



Centre for Information Policy Leadership  
HUNTON ANDREWS KURTH

# 15 Steps to Accountable Data-Sharing Practices Between Public and Private Sectors

The Centre for Information Policy Leadership (CIPL) recommends the following accountability measures when local governments request private sector businesses to share data outside the context of law enforcement and national security matters. Data-sharing in the business-to-government (B2G) context must respect individuals' privacy rights as well as businesses' legal obligations. These accountability measures will promote public trust and private sector support for B2G data-sharing requests.

## CIPL Recommendations

1

### Clearly Define & Document Purpose

Each proposed collection of private sector data must set clear objectives of what can and should be done with data and for what purpose.

2

### Limit Collection & Use

Local governments' processing of private sector data should be relevant, necessary, and proportionate to the desired objectives.

3

### Identify Legal Basis

Public sector entities should have a specific legal basis for processing data requested from the private sector.

4

### Recognize Individuals' Rights

Governments receiving data should consider how they intend to engage with citizens who seek to exercise their rights as data subjects.

5

### Assess Risks and Impact

As with the private sector, local governments should assess the level of risk associated with the processing of data and the potential impact on individuals.

6

### Facilitate Transparency

Government agencies' use of private sector data should be subject to notice and transparency requirements comparable to the private sector.

7

### Implement Robust Data Security

The transmission of data, as well as any further use of that data, must be accompanied by appropriate safeguards to prevent loss, destruction, and unauthorized access.

8

### Establish Data Retention & Disposal Protocols

The processing of any data shared by private entities should be conducted under clearly limited time frames.

9

### Train Individuals for Roles & Responsibilities

All staff, contractors, and third parties working with shared datasets must be clear on their roles and responsibilities in order to remain accountable.

10

### Employ Data-Sharing Policies & Agreements

Public sector entities should be aware of relevant rights, obligations, and controls relating to data use, including limitations on further transfers of data.

11

### Build Trust with Consumers & Constituents

Individuals want to know that their data is safe no matter who has it. Therefore, it is crucial that both the public and private sectors abide by the same rules.

12

### Incorporate Internal Oversight & External Validation Measures

Local governments should conduct assessments and audits to verify that they are implementing the requirements, controls, and accountability measures specified in the data-sharing initiative.

13

### Promote Engagement with Regulators

Public sector entities should be prepared to demonstrate their accountability measures and seek feedback from enforcement authorities.

14

### Adopt Privacy-by-Design Principles

Local governments should consider technical measures to promote the mitigation of privacy risks.

15

### Seek Multilateral Solutions

Bilateral agreements between organizations and specific municipalities are neither efficient nor practical. Data sharing should be facilitated through collective mechanisms instead of one-off agreements.