

Information Sharing Agreement for The Forum, Southend-on-Sea

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Documents Summary

Purpose

This agreement is to facilitate the sharing of information between the partner organisations that together provide services at The Forum, Southend on Sea ("The Forum"). Information is shared to ensure smooth and seamless services to the users of The Forum, including students, staff and members of the public.

Partners

The partners to this agreement are the University of Essex ("the University"), Southend-on-Sea Borough Council ("the Council") and South Essex College of Further and Higher Education ("the College"). The partners act severally, but also jointly as Southend-on-Sea Forum Management Ltd ("SoS FML").

This agreement does not include any bodies responsible for providing services at The Forum on a sub-contracted basis. Their access to information needed to provide the sub-contacted service will be defined in the contacts between those sub-contractors and the partners, either individually or as a group.

Agreement lifespan and ownership

This agreement came into force on 26 July 2013 and will be reviewed annually. The agreement has been drawn up by Sara Stock, Information Manager, University of Essex, by and on behalf of the partners.

Publication

This is a public document and partners, including SOS FML, will publish it on their websites.

Version record

Version number	Amendments made	Comments
1.0	Created by Sara Stock, Information Manager, University of Essex.	First draft. Awaiting information regarding data transfer from library (Council) back to University/College; status of data updated by library users through Elan; legitimate reasons why partners might need CCTV access (checking H&S).
1.1	Reviewed by Richard Murphy, Director of Information Systems, University of Essex	
	Amended following comments from Richard Davies, South Essex College	27 June
2	Amended following comments from Indi Viknaraja, Southend Borough Council	28 June
3	Amended following meeting at ECC	2 July
4	Amended following comments from Zoe Manning, University of Essex after a meeting of the programme board	12 July
5	Amended following decision on data to be shared by library and discussion with Bryn Morris, University of Essex	23 July
6	Annual review	November 2014

Introduction

The Forum, Southend-on-Sea is a joint venture between the partners, working as severally, but also together as Southend-on-Sea Forum Management Ltd (“SoS FML”). This shared space provides a library service to members of the public, as well as to staff and students of both the College and the University. The library, café and art gallery are public spaces. The art gallery, known as Focal Point Gallery, is owned by the Council and the space it occupies is part of the Council’s demise. Other areas of the building have restricted access.

Facilities management for The Forum is provided by a third party under contract.

Purpose

This agreement is to facilitate the sharing of information between the partner organisations that together provide services at The Forum, Southend on Sea (“The Forum”). Information is shared to ensure smooth and seamless services to the users of the Forum, including students, staff and members of the public.

Information is shared to facilitate the security of the building and those using it through the access control system and the use of CCTV. Information is shared to enable the provision of library services to students of the College and the University.

Partners

The partners to this agreement are the University of Essex (“the University”), Southend-on-Sea Borough Council (“the Council”) and South Essex College of Further and Higher Education (“the College”).

The partners act together as Southend-on-Sea Forum Management Limited (hereafter SoS FML), a private company limited by shares incorporated in England and Wales on 1 November 2011. SoS FML is a company established to assume responsibility for the entire building and the external areas (less demised areas) and to take on the usual functions of the Landlord for a multi-let building, and is the Head Tenant of The Forum. SoS FML is responsible for all those parts of the building including any non-exclusive plant, mechanical and electrical installations and services and all common areas which do not form part of other tenants’ exclusively demised areas and the external performance space and large screen.

This agreement does not include any bodies responsible for providing services at The Forum on a sub-contracted basis, or bodies sub-letting space in which to provide services. Their access to information needed to provide the sub-contacted service is defined in the contacts between those sub-contractors or sub-tenants and the partners, either individually or as a group.

Personal data

This agreement includes the sharing of personal data as defined by the Data Protection Act. The partners are separately registered with the Information Commissioner’s Office (ICO) as data controllers, and have appropriate technical and organisational measures in place to safeguard personal data. SoS FML is also registered with ICO. Each partner will ensure that their Register entry is clear about the data being shared. Any sub-contractor, including the facilities management provider, will be a data processor for SoS FML or one or more of the partners, jointly or severally, as defined in the relevant contracts.

Library services

Sharing takes place between the College and the Council, and between the University and the Council. Details of staff and registered students and associates, is passed to Essex Libraries for the purpose of enrolling them as library members and giving them full access to library services. Details of all South Essex College staff and students are passed to Essex libraries for the purpose of enrolling them as library members and giving them full access to library services. All students and staff at the College are required to register with the library.

Information shared is: full name, title, permanent or home address, term time or local address, email address, telephone numbers (both landline and mobile), gender and date of birth, unique identifier.

In addition, information about fines and charges incurred by University staff and students, on items of the academic stock at the library at The Forum, is shared between the Council and the University. This is to ensure that fines and charges are dealt with in the same way whether staff and students are using the library at The Forum, or the Albert Sloman Library at the Colchester campus.

Staff and student details are updated daily to ensure continued accuracy of the data. Transfer is via secure data transfer services or SOAP¹ similar. Library members are able to update their details via the Essex Elan catalogue. ECC will work towards putting a flag on this relevant web page to direct College and University staff and students to their home institutions to update data. ECC/SBC library staff will not accept updated details from College or University staff or students and will direct them to use the normal College or University channels for updates of details.

A report is returned to the University on request, with date of birth and names removed, to enable the University to identify changed details, and to ensure accuracy of data regarding leavers, new joiners, change of status (staff to student and vice versa), and to ensure the integrity of the updates. The University may email staff and students whose details are different in the data set being returned by ECC/SBC asking them to confirm the change.

Consent is through the normal privacy policies for each partner and the College and the University will make their students and staff aware that the library service at The Forum is provided by Southend on Sea Borough Council through the Essex County Council Elan service. Privacy policies of partners are the sole responsibility of the partners.

Where any partner or SoS FML receives a subject access request under the Data Protection Act they will co-operate fully by informing the relevant partner(s) and making available information requested within the timescale set out in the Act.

CCTV

CCTV monitoring and recording takes place in The Forum for the purpose of safety and security of the building and its contents, and those who use the building. The owner of the system is SoS FML, and the system is operated by the FM provider on behalf of SoS FML.

CCTV monitors are not accessible or visible to staff, students or members of the public using the building. CCTV cameras are not placed in any areas where monitoring may be considered to be intrusive (e.g. lavatories, private offices). Recorded CCTV footage is kept for 30 days on a server within The Forum building, and thereafter destroyed in a secure manner. If footage is requested as part of a Subject Access Request under the Data Protection Act, or by any partner or the police for a legitimate purpose, then the material will be held beyond the 30 days if necessary.

Signage throughout the building makes it clear that CCTV is used for the purposes of safety and security, and the contact details of the FM desk in the building is shown as the contact.

Contracts with those sub-letting space will make it clear that there is CCTV monitoring in the building.

Sharing of CCTV footage may take place between SOS FML and the partners, with the police, or with the chosen facilities management provider, where the law permits.

Facilities Management Provider

The FM provider oversees the CCTV system as a data processor on behalf of the data controller, which is SoS FML. FM staff will monitor and view live and recorded CCTV footage in order to ensure the safety and security of the building and those who access it. This includes footage of students and staff of the College and the University, staff of the Council, staff and customers of the sub-let franchises (e.g. art gallery, café), and members of the public.

¹ Simple Object Access Protocol

Use of the footage is set out in the contract with the facilities management provider. The FM provider is the data processor and SoS FML is the data controller.

If any partner receives a data protection subject access request relating to CCTV footage the FM provider will co-operate fully in providing the footage requested.

The facilities management provider will log the request, recording:

- The name of the person to receiving a copy of or viewing the recording
- The date and time at which the footage was released
- The format in which the footage was released
- Brief details of the images captured in the footage
- The location of the camera that produced the footage
- The date and time on which the footage was recorded
- The name of the member of FM staff who has released the footage

If in doubt about a request to access information the facilities management provider will seek advice from the partner organisations via the Contracts/Operations Manager².

Sharing with the Police

CCTV footage may be shared with the police or other law enforcement agencies under Section 29 of the Data Protection Act. A completed Section 29 form must be received for every request before footage is released.

The facilities management provider will log the request, recording:

- The name and number of the Police Officer receiving a copy of or viewing the recording
- The date and time at which the footage was released
- The format in which the footage was released
- Brief details of the images captured in the footage
- The location of the camera that produced the footage
- The date and time on which the footage was recorded
- The crime reference number
- The name of the member of FM staff who has released the footage

If in doubt about a request to access information the facilities management provider will seek advice from the partner organisations via the Contracts/Operations Manager.³

Sharing with partners

Partners can request footage that is taken in parts of The Forum building that is occupied by them, and footage taken elsewhere that includes images of their staff or students, where they have a legitimate reason for doing so. Such reasons may include, but not be limited to, suspected disciplinary offences and health and safety incidents and accidents. Requests will be made to the FM provider, who will duly log the request before releasing footage.

Release under Data Protection Act

CCTV footage may be released as part of a Subject Access Request under the Data Protection Act. Release will be under the normal procedures of SoS FML as the data controller, and the FM provider will cooperate in full.

Access control

Access to restricted areas is by swipe card. The cards are issued by the College or the University to their staff and students as appropriate, and by the Council to their staff. The cards hold information

² This role will be fulfilled by a member of UoE staff acting on behalf of partners. This is likely to be the Deputy Director Estate Management, Southend. He or she will liaise with the data protection officer or equivalent for the relevant partner.

³ See note 1, above

defining which access group the card holder belongs to, the card holder's name and unique identifier. This information is read by the access control system.

The access control system collects and stores data on which cards were used to access which rooms or at which time. Data is kept for 30 days on a server within The Forum building, and thereafter destroyed in a secure manner. If data is requested as part of a Subject Access Request under the Data Protection Act, or by any partner or the police for a legitimate purpose, then the material will be held beyond the 30 days if necessary.

Data relating to access to rooms by students at South Essex College is shared with the College for the purpose of attendance monitoring.

In the event that a student or staff member is unable to access an area to which they believe they have a right of access the FM provider will be able to use information on the access control system to confirm whether or not the card holder has a right of access to any area.

Formal information requests from third parties

Where formal requests for information are received from third parties the partners, the FM provider and SoS FML will cooperate in ensuring that the requests are directed to the correct organisation, and in providing such information as is required to respond to the request within any time frames that are set out (e.g. under the Freedom of Information Act, The Data Protection Act, the Environmental Information Regulations).

Complaints handling

Complaints regarding information sharing will be dealt with by whichever organisation is the owner or data controller for the information regarding which the complaint it made. Partners will cooperate by ensuring that complaints are directed to the correct organisation, and by providing information as required for the investigation of the complaint.

Review of this agreement

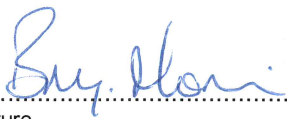
This document will be reviewed annually by all three partners, and at any point at which the FM provider changes.

Termination of this agreement


This agreement will terminate only if SoS FML ceases to exist, or ceases to operate The Forum, or if any partner leaves SoS FML.

Signatories


This data sharing agreement has been signed by:


.....
Signature Date 12.12.14

Mr Bryn Morris, Registrar and Secretary, on behalf of University of Essex


.....
Signature Date 17/12/14

Mr Anthony McGarel, Deputy Principal and Chief Executive, on behalf of South Essex College


.....
Signature Date 29/12/2014

Mr Andy Lewis, Corporate Director for Place, on behalf of Southend Borough Council

