provide details.

The sharing of criminal data.

Q12 In what other ways do you think the 2011 code could be improved?

More "grey box" case studies, much like your guidance on FOIA found on your website, especially linking to any cases you feel are relevant to the various areas covered in the code.

## About you

Q13 Are you answering these questions as:

- A public sector worker?
- A private sector worker?
- A third or voluntary sector worker?
- A member of the public
- A representative of a trade association
- A data subject
- An ICO employee
- Other

Q14 Please specify

Q15 Please provide more information about the type of organisation you work for, ie a bank, a housing association, a school.

Solicitor's firm (Forbes Solicitors)

Q16 We may want to contact you about some of the points you have raised. If you are happy for us to do this please provide your email address:

[REDACTED]

Thank you for taking the time to share your views and experience.