



security action for everyone

# Data sharing agreement template Personal data

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Information Assurance and Risk  
April 2018



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

# **Data Sharing Agreement**

**For the necessary sharing of personal data and non-personal  
data between**

**The Scottish Assessors**

**and**

**Scottish Ministers acting through the Local Government and  
Analytical Services Division**

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## 1. Introduction

The Scottish Government (SG) and the Scottish Assessors<sup>1</sup> are public bodies. This agreement demonstrates the trust and co-operation that exists between SG and the Assessors, resulting in a desire to share data in order to allow the SG to produce high-quality analysis, monitor existing policies and develop new ones. For the avoidance of doubt, the data flow will be from each Assessor to the SG.

## 2. Organisations involved in the data sharing

Organisation/business area	Scottish Ministers (Scottish Government)
Information Asset Owner (IAO)	██████████ Deputy Director Local Government and Analytical Services
Operational contact name	██████████
Operational contact job title:	Senior Statistician

Organisation/Business Area	Scottish Assessors
Information Asset Owner (IAO) (if applicable)	██████████
Operational Contact Name:	██████████
Operational Contact Job Title:	Assessor for Fife Council
ICO Registration Number:	Z6954898

Organisation/Business Area	Scottish Assessors
Information Asset Owner (IAO) (if applicable)	██████████
Operational Contact Name:	██████████
Operational Contact Job Title:	Assessor for Tayside Valuation Joint Board
ICO Registration Number:	Z6821924

Organisation/Business Area	Scottish Assessors
Information Asset Owner (IAO) (if applicable)	██████████
Operational Contact Name:	██████████
Operational Contact Job Title:	Assessor for Ayrshire Valuation Joint Board
ICO Registration Number:	Z6982129

Organisation/Business Area	Scottish Assessors
Information Asset Owner (IAO) (if applicable)	██████████
Operational Contact Name:	██████████
Operational Contact Job Title:	Assessor for Central Scotland Valuation Joint Board
ICO Registration Number:	Z7353775

<sup>1</sup> There are currently 14 Assessors who have been statutorily appointed by the 32 local authorities. Each Assessor covers one or more local authority areas, and those that cover multiple areas are appointed by a valuation joint board rather than a single local authority.

Organisation/Business Area	Scottish Assessors
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Dumfries & Galloway Council
ICO Registration Number:	ZA201890

Organisation/Business Area	Scottish Assessors
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Dunbartonshire and Argyll and Bute Valuation Joint Board
ICO Registration Number:	Z697104X

Organisation/Business Area	Scottish Assessors
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Glasgow City Council
ICO Registration Number:	Z4870986

Organisation/Business Area	Scottish Assessors
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Grampian Valuation Joint Board
ICO Registration Number:	Z6994677

Organisation/Business Area	Scottish Assessors
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Highlands & Western Isles Valuation Joint Board
ICO Registration Number:	Z7182146

Organisation/Business Area	Scottish Assessors
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Lanarkshire Valuation Joint Board
ICO Registration Number:	Z4749745

Organisation/Business Area	Scottish Assessors
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Lothian Valuation Joint Board
ICO Registration Number:	Z5952686

Organisation/Business Area	Scottish Assessors
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Orkney & Shetland Valuation Joint Board
ICO Registration Number:	Z6161579

Organisation/Business Area	Scottish Assessors
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Renfrewshire Valuation Joint Board
ICO Registration Number:	Z6615939

Organisation/Business Area	Scottish Assessors
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Scottish Borders Council
ICO Registration Number:	Z4820387

### 3. Purpose(s) of the data sharing

#### 3.1 Purpose(s)

The purpose of the data sharing is to allow the SG to monitor existing policies and to develop new ones. Having access to data from the Scottish Assessors will facilitate that happening and will enhance the quality of analysis that the SG is able to produce.

#### 3.2 Aims & benefits

The aim of this data sharing agreement is to provide a general, over-arching agreement to share data between the two organisations, so as to facilitate the production of better quality analysis to support research and policy development. The specifics of each individual project will be detailed in an annex which will sit alongside this agreement.

### 3.3 Limitations on use

The data will only be used for monitoring existing policies, producing research and analysis and carrying out policy development (this includes provision of advice and briefing for Ministers). In some cases the SG will publish results of the data analysis (e.g. rateable value totals by local authority area), however, in these publications the analysis will be in aggregated form and no individuals, or individual properties, will be identified.

The Scottish Government acknowledges the data is collected and held by Assessors in order to carry out their statutory functions. No express or implied warranty is provided as to the merchantability or fitness for a particular purpose. Except in the case of negligence resulting in death or personal injury, Assessors hereby accept no liability for any direct or indirect loss which the Scottish Government may suffer as a result of the negligence of Assessors or their employees in the provision of the Data.

Assessors shall have no liability to the Scottish Government or any Third Party or otherwise for any loss or damage which the Scottish Government suffers (whether direct consequential or any other form of loss) as a result of any error or inaccuracy in the data. The Scottish Government also acknowledges that the way in which it interprets or uses the Data is dependent upon the exercise of its own skill and judgement.

### 3.4 Further disclosure

The SG will not disclose the data to any other organisations without the express written permission of the Scottish Assessors. Where a third party (e.g. research consultants) is carrying out work on behalf of the SG which requires data from the Assessors, then the SG will pass on the relevant data, subject to obtaining the prior written approval of the Assessors.

## 4. **Data to be shared**

### 4.1 Personal data

The data items to be shared, will be specified in the Individual annex completed for each project.

### 4.2 Special category personal data

No sensitive personal data will be shared between the parties.

### 4.3 Data to be matched or linked

Details of data sources with which the shared data will be matched or linked will be specified in the individual annex completed for each project.

## 5. **Process for sharing**

### 5.1 Transfer of data

Where possible, data will be made available for the SG to download via a specific area within the Scottish Assessors' Portal. Where this is not possible, individual transfers of data will be arranged using secure data transfer on a project by project basis.

### 5.2 Format of data

Where data is not made available via the Scottish Assessors' Portal, details of the format will be agreed for each individual project. The attached table details the data fields available from the Government User Area of the Portal.



Government User  
Area-Available Files.x

### 5.3 Frequency of transfer

Data made available via the Portal can be downloaded as required. The details of any one-off transfers, or regular transfers of data, will be agreed for each particular case.

### 5.4 Access restrictions

Data provided by the Scottish Assessors will be held on secure servers at the SG to which only named individuals or teams have access. Those individuals / teams will be detailed in the relevant annex completed for a particular project.

The SG will inform the Scottish Assessors about any changes in the list of staff who should have access to data via the Portal. This covers both removal of access rights for staff who have moved post (or left the SG) and granting access rights for staff who have recently joined a team which uses Scottish Assessors' data. The SG will inform the Scottish Assessors of such changes as soon as the change takes place.

## 6. **Basis for sharing**

### 6.1 Legal gateway (also known as the power to share data)

For the Non-Domestic Rates Valuation Roll:

Section 3(5) of the Local Government (Scotland) Act 1975 states:

Any person interested may at all reasonable times, free of charge, inspect and take copies of and extracts from any valuation roll prepared under the Valuation Acts and in the possession of the assessor; and an assessor shall, on an application made to him by any interested person, inform that person whether any entry in the valuation roll is subject to a pending appeal or complaint.

For the Council Tax Valuation List:

Section 91(1) of the Local Government Finance Act 1992 states:

A person may require a local assessor to give him access to such information as will enable him to establish what is the state of a list, or has been its state at any time since it came into force, if—

- (a) the local assessor is maintaining the list; and
- (b) the list is in force or has been in force at any time in the preceding 5 years.

### 6.2 Lawful basis for processing

For data relating to subjects entered on the Valuation Roll and Council Tax Valuation List:

Article 6(1)(e) of the General Data Protection Regulation (GDPR) states:

Object ID:



The processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

In this case the performance of a task in the public interest is the publication of freely available statistics based on this data and the exercise of official authority is the role of the SG in both monitoring existing policy and developing new policy, which includes using the data to produce income forecasts to inform the Scottish budget.

## **7. Information assurance & security**

### **7.1 Personnel security**

All SG staff are subject to Baseline Personnel Security Standard (BPSS) recruitment controls.

SG staff are required to undertake annual mandatory training on Data Protection. SG staff are also required to undertake the UKG Responsible for Information online courses that provide a comprehensive guide to why information is so important, the risks to its safety, and what can be done to protect it.

### **7.2 Physical security**

SG photographic security pass holders can use their passes to gain access to all SG buildings by presenting their pass to the security officers on duty or by utilising the automated access control system in place. There are further restrictions within buildings, for example the data centre (located in Saughton House) is access controlled.

### **7.3 Technical security**

Computers in the SG run on the SCOTS network. Access to the network (and therefore all SG systems and data) requires a username and password. In addition, a Business Impact Level Assessment will be carried out for each individual data sharing project and recorded in the relevant annex.

### **7.4 Management of a security incident**

In the event of a data breach the SG will follow the SG Security Incident Reporting Policy and will also inform the Scottish Assessors immediately. The Scottish Assessors may terminate this agreement with immediate effect by giving notice to the SG in writing.

## **8. Information management**

### **8.1 Freedom of Information and Environmental Information requests**

Both the SG and the Scottish Assessors are the data controllers for any information shared under this agreement. Where either party receives an FOI or EIR request in line with FOI or EIR legislation, it will be responsible for dealing with and responding to that request. Where such requests are received the parties may communicate with each other on any information which may be disclosed however the ultimate decision to withhold or release information rests with receiving party.

### **8.2 Subject Access Requests (SAR)**

Both the SG and the Scottish Assessors are the data controllers for any information shared under this agreement. Where either party receives a Subject Access Request in line with data protection law, it will be responsible for responding to that request. Where such requests are received the parties may communicate with each other on any information which may be disclosed.

## **9. Data Protection Impact Assessment (DPIA)**

A DPIA will be carried out as part of each individual data sharing project (referred to in the relevant annex) and will be provided to the Scottish Assessors prior to any data being shared.

## **10. Privacy notices**

The SG and Assessors will publish privacy notices in relation to any personal data shared under this agreement.

## **11. Retention & deletion**

Retention and deletion schedules will be specified in the individual annexes.

## **12. Management of agreement**

### **12.1 Commencement and duration**

This agreement shall commence when it is signed by all parties and dated.

This agreement is intended to be ongoing unless terminated and there is therefore no end date.

### **12.2 Review & changes to agreement**

The SG and Scottish Assessors will review this agreement every two years. At each review progress towards the purpose of this agreement will be assessed by the parties. If the purpose is not met, the parties will assess whether the data sharing agreement should continue.


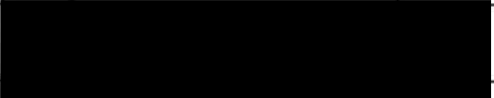




### **12.3 Closure of agreement**




This data sharing agreement is ongoing, providing updated datasets to the SG (generally via the Scottish Assessors' Portal) as and when required and detailed in the annexes. The data sharing agreement will be updated should there be any significant changes to the variables required, the purpose of the agreement or the security of the data.

The exception to this is if the Scottish Assessors terminate this agreement. Without prejudice to any rights that have accrued under this agreement or any of its rights or remedies, the Scottish Assessors may terminate this agreement by giving written notice to the Scottish Government and the termination will take immediate effect.

### 13. Signatories


By signing this agreement the Parties confirm that they accept its terms.





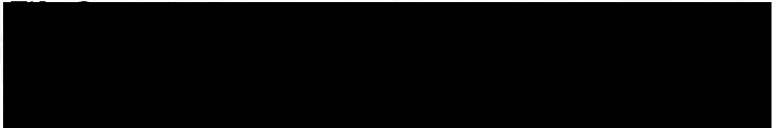
Name	Designation	Address
	Deputy Director, Local Government and Analytical Services Division	Scottish Government Victoria Quay Edinburgh. EH6 6QQ.
Signature:		
Date of signing:	25/6/19	
Date of Delivery:	25/6/19	
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		

Name	Designation	Address
	Assessor for Fife Council	Fife Council Bankhead Central 2, Bankhead Park Glenrothes KY7 6GH
Signature:		
Date of signing:	14 <sup>th</sup> May 2019	
Date of Delivery:	14 <sup>th</sup> May 2019	
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		

### 13. Signatories

By signing this agreement the Parties confirm that they accept its terms.

Name	Designation	Address
	Deputy Director, Local Government and Analytical Services Division	Scottish Government Victoria Quay Edinburgh. EH6 6QQ.
Signature:		
Date of signing:		
Date of Delivery:		
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		

Name	Designation	Address
	Assessor for Fife Council	Fife Council Bankhead Central 2, Bankhead Park Glenrothes KY7 6GH
Signature:		
Date of signing:	14 <sup>th</sup> May 2019	
Date of Delivery:	14 <sup>th</sup> May 2019	
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		

Name	Designation	Address
[REDACTED]	Assessor for Tayside Valuation Joint Board	Tayside Valuation Joint Board Floor 1 William Wallace House Orchard Loan Orchardbank Business Park Forfar, DD8 1WH
Signature:	[REDACTED]	
Date of signing:	16/5/19	
Date of Delivery:		
Place of Signing:	[REDACTED]	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

Name	Designation	Address
[REDACTED]	Assessor for Ayrshire Valuation Joint Board	9 Wellington Square, Ayr KA7 1HL
Signature:		
Date of signing:		
Date of Delivery:		
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		



Name	Designation	Address
[REDACTED]	Assessor for Tayside Valuation Joint Board	Tayside Valuation Joint Board Floor 1 William Wallace House Orchard Loan Orchardbank Business Park Forfar DD8 1WH
Signature:		
Date of signing:		
Date of Delivery:		
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		

Name	Designation	Address
[REDACTED]	Assessor for Ayrshire Valuation Joint Board	9 Wellington Square, Ayr KA7 1HL
Signature:	[REDACTED]	
Date of signing:	14 <sup>th</sup> May 2019	
Date of Delivery:	14 <sup>th</sup> May 2019	
Place of Signing:	[REDACTED]	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

Name	Designation	Address
[REDACTED]	Assessor for Central Scotland Valuation Joint Board	Hillside House Laurelhill Business Park Stirling FK7 9JQ
Signature:	[REDACTED]	
Date of signing:	14-5-19	
Date of Delivery:	14-5-19	
Place of Signing:	[REDACTED]	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

Name	Designation	Address
[REDACTED]	Assessor for Dumfries & Galloway Council	Dumfries & Galloway Council Municipal Chambers Buccleuch Street Dumfries DG1 2AD
Signature:		
Date of signing:		
Date of Delivery:		
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		

Name	Designation	Address
[REDACTED]	Assessor for Central Scotland Valuation Joint Board	Hillside House Laurelhill Business Park Stirling FK7 9JQ
Signature:		
Date of signing:		
Date of Delivery:		
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		

Name	Designation	Address
[REDACTED]	Assessor for Dumfries & Galloway Council	Dumfries & Galloway Council Municipal Chambers Buccleuch Street Dumfries DG1 2AD
Signature:	[REDACTED]	
Date of signing:	14/5/19	
Date of Delivery:	14/5/19	
Place of Signing:	[REDACTED]	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	



Name	Designation	Address
[REDACTED]	Assessor for Dunbartonshire and Argyll and Bute Valuation Joint Board	235 Dumbarton Road, Clydebank G81 4XJ
Signature:	[REDACTED]	
Date of signing:	14 May 2019	
Date of Delivery:	14 May 2019	
Place of Signing:	[REDACTED]	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

Name	Designation	Address
[REDACTED]	Assessor for Glasgow City Council	Glasgow City Council PO Box 15311 Glasgow G1 3WZ
Signature:		
Date of signing:		
Date of Delivery:		
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		

Name	Designation	Address
[REDACTED]	Assessor for Dunbartonshire and Argyll and Bute Valuation Joint Board	235 Dumbarton Road, Clydebank G81 4XJ
Signature:		
Date of signing:		
Date of Delivery:		
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		

Name	Designation	Address
[REDACTED]	Assessor for Glasgow City Council	Glasgow City Council PO Box 15311 Glasgow G1 3WZ
Signature:	[REDACTED]	
Date of signing:	4/6/2019	
Date of Delivery:		
Place of Signing:	[REDACTED]	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

Name	Designation	Address
[REDACTED]	Assessor for Grampian Valuation Joint Board	Woodhill House Westburn Road Aberdeen AB16 5GE
Signature:	[REDACTED]	
Date of signing:	4. 6. 19	
Date of Delivery:	6. 6. 19	
Place of Signing:	[REDACTED]	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

Name	Designation	Address
[REDACTED]	Assessor for Highlands & Western Isles Valuation Joint Board	Moray House 16 – 18 Bank Street Inverness IV1 1QY
Signature:		
Date of signing:		
Date of Delivery:		
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		

Name	Designation	Address
[REDACTED]	Assessor for Grampian Valuation Joint Board	Woodhill House Westburn Road Aberdeen AB16 5GE
Signature:		
Date of signing:		
Date of Delivery:		
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		

Name	Designation	Address
[REDACTED]	Assessor for Highlands & Western Isles Valuation Joint Board	Moray House 16 – 18 Bank Street Inverness IV1 1QY
Signature:	[REDACTED]	
Date of signing:	27/5/2018	
Date of Delivery:	27/5/2018	
Place of Signing:	[REDACTED]	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

29 MAY 2019

Object ID:

<b>Name</b>	<b>Designation</b>	<b>Address</b>
[REDACTED]	Assessor for Lanarkshire Valuation Joint Board	Lanarkshire Valuation Joint Board North Stand, Cadzow Avenue, Hamilton ML3 0LU
Signature:	[REDACTED]	
Date of signing:	15 May 2019	
Date of Delivery:	15 May 2019	
Place of Signing:	[REDACTED]	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

<b>Name</b>	<b>Designation</b>	<b>Address</b>
[REDACTED]	Assessor for Lothian Valuation Joint Board	17A South Gyle Crescent Edinburgh EH12 9FL
Signature:		
Date of signing:		
Date of Delivery:		
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		


Name	Designation	Address
	Assessor for Lanarkshire Valuation Joint Board	Lanarkshire Valuation Joint Board North Stand, Cadzow Avenue, Hamilton ML3 0LU
Signature:		
Date of signing:		
Date of Delivery:		
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		

Name	Designation	Address
	Assessor for Lothian Valuation Joint Board	17A South Gyle Crescent Edinburgh EH12 9FL
Signature:		
Date of signing:	15 May 2019	
Date of Delivery:	15 May 2019	
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		

29 MAY 2019






Name	Designation	Address
[REDACTED]	Assessor for Orkney & Shetland Valuation Joint Board	8 Broad Street Kirkwall Orkney KW15 1NX
Signature:	[REDACTED]	
Date of signing:	15/05/2019	
Date of Delivery:	15/05/2019	
Place of Signing:	[REDACTED]	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

Name	Designation	Address
[REDACTED]	Assessor for Renfrewshire Valuation Joint Board	The Robertson Centre 16 Glasgow Road Paisley PA1 3QF
Signature:		
Date of signing:		
Date of Delivery:		
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		

Name	Designation	Address
	Assessor for Orkney & Shetland Valuation Joint Board	8 Broad Street Kirkwall Orkney KW15 1NX
Signature:		
Date of signing:		
Date of Delivery:		
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		

Name	Designation	Address
	Assessor for Renfrewshire Valuation Joint Board	The Robertson Centre 16 Glasgow Road Paisley PA1 3QF
Signature:		
Date of signing:	15 <sup>th</sup> May 2019	
Date of Delivery:	15 <sup>th</sup> May 2019	
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		



<b>Name</b>	<b>Designation</b>	<b>Address</b>
	Assessor for Scottish Borders Council	Old School Building Council Headquarters Newtown St Boswells TD6 0SA
Signature:		
Date of signing:	14 / 5 / 2019	
Date of Delivery:	14 / 5 / 2019	
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:	