



Wales Accord on the Sharing of Personal Information

Information Sharing Protocol for

Sharing of Registrar Information

Version

Date Assured **1.0**

Quality Assurance Group **April 2023**

South Wales

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1 Introduction to this ISP

- 1.1 This Information Sharing Protocol (ISP) is supplementary to the Wales Accord on the Sharing of Personal Information (WASPI) and has been agreed following consultation between the participating partner organisations.
- 1.2 This ISP is intended to help practitioners understand what information can be shared between the listed partners for the stated purpose(s). It also provides assurance that the partners have considered the requirements of data protection legislation.
- 1.3 This ISP has been prepared to support the regular sharing of personal information for the Registrar of Vale of Glamorgan and the Registrar of Cardiff Council.
- 1.4 Personal information is shared for the purpose of Statutory registration functions under Birth, Death and Marriage Acts. Without being able to share the data between registration officers we cannot fulfil statutory duties under the Acts without further cost and inconvenience to customers and registration officers.

This ISP will allow for birth, marriage, Civil Partnership (CP) and death registration information to be shared between Cardiff Council and the Vale of Glamorgan Registrars.

The implications of not sharing are that customers will bear a financial burden as they will have to pay for a certificate to produce for the purpose of re-registration by declaration. This may also have a reputational impact as the certificate will be taken from them when we re-register. Some customers may choose not to re-register due to the cost and inconvenience. Some districts may choose not to undertake re-registration by declaration and direct customers to the district the event took place in.

If a birth, marriage, CP or death is registered in the Cardiff district, customers need to go into the Cardiff Register Office. If it is not convenient for the customer to come to Cardiff, they may register by declaration at any Register Office in England or Wales. That office will then send the registration information to Cardiff and we will enter the information into the register. Registering the birth outside the district in which it occurred will result in a delay in receiving the birth certificate(s).

2 The information sharing partner organisations

- 2.1 The table below sets out the organisational partners to the ISP, the key contact points and the departments, divisions and teams typically involved in sharing information for the purposes described in this ISP.

Information Sharing Partner Organisations	Owner / Point of contact	Departments / Divisions / Teams
The Vale of Glamorgan Council	Registrar	Registration Service
Cardiff Council	Registrar	Bereavement and Registration

- 2.2 The ISP owners / points of contact have overall responsibility for this ISP within their respective organisations and must therefore ensure the ISP is disseminated, understood and acted upon by relevant practitioners.
- 2.3 The owners / point of contact for each partner organisation will regularly monitor and review the use of this ISP to ensure information is shared effectively and appropriately.

2.4 Once the ISP has been assured, each partner organisation will nominate a signatory to sign the ISP at Appendix C. The signatory will be an appropriate person from the partner organisation who can sign on behalf of the organisation.

3 Specific organisational / practitioner obligations

3.1 Any breaches of security, confidentiality and other violations of this ISP must be reported in line with each partner organisation's incident reporting procedures. Consideration should be given to sharing the outcome of any investigation, where appropriate, with other partners to the ISP.

3.2 Practitioners who share information in line with this ISP should make themselves aware of, and adhere to, their organisation's Information Governance and records management procedures; in particular the provisions that relate to collecting, processing and disclosing personal information.

3.3 Every reasonable step should be taken to ensure that inaccurate personal data are erased or rectified without delay. Consideration must be given to advising partner organisations that they may have received inaccurate information. In circumstances where partner organisations cannot be informed, advice should be taken from an Information Governance lead (or equivalent).

4 Legislative / statutory powers

STAFF SHOULD NOT HESITATE TO SHARE PERSONAL INFORMATION IN ORDER TO PREVENT ABUSE OR SERIOUS HARM, IN AN EMERGENCY OR IN LIFE-OR-DEATH SITUATIONS.

IF THERE ARE CONCERNS RELATING TO CHILD OR ADULT PROTECTION ISSUES, THE RELEVANT ORGANISATIONAL PROCEDURES MUST BE FOLLOWED

4.1 The sharing arrangements described in this ISP takes into account the relevant data protection legislation, the Human Rights Act 1998 and the common law duty of confidence.

4.2 Before sharing personal information, partner organisations must have identified a clear legal basis for doing so.

4.3 Data protection legislation includes the concept of:

- **'personal data'**; any information relating to an identified or identifiable (living) natural person, and
- **'special categories of data' / 'sensitive processing'**; personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation

Whilst information about deceased people is not covered by data protection legislation, data about deceased people is covered by a similar level of confidence.

4.4 Further information and guidance on lawful processing of personal information can be found on the Information Commissioner's website; www.ico.org.uk

4.5 Partner organisations also need to ensure they take into account the Data Protection Act 2018 and any additional requirements it places on the use of the legal bases set out in Articles 6, 9 and 10 of GDPR (see Part 2 of the Act) and processing for the 'law enforcement purposes' (see Part 3 of the Act). The ICO has guidance on this matter and queries about the relevance of any legal basis should be raised with an Information Governance lead.

4.6 Consent to process personal data should not be confused with consent to receive the service. The two are separate and should not be confused or merged.

HOW TO USE THE TABLES

The following tables are designed to allow partners to this agreement to highlight the lawful bases relevant to the sharing described in this ISP. Please consider the guidance below, and take advice from your Data Protection Officer or equivalent. Definitions of terms can be found at Appendix A.

TABLES 1 & 2 – personal data and special categories of personal data

In most cases, information sharing partners will need to:

- Select at least one lawful basis from table 1 (sharing personal data), **and**
- Select at least one lawful basis from table 2 (processing special categories of data).

Notes: Usually, only one lawful basis should be selected in table 1 and one in table 2. If more than one lawful basis is selected in either table (for example if partner organisations are relying on different lawful bases), please add an explanatory note.

TABLE 3 – personal data about criminal convictions, offences etc.

- The lawful basis for sharing personal data about criminal convictions, offences or related security measures should be recorded in table 3.
- You **will always** have to complete table 1.
- If you are sharing special categories of personal data, you will also have to complete table 2.

TABLE 4 – processing by competent authorities for law enforcement purposes (as defined by Part 3 of the Data Protection Act 2018).

- Complete table 4 only if personal data is being processed by competent authorities **and** only for law enforcement purposes.
- If information is being shared for law enforcement and other purposes you may also need to complete tables 1, 2 & 3.

Table 1 - Article 6 - Personal Data

Legal basis	Check box / Notes
Task carried out in the public interest or in the exercise of official authority – Art 6(1)(e)	<input checked="" type="checkbox"/> <p>Section 19AA of the Registration Service Act 1953 :</p> <p>19AA Disclosure of information</p> <p>(1) A civil registration official may, subject to this section, disclose any information held in connection with any of the official's functions to—</p>

	<p>(a) a specified public authority (see section 19AB), or</p> <p>(b) any other civil registration official.</p> <p>(2) A civil registration official may disclose information under this section only if the official is satisfied that the authority or civil registration official to whom it is disclosed (the “recipient”) requires the information to enable the recipient to exercise one or more of the recipient's functions.</p> <p>(3) A disclosure under this section does not breach any obligation of confidence owed by the civil registration official making the disclosure.</p> <p>(4)The power to disclose information under this section is subject to any express restriction on disclosure imposed by another enactment (ignoring any restriction which allows disclosure if authorised by an enactment).</p>
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Table 2 - Article 9 - Special Categories of Personal Data

Legal basis	Checkbox / Notes
Necessary for reasons of substantial public interest - Art 9(2)(g)	<input checked="" type="checkbox"/> <p>UK GDPR Art 9(2)(g) requires a basis in UK law, which is provided by Section 10(3) of the Data Protection Act 2018.</p> <p>This in turn refers to the need to meet a relevant condition in Part 2 of Schedule 1 of the DPA 2018. The relevant condition is:</p> <ul style="list-style-type: none"> Schedule 1, Part 2, Paragraph 6 of the Data Protection Act 2018 – processing is necessary for statutory and government purposes <p>Section 19AA of the Registration Service Act 1953 :</p> <p>19AA Disclosure of information</p>

5 Personal information to be shared

5.1 Only the **minimum necessary** personal information consistent with the purposes set out in this document can be shared. Anonymised and pseudonymised information should be used where possible.

5.2 Information provided by partner organisations will not generally be released to any third party without prior consultation with the originating partner organisation.

5.3 An information reference table at Appendix B provides details of the information exchanges associated with this ISP, including the typical categories of information shared, the organisations involved and the parts of the organisation typically involved. As controllers in their own right, partner organisations are responsible for ensuring the appropriate staff have access to personal information that is adequate, relevant and limited to what is necessary for the intended purpose.

5.4 The following table sets out the personal information commonly shared to identify data subjects and ensure partner organisations are referring to the same data subject:

Personal identifiers	Select all that apply
Name (including aliases and former names)	<input checked="" type="checkbox"/>
Date of birth / date of death / date of marriage / date of CP	<input checked="" type="checkbox"/>
Address	<input checked="" type="checkbox"/>
Postcode	<input checked="" type="checkbox"/>
Register entry number on RON (Registration Online)	<input checked="" type="checkbox"/>

6 Data Subjects' Rights

6.1 Data protection legislation provides various individual rights for data subjects. Advice on how these rights should be met should be sought from each organisation's Information Governance representative, Data Protection Officer or equivalent. Specific guidance on these rights is available on the Information Commissioner's website; www.ico.org.uk

6.2 The following paragraphs refer to key rights associated with sharing personal information.

6.3 Unless doing so would risk harm to them or others, or hinder any investigation or legal proceedings, data subjects should be informed how and why their personal information will be processed and who it is shared with (the Right to be Informed). Ideally, this information – often provided in what is commonly referred to as a privacy notice - will be provided at the first point of contact. It can be part of a registration / consent form or a standalone document.

6.4 A layered approach is often appropriate. This could involve a high level organisational statement supplemented by specific service level information; for example a website or leaflet and verbal information provided by a practitioner.

6.5 Information should be clear and particular care should be taken when relying on consent as the legal basis for sharing information, or where working with children, as there are additional requirements to consider. Further information on the 'Right to be Informed' is available on the Information Commissioner's website; www.ico.org

6.6 For the purposes of this ISP, partner organisations should set out below how they meet the requirements of the Right to be Informed. Ideally, a consistent message will be provided and it may be helpful to agree a standard service level privacy notice.

Name of Organisation	Method of Informing (select any that apply)	Name of document / website	Comments
	Website <input checked="" type="checkbox"/>		

The Vale of Glamorgan Council	Leaflet	<input type="checkbox"/>	Website Privacy Notice (valeofglamorgan.gov.uk)
	Form	<input type="checkbox"/>	
	Verbal	<input type="checkbox"/>	
	Other (specify in comments)	<input type="checkbox"/>	
Cardiff Council	Website	<input checked="" type="checkbox"/>	Cardiff Registry Services : Cookies policy (cardiffcouncilwebteam.co.uk)
	Leaflet	<input type="checkbox"/>	
	Form	<input type="checkbox"/>	
	Verbal	<input type="checkbox"/>	
	Other (specify in comments)	<input type="checkbox"/>	

6.7 All participating organisations will have in place policies and procedures to uphold the confidentiality, integrity and availability of personal information with specific reference to the retention, storage and disposal of records.

6.8 Requests for the information referenced in this ISP will be dealt with in accordance with each partner organisation's relevant policies and procedures.

6.9 Each partner organisation will put in place a formal procedure by which data subjects, partner organisations and practitioners can direct any complaints regarding the information sharing documented in this ISP.

6.10 There is an expectation that partners to this ISP will work together to keep all partners informed of any complaints or requests for information received from data subjects or third parties. The partners will also keep each other informed of any problems associated with the information sharing practices documented in this ISP and there is an expectation that they will collaborate to develop and improve these practices.

7 Information security

7.1 Each partner organisation must have an appropriate and adequate security framework.

7.2 Practitioners carrying out the functions outlined in this ISP should make themselves aware of, and adhere to, their organisation's information security policies and procedures.

7.3 A detailed list of agreed methods for the safe and secure transfer of personal information is documented within Appendix B.

7.4 All partners must ensure adequate and appropriate training on the subjects of data protection and confidentiality is provided to all staff with access to personal data.

8 Review of this ISP

8.1 This ISP will be reviewed two years from signing this document or sooner if appropriate. There is guidance available on the WASPI website about the process for reviewing an ISP.

9 Appendix A – Glossary of Terms

Term	Definition
Data Protection Act 2018	<p>The UK's third generation of data protection law replaces the Data Protection Act 1998. The 2018 Act accepts the standards and obligations set by GDPR and, where GDPR allows, makes specific provisions relevant to the UK.</p> <p>The 2018 Act also transposes EU Data Protection Directive 2016/680 (Law Enforcement Directive) into domestic UK law.</p> <p>It is important the GDPR and the DPA 2018 are read side by side.</p>
Data Protection Officer	<p>Certain categories of organisation, including any public body or authority (except courts in their judicial capacity) are required to designate a suitably qualified Data Protection Officer (DPO). The tasks of the DPO are set out in Article 39 of GDPR.</p>
Data subject	<p>A 'data subject' is an identified or identifiable natural person. Organisations may refer to data subjects as service users, patients, clients, citizens, etc but for consistency, WASPI framework documentation refers to data subjects.</p>
GDPR	<p>The General Data Protection Regulation (GDPR) lays down laws relating to the protection of natural persons with regard to the processing of personal data and rules relating to the free movement of personal data. This Regulation protects fundamental rights and freedoms of natural persons and in particular their right to the protection of personal data.</p>
Law Enforcement Purposes	<p>The purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security. (DPA 2018 Part 3, Chapter 1, Section 31)</p>
Personal data	<p>'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.</p>

Personal data about criminal convictions, offences or related security measures	This includes personal data which relates to the alleged commission of offences by the data subject, or proceedings for an offence committed or alleged to have been committed by the data subject or the disposal of such proceedings, including sentencing. (DPA 2018 Section 11(2))
Personal identifiers	A set of basic personal details that allow partner organisations to identify a data subject.
Personal information	Includes information falling within the definition of 'personal data' and information about deceased individuals. Data protection legislation does not apply to information about deceased individuals but such information needs to be treated confidentially and WASPI should be applied to this information.
Practitioner	An inclusive term that refers to those involved in the care, education, welfare of data subjects; ie those who provide a public service.
Processing personal data	'processing' means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.' (GDPR Art 4(2))
Special categories of data / sensitive processing	Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation. (GDPR Art 9(1))
RON	Registration Online – the National Registration Online database that contains birth, marriage, civil partnership, and death data.

10 Appendix B – Information Reference Table for Registrar Registration Information Sharing, Cardiff and Vale of Glamorgan

This table sets out the why, what, when and how of information sharing in detail. Guidance on completing this section can be found on the website

	Description	Registration of Births	Registration of Marriages	Registration of Deaths	Registration of CP
1	<p>Information exchange</p> <p><i>General description of the process or stage to which the information sharing relates.</i></p>	<p>Statutory registration functions under Birth, Death and Marriage Acts.</p> <p>The customer will contact either of the Registrars to register a birth within either district.</p> <p>If the customer wants to re-register a birth, the Registrar can share the original birth entry details with other district to save the customer having to buy a copy of the certificate.</p>	<p>Statutory registration functions under Birth, Death and Marriage Acts.</p> <p>To give notice of marriage, customers must provide their parents birth certificates or their own birth certificate. This information can be shared between districts to save the customer having to buy a copy of the certificate.</p>	<p>Statutory registration functions under Birth, Death and Marriage Acts.</p> <p>The customer will contact either of the Registrars to register a death within either district.</p> <p>If the Registrar requires information such as DOBs from customers, this can be shared between districts.</p>	<p>Statutory registration functions under Birth, Death and Marriage Acts.</p> <p>To give notice of Civil Partnership, customers must provide their parents birth certificates or their own birth certificate. This information can be shared between districts to save the customer having to buy a copy of the certificate.</p>

	Description	Registration of Births		Registration of Marriages		Registration of Deaths		Registration of CP	
2	<p>What information will be shared?</p> <p><i>Describe the information to be shared – you do not need to go to ‘field level’ detail.</i></p> <p><u>Please note: Only the minimum and relevant personal information is to be shared and strictly on a case by case basis.</u></p>	<p>Birth certificate:</p> <ul style="list-style-type: none"> Name of baby Names of parents Place of birth Date of birth Parent occupation Previous names of parents Aliases Gender 		<p>Marriage certificate:</p> <ul style="list-style-type: none"> Names Place of marriage Date of marriage Date of birth (or age) Address Occupation Parents/step-parents information - occupation, whether they’re retired and whether they’re deceased. 		<p>Death certificate:</p> <ul style="list-style-type: none"> Name Place of death Date of death Cause of death Occupation Address Gender 		<p>Civil Partnership certificate:</p> <ul style="list-style-type: none"> Names Place of CP Date of CP Date of birth (or age) Address Occupation Parents/step-parents information - occupation, whether they’re retired and whether they’re deceased. 	
3	<p>Partner Organisation(s)</p> <p><i>Details of provider and recipient organisation(s)</i></p> <p><i>Ensure the organisations listed reflect section 2 of the ISP i.e. are all organisations listed in section 2</i></p> <p>10.1</p>	Who by	Who to	Who by	Who to	Who by	Who to	Who by	Who to
		Cardiff Council Registrar & Vale of Glamorgan Registrar	Vale of Glamorgan Registrar & Cardiff Council Registrar	Cardiff Council Registrar & Vale of Glamorgan Registrar	Vale of Glamorgan Registrar & Cardiff Council	Cardiff Council Registrar & Vale of Glamorgan Registrar	Vale of Glamorgan Registrar & Cardiff Council	Cardiff Council Registrar & Vale of Glamorgan	Vale of Glamorgan Registrar & Cardiff Council

	Description	Registration of Births	Registration of Marriages	Registration of Deaths	Registration of CP
4	<p>How is information shared and what methods are used to keep the information secure?</p> <p><i>Provide, in detail the specific agreed secure methods for sharing personal information</i></p>	<p>By encrypted email using strong in-transit encryption by mandating Transport Layer Security (TLS), together with three identity and content verification tools known as SPF, DKIM, and DMARC, so the public sector can continue to email sensitive information to each other in a secure way. Cardiff Council and The Vale of Glamorgan has implemented all these email security enhancements.</p>	<p>By encrypted email using strong in-transit encryption by mandating Transport Layer Security (TLS), together with three identity and content verification tools known as SPF, DKIM, and DMARC, so the public sector can continue to email sensitive information to each other in a secure way. Cardiff Council and The Vale of Glamorgan has implemented all these email security enhancements.</p>	<p>By encrypted email using strong in-transit encryption by mandating Transport Layer Security (TLS), together with three identity and content verification tools known as SPF, DKIM, and DMARC, so the public sector can continue to email sensitive information to each other in a secure way. Cardiff Council and The Vale of Glamorgan has implemented all these email security enhancements.</p>	<p>By encrypted email using strong in-transit encryption by mandating Transport Layer Security (TLS), together with three identity and content verification tools known as SPF, DKIM, and DMARC, so the public sector can continue to email sensitive information to each other in a secure way. Cardiff Council and The Vale of Glamorgan has implemented all these email security enhancements.</p>
5	<p>Reliance on consent</p> <p><i>Check the box if any exchange relies on consent and explain how and when consent is obtained. Ensure section 4 of the ISP reflects this legal basis</i></p>	<p><input type="checkbox"/> Exchange relies on consent</p> <p><input checked="" type="checkbox"/> Exchange does not rely on consent</p>	<p><input type="checkbox"/> Exchange relies on consent</p> <p><input checked="" type="checkbox"/> Exchange does not rely on consent</p>	<p><input type="checkbox"/> Exchange relies on consent</p> <p><input checked="" type="checkbox"/> Exchange does not rely on consent</p>	<p><input type="checkbox"/> Exchange relies on consent</p> <p><input checked="" type="checkbox"/> Exchange does not rely on consent</p>
6	<p>Notes for Practitioners</p>				