Data Sharing Decision Tree v.1.3

The **Data Sharing**[1] Decision Tree is designed to help you share data more easily and consistently at York Region, both internally and externally, and should be the first place you go anytime you're thinking about sharing data. It will help you evaluate your data sharing scenario (who you're sharing data with and why) and provide guidance on who to consult with, relevant polices to adhere to, tools to help you share and additional advice.

If your business unit is not responsible for the data being requested look in the Data Catalogue for the responsible Data Manager/Data Steward(s).

Before you start you should have a good understanding of who requires the data (the recipient), the type of data being shared (the details), what the data will be used for (the purpose), and have checked the **Self Serve Data Sharing Platforms**[2] to see if the data is already available and accessible to the person requesting the data.

Next, work your way through each of the four sections below and be sure to answer all 16 questions in sequential order. When answering a question, you may be directed to guidance relevant to your response. Once you have reviewed the guidance proceed to the next question. After completing all 16 questions, make sure to follow <u>all</u> the cumulative guidance you have been provided.
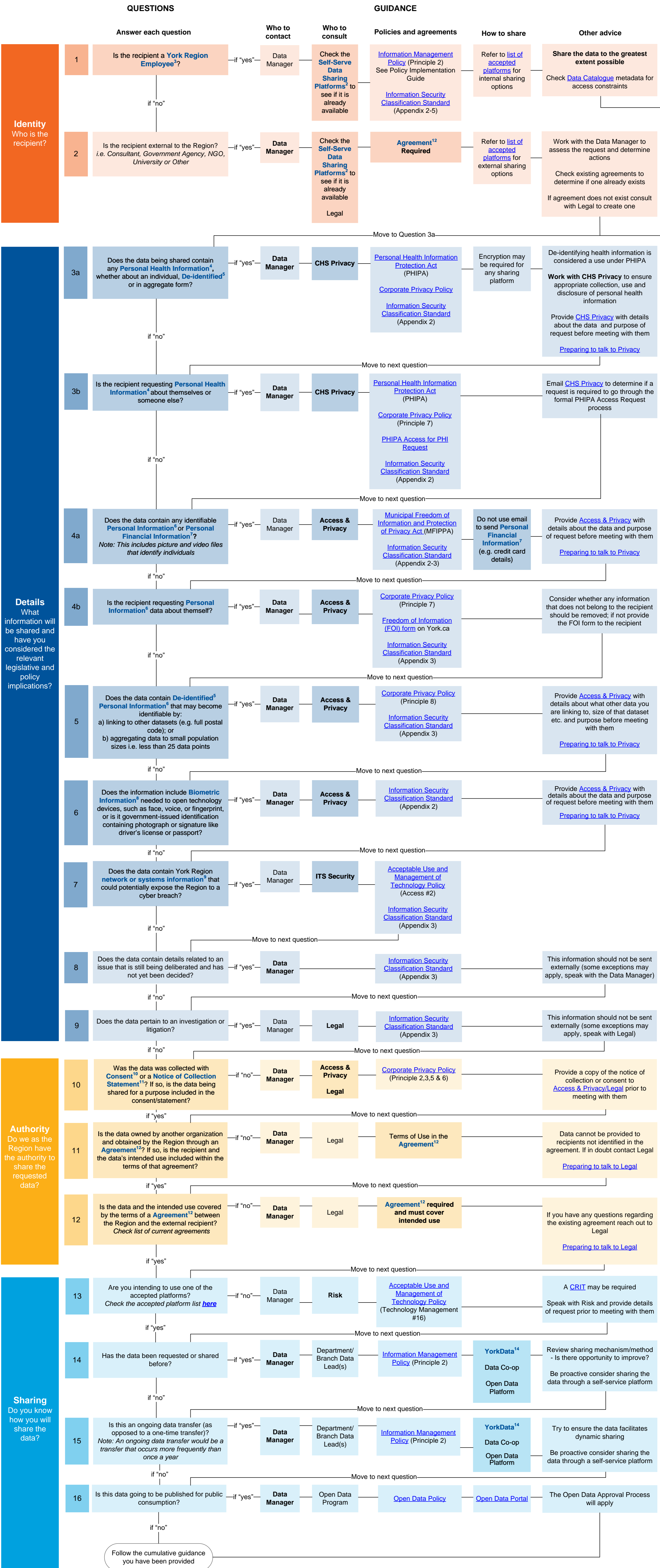
If you require assistance navigating data sharing in your department contact your Departmental Data Lead.

> *Please note:*   *If you are NOT planning to use one of the accepted platforms (listed here) to deliver the data, you may need to complete a Cyber Risk Information Tool (CRIT).*
>
> *ANY Public Health Branch data involved in a research study must be shared in accordance with the Public Health Internal Research Review Committee (IRRC) review and approval. Please review the IRRC Portal Page for more information.*

Accessible formats or communication supports are available upon request. Please contact (data@york.ca) if you require assistance.

<u>Legend</u>
Definition Available (see Page-2)
Mandatory (bolded)
Recommended (unbolded)

	QUESTIONS				GUIDANCE		
	Answer each question		Who to contact	Who to consult	Policies and agreements	How to share	Other advice

Identity — Who is the recipient?

#	Question	Who to contact	Who to consult	Policies and agreements	How to share	Other advice
1	Is the recipient a **York Region Employee**[3]? — if "yes"	Data Manager	Check the **Self Serve Data Sharing Platforms**[2] to see if it is already available	Information Management Policy (Principle 2) See Policy Implementation Guide; Information Security Classification Standard (Appendix 2-5)	Refer to list of accepted platforms for internal sharing options	**Share the data to the greatest extent possible** — Check Data Catalogue metadata for access constraints
2	Is the recipient external to the Region? *i.e. Consultant, Government Agency, NGO, University or Other* — if "yes"	**Data Manager**	Check the **Self Serve Data Sharing Platforms**[2] to see if the data is already available — Legal	**Agreement**[12] **Required**	Refer to list of accepted platforms for external sharing options	Work with the Data Manager to assess the request and determine actions; Check existing agreements to determine if one already exists; If agreement does not exist consult with Legal to create one

Move to Question 3a

Details — What information will be shared and have you considered the relevant legislative and policy implications?

#	Question	Who to contact	Who to consult	Policies and agreements	How to share	Other advice
3a	Does the data being shared contain any **Personal Health Information**[4], whether about an individual, **De-identified**[5] or in aggregate form? — if "yes"	**Data Manager**	**CHS Privacy**	Personal Health Information Protection Act (PHIPA); Corporate Privacy Policy; Information Security Classification Standard (Appendix 2)	Encryption may be required for any sharing platform	De-identifying health information is considered a use under PHIPA. **Work with CHS Privacy** to ensure appropriate collection, use and disclosure of personal health information. Provide CHS Privacy with details about the data and purpose of request before meeting with them. Preparing to talk to Privacy
3b	Is the recipient requesting **Personal Health Information**[4] about themselves or someone else? — if "yes"	**Data Manager**	**CHS Privacy**	Personal Health Information Protection Act (PHIPA); Corporate Privacy Policy (Principle 7); PHIPA Access for PHI Request; Information Security Classification Standard (Appendix 2)		Email CHS Privacy to determine if a request is required to go through the formal PHIPA Access Request process
4a	Does the data contain any identifiable **Personal Information**[6] or **Personal Financial Information**[7]? *Note: This includes picture and video files that identify individuals* — if "yes"	Data Manager	**Access & Privacy**	Municipal Freedom of Information and Protection of Privacy Act (MFIPPA); Information Security Classification Standard (Appendix 2-3)	Do not use email to send **Personal Financial Information**[7] (e.g. credit card details)	Provide Access & Privacy with details about the data and purpose of request before meeting with them. Preparing to talk to Privacy
4b	Is the recipient requesting **Personal Information**[6] data about themself? — if "yes"	**Data Manager**	**Access & Privacy**	Corporate Privacy Policy (Principle 7); Freedom of Information (FOI) form on York.ca; Information Security Classification Standard (Appendix 3)		Consider whether any information that does not belong to the recipient should be removed; if not provide the FOI form to the recipient
5	Does the data contain **De-identified**[5] **Personal Information**[6] that may become identifiable by: a) linking to other datasets (e.g. full postal code); or b) aggregating data to small population sizes i.e. less than 25 data points — if "yes"	**Data Manager**	**Access & Privacy**	Corporate Privacy Policy (Principle 8); Information Security Classification Standard (Appendix 3)		Provide Access & Privacy with details about what other data you are linking to, size of that dataset etc. and purpose before meeting with them. Preparing to talk to Privacy
6	Does the information include **Biometric Information**[8] needed to open technology devices, such as face, voice, or fingerprint, or is it government-issued identification containing photograph or signature like driver's license or passport? — if "yes"	**Data Manager**	**Access & Privacy**	Information Security Classification Standard (Appendix 2)		Provide Access & Privacy with details about the data and purpose of request before meeting with them. Preparing to talk to Privacy
7	Does the data contain York Region **network or systems information**[9] that could potentially expose the Region to a cyber breach? — if "yes"	Data Manager	**ITS Security**	Acceptable Use and Management of Technology Policy (Access #2); Information Security Classification Standard (Appendix 3)		
8	Does the data contain details related to an issue that is still being deliberated and has not yet been decided? — if "yes"	**Data Manager**		Information Security Classification Standard (Appendix 3)		This information should not be sent externally (some exceptions may apply, speak with the Data Manager)
9	Does the data pertain to an investigation or litigation? — if "yes"	Data Manager	**Legal**	Information Security Classification Standard (Appendix 3)		This information should not be sent externally (some exceptions may apply, speak with Legal)

Move to next question (repeated between rows)

Authority — Do we as the Region have the authority to share the requested data?

#	Question	Who to contact	Who to consult	Policies and agreements	How to share	Other advice
10	Was the data collected with **Consent**[10] or a **Notice of Collection Statement**[11]? If so, is the data being shared for a purpose included in the consent/statement? — if "no"	**Data Manager**	**Access & Privacy** / **Legal**	Corporate Privacy Policy (Principle 2,3,5 & 6)		Provide a copy of the notice of collection or consent to Access & Privacy/Legal prior to meeting with them
11	Is the data owned by another organization and obtained by the Region through an **Agreement**[12]? If so, is the recipient and the data's intended use included within the terms of that agreement? — if "no"	**Data Manager**	Legal	Terms of Use in the **Agreement**[12]		Data cannot be provided to recipients not identified in the agreement. If in doubt contact Legal. Preparing to talk to Legal
12	Is the data and the intended use covered by the terms of a **Agreement**[12] between the Region and the external recipient? *Check list of current agreements* — if "no"	**Data Manager**	Legal	**Agreement**[12] **required and must cover intended use**		If you have any questions regarding the existing agreement reach out to Legal. Preparing to talk to Legal

Move to next question

Sharing — Do you know how you will share the data?

#	Question	Who to contact	Who to consult	Policies and agreements	How to share	Other advice
13	Are you intending to use one of the accepted platforms? *Check the accepted platform list **here*** — if "no"	Data Manager	**Risk**	Acceptable Use and Management of Technology Policy (Technology Management #16)		A CRIT may be required. Speak with Risk and provide details of request prior to meeting with them
14	Has the data been requested or shared before? — if "yes"	**Data Manager**	Department/ Branch Data Lead(s)	Information Management Policy (Principle 2)	**YorkData**[14]; Data Co-op; Open Data Platform	Review sharing mechanism/method - Is there opportunity to improve? Be proactive consider sharing the data through a self-service platform
15	Is this an ongoing data transfer (as opposed to a one-time transfer)? *Note: An ongoing data transfer would be a transfer that occurs more frequently than once a year* — if "yes"	**Data Manager**	Department/ Branch Data Lead(s)	Information Management Policy (Principle 2)	**YorkData**[14]; Data Co-op; Open Data Platform	Try to ensure the data facilitates dynamic sharing. Be proactive consider sharing the data through a self-service platform
16	Is this data going to be published for public consumption? — if "yes"	**Data Manager**	Open Data Program	Open Data Policy	Open Data Portal	The Open Data Approval Process will apply

Follow the cumulative guidance you have been provided

Glossary of Terms:

1. **Data Sharing** – Data sharing is about making consistent, trusted data available to data consumers across the organization and outside of the organization , when and where it's needed to enable data-driven decision-making.

2. **Self-Serve Data Sharing Platforms** – Tools or systems enabling internal or external users to discover, access, and use data required to meet their business needs. This includes the **YorkData**[12] Platform (internal), Self-Serve Data Depot (consultants), Data Co-op (external partners) and Open Data Portal (public).

3. **York Region Employee** - A York Region employee is anyone who works for The Regional Municipality of York including, for the purposes of this Data Sharing Decision Tree, Housing York Inc. (HYI), YorkNet, and York Region Rapid Transit Corporation (YRRTC), whether in a permanent, temporary, part-time or full-time capacity. A York Region Employee excludes consultants or contractors working on behalf of the Region, HYI, YorkNet or YRRTC.

4. **Personal Health Information** - Any identifiable recorded information about an individual related to their health for the provision of health care. Examples include, but are not limited to, medical diagnoses, health care eligibility or payments, and health card number.

5. **De-identified** - A record or dataset where personal information and/or personal health information has been removed or anonymized and cannot reasonably be used either alone or with other information to identify an individual.

6. **Personal Information** - Any recorded information about an <u>identifiable</u> individual, including York Region employees. Examples include, but are not limited to, Social Insurance Number (SIN), address, birthdate and gender, dependent upon context and other privacy considerations that could lead to identifying an individual. This also includes picture or video files that may identify individuals.

7. **Personal Financial Information** - Any recorded information about an individuals financial details. Examples include, but are not limited to, credit card number, pre-authorized payment forms and banking details.

8. **Biometric Information** – Measurable physiological or behavioural characteristics that can be used to identify an individual. Examples of biometric identifiers include fingerprints, iris patterns, facial features, DNA, voice signatures, and even physical movements.

9. **Network or System Information** – This includes, but is not limited to, information such as internal IP addresses and hostnames, usernames, passwords and secret keys, private encryption keys, computer naming schema, and database names.

10. **Consent** - Knowledgeable and informed authorization from an individual or their substitute decision-maker for the collection, use and disclosure of their personal health information that is obtained without deception or coercion. Express consent is clearly and unmistakably given and may be explicitly provided either orally or in writing. Implied consent is a Personal Health Information Protection Act (PHIPA) concept that occurs when a health information custodian concludes consent has been given based on an individual's action or inaction in particular factual circumstances.

11. **Notice of Collection Statement** - Statement required under the Municipal Freedom of Information and Protection Privacy Act (MFIPPA) providing the following components: legislative authority for the collection, purpose of collection, and who to contact should one have questions.

12. **Agreement** – Any form of written contract, which outlines the terms and conditions for collecting, using, retaining, or sharing data or information for a defined purpose and within a defined time frame between two or more parties.

13. **YorkData** – York Region's shared platform for trusted Regional data, analytics, and reporting. Department Data Warehouse, Spatial Data Warehouse (SDW), and data visualization and reporting platforms are included in YorkData.