

► Overcoming cultural  
barriers to information  
sharing within regulatory  
services



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# Introduction

**Regulatory services, such as Environmental Health, Trading Standards, Fire and Rescue, and Licensing, protect the public and ensure that a fair trading environment exists by licencing and regulating activities and premises. They provide support to local businesses and help them to grow by providing advice and technical expertise, encouraging businesses to work with regulators and share information. In order to fulfil their statutory obligations, regulators need to collect information about the businesses they regulate. However, data collection remains a significant burden for businesses and information sharing between regulators is regarded as a significant challenge.**

Many regulators in the Government's 'Response to Data Sharing for Non-Economic Regulators' (March 2015)<sup>1</sup> cited confusion around the Data Protection Act, the high administrative burden in sharing information; or a failing to identify data sharing as an organisational priority, as reasons for failing to share information. Respondents stated that organisational culture was a major factor inhibiting data sharing. The sheer diversity of organisations involved in delivering regulatory services is considered a major factor in making efficient and effective information sharing more difficult. In order to support services to overcome information sharing barriers and provide more joined-up approaches to working together, the Better Regulation Delivery Office (renamed as Regulatory Delivery) commissioned the Centre of Excellence for Information Sharing (the Centre) in late 2015 to work with national and local regulators to:

- ▶ identify cultural barriers to information sharing within regulatory services
- ▶ capture existing or emergent good practice
- ▶ explore the characteristics of successful information sharing between regulators.

This report brings together learning from a workshop we held in February 2016, world café discussions at a Better Business for All (BBfA) Awards Day in March 2016 and field discussions with regulators obtained during the course of our investigation. It identifies good practice at the local and national level, explores common barriers, and highlights the characteristics of successful information sharing between regulators. Finally, it presents a set of recommendations for how information sharing between regulators can be improved, enabling services to work more closely together in order to deliver better outcomes for business and communities.

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<sup>1</sup> See [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/416618/15-211-data-sharing-response.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/416618/15-211-data-sharing-response.pdf)

# Benefits of better information sharing to business regulation

Throughout this report we have identified the clear benefits that better sharing of information between regulators will bring to the businesses they regulate as much as to their own operations. It is important that both Regulatory Delivery and local and national regulatory bodies can understand and communicate these benefits, in order to ensure that the industry can move from a risk-averse culture to an open and inclusive one that puts businesses at the heart of their work.

## Local business benefits because better information sharing:

- ▶ empowers regulatory bodies to develop their **strategic direction**, helping leaders to see the bigger picture, enabling them to better engage with the business community and develop a committed regulatory workforce equipped to deliver a vision of 'better business for all'
- ▶ encourages **earlier intervention** by enabling regulators to identify and target struggling businesses more effectively, concentrating greater efforts in supporting businesses to develop and grow
- ▶ delivers **operational efficiencies** by helping regulators to collaborate on joint programmes of inspection and support, reducing impact on regulatory bodies at the same time as minimising the regulatory burden on small businesses
- ▶ supports **management of risk** by providing common ground for regulators to jointly assess businesses' state of health, helping them to take more appropriate courses of action to meet their regulatory needs and reduce the cost of non-compliance to the public purse
- ▶ improves **quality of business information** by, encouraging regulators to clean and update their data when new information is shared, or where existing information is updated, leading to business thriving in a well-regulated environment
- ▶ increases regulators' **understanding of businesses and other regulatory services**, helping to strengthen relationships and contribute towards building a stronger economy.

## Recommendation

1. All regulatory organisations commit to improving understanding about information sharing within their service, so that people involved in delivering regulatory services understand the benefits of good information sharing. Future guidance issued through umbrella organisations such as Regulatory Delivery and The Local Government Association should highlight these benefits and illustrate good practice examples.

# Recommendations



From our initial discussions with regulators, through to the delivery of the workshops, it was clear that participants welcomed the opportunity that this work has provided to share their own experiences of the cultural barriers that prevent information being shared. Learning from these experiences has helped the Centre to identify a number of recommendations for future work designed to assist and facilitate the sharing of information by regulators.

## **The Centre recommends that:**

1. All regulatory organisations commit to improving understanding about information sharing within their service, so that people involved in delivering regulatory services understand the benefits of good information sharing. Future guidance issued through umbrella organisations such as Regulatory Delivery and The Local Government Association should highlight these benefits and illustrate good practice examples.
2. Regulatory bodies continue their commitment to improve organisational culture and attitudes towards information sharing and multi-agency working, in order to deliver better business regulation for all. This can be achieved by:
  - a. Helping people involved in the regulation of businesses develop their competencies around sharing information.
  - b. Encouraging regulatory bodies to promote appropriate information sharing practices to all staff that handle business information, as part of their professional development programmes. This helps to act as a catalyst to initiate cultural changes and builds confidence between regulators.
  - c. Managers within regulatory bodies develop/review and strengthen existing induction, training and guidance processes that support their information sharing requirements.

3. Action is taken to increase opportunities for cross-organisational networking and relationship building, backed up with clear and consistent messages on the benefits of information sharing, helping to:
  - a. Share knowledge between regulators, using peer-support networks, techniques such as 'speed dating' sessions, and themed awareness raising events and activities.
  - b. Improve dissemination of good practice between regulators, through useful resources such as case studies, 'golden rules of good information sharing' factsheets, and interactive materials.
4. Regulatory Delivery and BBfA, potentially supported by other organisations, can support the development of strong leadership in the regulatory community, helping to create a sustained change in information sharing culture, by:
  - a. Establishing a leadership network that provides opportunities to discuss, capture and share more widely, experiences of successful information sharing strategies and the development of workforce confidence in sharing information.
  - b. Developing a 'myth-busting' guide that dispels common myths that are currently in circulation about why businesses' information cannot be shared, and helps translate policy into practice.
5. Businesses are put at the heart of the regulatory process, by:
  - a. Developing a communications strategy amongst regulators focusing on common issues in relation to businesses. For example, targeting illicit tobacco sales or dangerous fireworks as a partnership, highlighting the negative impact in terms of supporting criminal activity and danger in relation to these.
  - b. Initiating discussions and consideration of how regulators can demonstrate better partnership working, including opportunities and benefits of co-located services as well as an exploration of how departments and national agencies can assist new ways of working.
  - c. Ensuring that when regulatory bodies plan their information sharing activities in line with the draft Core Regulatory Competencies Framework, they engage with a wide range of stakeholders from local businesses and communities, to identify their concerns, and understand stakeholder information sharing requirements. This process will also help to develop a shared local vision.

# Cultural barriers to information sharing: Overarching themes

## 1. Organisational culture and trust

Although we have found examples of regulatory organisations working alongside each other, coming together to conduct specific operations or raise awareness through targeted communication campaigns, our research has shown that this is less prevalent in day-to-day operations. As public organisations re-configure and adopt new ways of working in response to changing demands and tighter budgets, there is a growing need for regulatory services to become more joined-up, to share vital information and deliver more effective services together. To do this, it is imperative that partner agencies seek to build closer relationships founded on trust, with a willingness to work across organisational divides and adopt a shared vision of the outcomes they are working towards.

In our conversations with regulators, they told us that where trust between agencies was weak, or if the cultural values, ways of working, political agendas, strategic goals, and customer relationships between organisations is too divergent, it becomes difficult for partners to share information and develop shared approaches to serving their local businesses and communities. Developing trusted relationships and finding ways in which different organisations can work well together, demands time and commitment.

An investment in developing good information sharing practices is worthwhile because it enables the correct type of regulation at the right time. Releasing resources to share information will enable regulators to identify and target less compliant businesses more effectively, enabling them to concentrate greater efforts on supporting businesses to develop and grow.

Delegates told us that whilst different technical and administrative systems and infrastructure between regulators can make sharing information difficult, a fear of “getting it wrong” poses a more significant and impenetrable barrier.<sup>2</sup> This fear often presents itself through:

- ▶ a reluctance to share poor quality data
- ▶ an expressed concern about a loss of personal and organisational reputation and fines
- ▶ the longevity of organisational memory (i.e. regulators remember organisational mistakes) which makes it easier to adopt reasons not to share information.

### Specific findings:

Delegates at the workshop highlighted that where trusted relationships are under-developed, there is a tendency to make risk-averse decisions on whether information can be shared, the type of information that should be made available, and with whom. Some of the regulators in the workshop voiced concerns about the risk to the reputation of their service, or the impact of enforcement actions on their service, and in extreme cases, heavy fines (should something go wrong).

Delegates also stated that where information sharing activity, or its subsequent use, had not gone to plan in the past, they were less inclined to share with those partner organisations in the future.

At the workshop in London, many of the delegates highlighted how the potential and realised benefits resulting from information sharing are absent from discussion about sharing data. They stated that it was much easier to focus on the reasons why data shouldn't be shared, which helped reinforce negative or risk-averse attitudes towards sharing.

<sup>2</sup> Information Sharing workshop for regulators, 26 February 2016

## Analytical response:

Organisations and regulators are sometimes not aware of the value of their data assets. At the workshops and through field conversations delegates stated that they were not always confident with the robustness of their own data and this made them reluctant to share information. In some cases, data sent between regulators was indigestible or presented in a format that was incompatible with the other organisations' IT systems.

The importance of building trusted relationships between individuals within and across regulatory organisations will enable partners to have more open conversations about data quality limitations. As a result, when there are concerns with the quality of information being shared, decisions are much more likely to be made on a 'risk-aware' basis.

Delegates described situations in which negative attitudes towards sharing information with some partners had become "culturally embedded."<sup>3</sup> This fear impacts on regulators' ability to develop an open organisational culture in which information sharing is a routine process. Furthermore, it is also possible that regulators could make generalised conclusions on the credibility of third party organisations based on their experience of information sharing with other, similar bodies.

A reappraisal of organisational attitudes and approaches to dealing with partners' requests for information in the local place, backed up with clear messages and support from Central Government to highlight the benefits of information sharing, will help shift the emphasis away from a risk-averse culture. Section 4.2 of the Regulators' Code 2014 states "When the law allows, regulators should agree secure mechanisms to share information with each other about businesses and other bodies they regulate, to help target resources and activities and minimise duplication."<sup>4</sup> To meet this requirement, regulators discussed creating a culture in which the onus is to share information unless there is a valid reason not to, and to proactively support the requesting agency to resolve any practical issues which could inhibit sharing.

Regulators felt that there was a lack of consistency, clear guidance and knowledge of information sharing processes with other organisations and regulators. They were unable to clearly define what support was available at a national or local level, the purpose behind sharing data with other regulators and the requirements of data sets by different regulatory bodies. Without robust training and support mechanisms in place, such as the training needed to enable them to easily identify what can and cannot be shared, and knowledge of what training and support regulators require, information sharing between regulators will be difficult and regulators will continue to feel unsupported in this area.



<sup>3</sup> Ibid

<sup>4</sup> [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/300126/14-705-regulators-code.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/300126/14-705-regulators-code.pdf)



## Recommendation

**2. Regulatory bodies continue their commitment to improve organisational culture and attitudes towards information sharing and multi-agency working, in order to deliver better business regulation for all. This can be achieved by:**

- a. Helping people involved in the regulation of businesses develop their competencies around sharing information.
- b. Encouraging regulatory bodies to promote appropriate information sharing practices to all staff that handle business information, as part of their professional development programmes. Helping to act as a catalyst to initiate cultural change and build confidence between regulators.
- c. Managers within regulatory bodies develop/review and strengthen existing induction, training and guidance processes that support their information sharing requirements.

In Charnwood Borough Council, Environmental Health work closely with the local Fire Service in relation to food businesses that have accommodation attached. Environmental Health officers inspect the food safety aspects of the food business and if there is accommodation attached and they have a concern, they alert colleagues within the Fire Service who then undertake a fire safety check of the residential and commercial premises.

## 2. Knowledge and awareness

The overarching theme of increased 'knowledge and awareness' was prevalent throughout pre-workshop discussions and in conversations with participants at the London workshop and world café sessions. Delegates stated that increased awareness of the role of different regulators (for example, their core function, the target groups they interact with, their strategic aims and key challenges), and knowledge of the legislative landscapes in which regulators overlap was vital. It was also highlighted that an increased knowledge of the information sets that each held would support regulatory bodies to adopt shared intelligence-led systems and have a more concise knowledge of the legislative landscape in order to regulate and support businesses more effectively.

Where knowledge and awareness of partner activity and interests is deficient, it can lead to:

- ▶ a lack of understanding as to the data that regulators capture and hold
- ▶ an inability to identify and agree which data sets have cross organisational value
- ▶ a lack of understanding about the application of the Data Protection Act (DPA) and other relevant legislation, which could be used to support information sharing.

These difficulties reduce partners' ability to share and increase the burden businesses that need to provide the same information to many different regulators.

### Specific findings:

There is a multiplicity of government agencies and organisations that could have an interest in a business or an individual. However, regulators are often unaware of who else is involved, what their interest is, or what information is already known, which could support or impact on their interest. For instance, delegates discussed an example in which a local regulator was involved in a case without knowing that Her Majesty's Revenue and Customs (HMRC) were also investigating the same person. Their legitimate actions might have jeopardized the outcome of a much larger operation.

Regulators often have not identified specific pieces of information that would have benefit to other organisations and could support others to plan and deliver their activity. For example, one regulator we spoke to in our field conversations suggested that agencies should share warning flags about abusive or violent individuals. However, this relies upon knowing which other agencies are involved with that individual or business and there being a process of sharing this information.

Regulators have told us they do not feel that they understand the information that other regulatory bodies hold which could support their work. For example, we heard an example of fears about sharing information on individuals operating un-registered, illegitimate enterprises, that other regulators would also have an interest in investigating, such as an off-license selling illegal tobacco or alcohol sales to children.

Some businesses also have a lack of understanding of the regulators' requirements for information and therefore view regulators with suspicion. This inhibits positive information sharing and ultimately limits the support and advice that would potentially be available to businesses, if they were more open and transparent with regulators. This can be compounded in Black and Minority Ethnic (BME) businesses where language can be an additional challenge if English is the secondary language.

### Analytical response:

At the workshop, through discussions at the world café, and field conversations with regulators, it was felt that lack of awareness and understanding of what challenges each regulator faces inhibits joint working, maintains silo working and sustains ineffective working practice, limiting information sharing and collaborative working.

Our response would be to develop awareness through networking events in local places. Regulators suggested 'speed dating' type events would give them the opportunity to meet other regulators and discuss challenges they face and share good practice regarding information sharing. Helping to open dialogue locally and nationally, which in turn improves local knowledge, and identifies opportunities and arrangements to share information.

At the workshop and during field conversations, it was evident there was a lack of understanding of what information could be shared under the Data Protection Act (DPA). Regulators felt that it was often used as a barrier to positive information sharing. Our work in the field has shown us that lack of awareness within agencies around data compliance and governance is often compounded by a lack of understanding resulting in the creation of incorrect beliefs and knowledge. Officers felt that organisations 'hid' behind the DPA and that it was being misrepresented.

Our response would be to 'demystify' the DPA for regulators by producing a set of 'golden rules for sharing information' that is enhanced with good practice examples and examples of where the act has been used to proactively break down the barriers to information sharing. This issue has arisen as a barrier to information sharing in other areas of the Centre's work - specifically in relation to health and social care integration and safeguarding.

## Recommendation

### 3. Action is taken to increase opportunities for cross-organisational networking and relationship building, backed up with clear and consistent messages on the benefits of information sharing, helping to:

- a. Share knowledge between regulators, using peer-support networks, techniques such as 'speed dating' sessions, and themed awareness raising events and activities.
- b. Improve dissemination of good practice between regulators, through useful resources such as case studies, 'golden rules of good information sharing' factsheets, and interactive materials.

'South Northamptonshire Council, alongside other places, used their 'Better Business for All' programme, to facilitate organisational awareness days. Their 'speed dating' events helped to create peer learning to support local officers, and a regulator involved in some of these sessions enthused about the impact this had on improving their knowledge around information sharing.

## 3. Leadership and confidence

Business regulation is delivered by a wide range of agencies and organisations. Whilst regulators said they appreciated the importance of information sharing, our field research found they often find it difficult to exhibit confidence to drive through changes needed that would empower their workforce and other regulators to realise the benefits information sharing can provide. To increase confidence within regulatory bodies strong local leadership is required. This term refers to leaders at all levels, in some cases it refers to Chief Officers, including Chief Executives who have the role of setting the direction and creating an inspiring vision, whereas in other cases it refers to Senior Managers and Heads of Service who lead teams and manage services.

Regulatory bodies, which struggle to share information with their partners indicate they lack confidence via:

- ▶ organisational inertia that blocks attempts to change the information sharing culture
- ▶ risk-aversion (legal/financial) that leads to short-term decisions about whether information should be shared
- ▶ self-preserving instincts dominating discussions about information sharing between regulators

- ▶ myths about information sharing becoming entrenched and left unchecked within regulatory agencies.

### Specific findings:

The need to develop more effective, outcome focussed leaders, such as Heads of Service, was a significant topic for discussion. It was felt that 'whole-system change' was needed to empower people and organisations to think and act differently. Many of the participants agreed that a culture of inertia prevented significant change to take hold and there was a need for organisations to focus attention on the wider public good of their work as a means to inspire change.

Fear of legal repercussions represses innovation and negatively impacts on confidence to share information. Many regulators did not feel confident that they were operating legally by sharing information, and as such chose not to share.

It was also felt that information sharing would be costly, rather than deliver better services for less. With strong messages of austerity coming from leaders of all levels across regulators, some regulators felt they did not want to invest in changing their practice when it is difficult to quantify the benefits it could provide.

## Analytical response:

A lack of confidence and trust to share information between regulators and organisations that work alongside regulators, was cited repeatedly throughout our field research. Establishing a leadership network across the regulatory sphere will provide opportunities for Chief Executives and Senior Directors to share their experience, develop confidence and inspire their workforce to share locally and nationally. BBfA brings together businesses and regulators to consider and change how local regulation is delivered and received; there could be a role for BBfA to develop this network.

Senior Managers within Regulatory Services can overcome organisational inertia and develop their workforce's ability to share information if they can identify and dispel the common myths about why information is not routinely shared. During our field discussions we were told that regulators want greater emphasis on 'what works', and a good starting point for this change in emphasis is to ensure that they are able to separate fact from fiction and prevent myths from being perpetuated.

Regulators repeatedly expressed a desire for the creation of a neutral body that would be able to mediate in situations where partners were struggling to work collaboratively, or cases where they had reached an 'impasse' and could not agree how to resolve information sharing issues. This desire implies a lack of confidence amongst regulators in their own ability to navigate through the challenge of joined-up, multi-agency working. They would benefit from illustrative examples of where it has worked and what was needed to overcome inherent challenges to partnership working.

## Recommendation:

- 4. Regulatory Delivery and BBfA, potentially supported by other organisations, can support the development of leadership in the regulatory sector to create a sustained change in the information sharing culture, by:**
  - a. Establishing a leadership network that provides opportunities to discuss, capture and share more widely, experiences of successful information sharing strategies and the development of workforce confidence in sharing information.
  - b. Developing a 'myth-busting' guide that dispels common myths that are currently in circulation about why businesses' information cannot be shared, and helps translate policy into practice.

## 4. Communication and common purpose

Our research has identified that improving communication and developing links with communities could enable regulators to reach Small and Medium Enterprises (SMEs) and provide crucial information that supports them to grow and develop. Collation and analysis of common themes and risks, supported by information sharing, will enable delivery of locally focused campaigns to provide earlier help for businesses. Time and resource used in responding to high-profile incidents and media stories via Freedom of Information (FOI) requests could be reduced, if regulators take a more proactive approach to communicating with local communities about matters of public interest. In order to do this, regulatory services, communications teams and FOI officers need to collectively consider strategies for communication. This relies on information being shared swiftly.

Regulators often struggle to share information when they are unable to communicate clearly with each other or the businesses they regulate. Examples preventing information sharing we have uncovered in this context involve:

- ▶ regulatory process being surrounded by too much jargon, much of which is specific to the field from which it has originated
- ▶ regulators that need to share information with each other on 'hot topics', such as taxi licensing or the sale of fireworks, are prevented from developing a common understanding of these issues because their offices are not conveniently located nearby
- ▶ poor engagement with stakeholders, for example when regulators are not able to collect audit information from a restaurant where the owner doesn't have English as a first language, because the owner is fearful of the consequences of working with regulators.

### Specific findings:

Varying professional regulatory language causes confusion across regulators; this in turn has direct implications for information sharing. For example, if the regulators don't use the same professional language, they struggle to understand one another, resulting in disjointed conversations about information sharing.

In addition, a lack of knowledge of information sharing terminology means regulators are unsure of what information is available and therefore the exact terms to use when asking for information to be shared.

There is a raft of different legislation to which regulators work; they highlighted confusion about other regulators' legal gateways and boundaries which leads to a lack of consistency in recording and sharing information.

Regulators do not always understand the purpose of, and how the data they collect is used by national partners, so they don't always appreciate the value in collecting data, or recording it correctly. Participants explained in our field discussions that they recognised the value of data in developing campaigns to target common business risks and issues, but did not understand how data they were collecting was used nationally. As a result, they didn't always see the value of collecting it or recording it correctly.

### Analytical response:

In our field research we identified the lack of a common regulatory language between organisations as a barrier to information sharing, compounded by a lack of common understanding around the legal gateways and boundaries to sharing (as we identified in the previous section). Through our work with Government departments and in local areas we have seen the benefits of working with a common understanding of the purpose for sharing information. Potential benefits include the development of a shared vision for better business regulation, supporting economic growth and unleashing the potential of the workforce to support local businesses. Developing a single business regulation communication strategy and campaign plan, informed by data and information on common risks and issues to businesses, would establish a shared vision for business regulation services to work towards.

During our research we heard several examples where agencies have been uncooperative when responding to requests for information. This often occurs where agencies are working at a distance from each other and lack capacity to build productive relationships. Some delegates at our workshop advocated for co-locating regulators and associated organisations from local authorities and police services as a way in which they could develop both a common understanding of the purpose of their work and the means of communicating more effectively with each other. This could also prevent 'information overload' because partner agencies would gain greater awareness of what information is pertinent to the delivery of the other organisation's function.

Our research has highlighted that the focus of regulators' information sharing has shifted in a risk-averse climate, meaning that regulatory bodies struggle to ensure that business is always at the heart of their work. Attendees at our workshops and through field conversations reported that regulatory bodies had become confused with regulatory language and processes. Encouraging regulators, formally and informally, to talk in plain English to each other and to the businesses they regulate, would encourage a shared understanding of the importance of working together to support the local economy. This work should also be supported with additional good news examples where this approach has delivered positive results, helping to reduce confusion, empower practitioners and better support the business community.

## Recommendation:

### 5. Businesses are put at the heart of the regulatory process, by:

- a. Developing a communications strategy amongst regulators focusing on common issues in relation to businesses. For example, targeting illicit tobacco sales or dangerous fireworks as a partnership, highlighting the negative impact in terms of supporting criminal activity and danger in relation to these.
- b. Initiating discussions and consideration of how regulators can demonstrate better partnership working, including an exploration of opportunities for the co-location of regulators that need to work closely together on high profile issues, and an exploration of what is needed to develop this way of working on a national level.
- c. Ensuring that when regulatory bodies plan their information sharing activities in line with the draft Core Regulatory Competencies Framework, they engage with a wide range of stakeholders from their businesses and communities, to identify their concerns about how information is shared, and understand each stakeholder's information sharing requirements, gaining an understanding of their demands, pressures and resource implications along with their suggestions and innovative ideas. This process will also help to develop a shared local vision.

In Derbyshire and Nottinghamshire (D2N2) Fire and Rescue Service, a Black and Minority Ethnic (BME) Development Officer has been employed to assist with developing a shared understanding between Small and Medium Sized Enterprises (SMEs) and Fire and Rescue regulators. Businesses had been frightened of providing information for audits as they feared closure but engagement gave them the confidence to share information with the regulators who clarified that promotion and sustainability of the business was the desired outcome of the information sharing. Free workshops were offered to small businesses to enable them to understand the process of Fire Risk Assessments which could save them time and money as well as avoiding the possibility of prosecution. Community leaders and trained champions with cultural and language skills were utilised to help promote information sharing. The fostering of a greater understanding between the business and the regulator results in a more positive and compatible information sharing process.

## Conclusion

Regulatory Delivery is making regulation work for British business. This happens when businesses are enabled to innovate, export and grow and people and places are properly protected. This means that businesses and the people they serve need to be at the heart of regulation. However, a number of cultural barriers to information sharing have developed amongst regulators which prevent this from happening.

The regulatory landscape has grown considerably both in number and complexity. This is compounded by demographic changes combined with austerity measures. This has contributed to regulators' lack of knowledge of professional specialisms, as well as the associated information held by other local and national regulators.

This confusion about who else might have an interest in or involvement with a business results in the lack of a coordinated approach around the regulation of, and support to, businesses. Regulators can become in danger of engaging with businesses in silos, and without a common language or approach to their work sharing vital information about these businesses becomes exponentially harder. This has the additional effect of increasing the reporting burden on businesses. Greater information sharing provides the opportunity to lighten the load on responsible businesses and enables regulators to achieve better targeting of non-compliant businesses.

This is exacerbated by the lack of knowledge of, as well as misperceptions about, the Data Protection Act, and other legal gateways, and what can and cannot be shared. The cultural fear of getting this wrong linked

to reputational damage if information is not shared correctly and the threat of fines for inappropriate sharing of information has resulted in a culture of risk-aversion when it comes to sharing information.

Regulators have informed us that the negative effect of these cultural and organisational barriers is that businesses are frustrated by having to provide the same information to different regulators. A more joined up and streamlined reporting process may free them up by providing more time to concentrate on their business thereby helping it to grow and positively impacting on economic growth locally.

Putting businesses at the heart of regulation and ensuring that information sharing happens routinely requires a renewed focus from leaders that can promote the benefits, including the wider public good, of information sharing between regulators and work creatively to ensure that this becomes a reality. Co-location of regulators and those involved in prosecutions and 'speed dating' type sessions are two innovative approaches which bring greater awareness to regulators of each other, the information they hold and their different agendas.

The role of senior leadership at director level, in promoting the benefits of working with a common understanding of the purpose of sharing information cannot be underestimated. Good practice examples can illustrate this to good effect and we believe that more examples are urgently needed to help regulators overcome barriers to information sharing and ensure business is once again at the heart of their work.



# Appendix 1: Methodology



To maximise the opportunity to capture a broad range of opinion and practice amongst professionals and existing research on information sharing in regulatory services, the Centre took a three-pronged approach to this work;

- ▶ a desk based review of literature, including the consultation paper: 'Data sharing for non-economic regulators' (April 2014),<sup>5</sup> as well as the Government response to the consultation (March 2015)<sup>6</sup> and the Cambridge Centre for Housing and Planning Research – 'Encouraging inter-regulator data sharing: the perceptions of regulators' (Paul Sanderson et al. January 2015).<sup>7</sup>
- ▶ semi-structured interviews with five regulators in a selection of local places
- ▶ development and delivery of a workshop focussed on drawing out good practice and barriers to sharing across regulatory services
- ▶ facilitation of discussion and presentation on information sharing at a number of Regulatory Delivery events.

The outputs from these activities have been analysed and the findings, identified good practice, suggested solutions, and recommendations are presented in four emerging themes in this report:

1. Organisational culture and trust
2. Knowledge and awareness
3. Leadership and confidence
4. Communication and common purpose

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<sup>5</sup> [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/416618/15-211-data-sharing-response.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/416618/15-211-data-sharing-response.pdf)

<sup>6</sup> Ibid

<sup>7</sup> [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/416626/15-213-data-sharing-external-report.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/416626/15-213-data-sharing-external-report.pdf)



## Appendix 2: Pledges

During the workshop, delegates completed a 'pledge card' exercise, this encouraged delegates to think about what they can do to improve information sharing, and asked what key change would help to move information sharing forward nationally.

The 'pledge card' exercise asked delegates to complete the following sentence:

**"My information sharing pledge is"**, some of the responses are given below:

**'To share examples as case studies.'**

**'I will release 816 datasets as open data.'**

**'To promote the volume of information sharing through our Better Business for All partnership in Hertfordshire.'**

**'That I shall re-assess my approach to info sharing and share this experience with colleagues. I shall also assess each request or incident for sharing information as a case by case basis.'**

**'To feedback following information request made by myself to illustrate positive outcomes and achievements to highlight benefits. Workshops/training within my LA to promote intelligence/info sharing.'**

**'I will develop relationships with relevant regional contacts with all national organisations where applicable.'**

When asked what key change do you think would help to move info sharing forward nationally, delegates responses included:

**'Help people understand why DPA is not a barrier to info sharing.'**

**'Take away the 'blame' culture under sharing information - although I accept that this may be more of a general and personal view than can be addressed by national initiative.'**

**'National/regional networks to identify information regulation hold, what they can do/offer - explore opportunities for joint working.'**

**'It would be good to receive lots of examples of good practice on wider issues e.g. governance, culture, knowledge etc.'**

**'National agreements which can be signed locally by LA's (HMRC example).'**

**'Should make it easier to get agreement/MOU's past authority legal departments.'**

**'Local leadership to reduce the 'fear factor' and focus on improved outcomes which better sharing can deliver locally and nationally. More sharing of good practice!'**

## Appendix 3: Workshop tools



On the 26th of February 2016 the Centre hosted a workshop: 'Overcoming cultural barriers to information sharing'. The participants at the workshop were both national and local regulators identified by BRDO. The workshop encouraged participants to discuss the positive and negative aspects of information sharing whilst capturing ideas and good practice to further inform the recommendations for the May 2016 report.

The aim of the workshop was to:

- ▶ identify cultural barriers to information sharing
- ▶ uncover potential solutions to those barriers
- ▶ highlight the characteristics of successful information sharing
- ▶ capture and share good practice.

To enable us to do this, we worked up a fictional case study; 'The Sharetown 24hr Bakery and Off-Licence'. This was a fictional business with a multitude of possibilities and problems.

This case study provided the basis for two group sessions, where we asked delegates to understand the information/data they would record, what information they would share, and what level would they need to share it (i.e. local or national). The exercises were designed to initiate conversation and provoke debate, and understand cultural and organisational barriers.

### Workshop One Sharetown 24 hour bakery and off licence

**Establishment:**  
Sharetown 24hr Bakery  
and Off Licence

**Date established:**  
Business has been  
open over six months

**Owner:** Mr A. Kazam



During the workshop, Amanda Farrell (Senior Policy Analyst, BRDO) presented and asked participants 'Why Data Share?', the day also included a local regulator discussing the 'IRIS' project.

### Better Business for All, Shared Learning Day, 'The World Café'

During this session delegates spent fifteen minutes on the table and were encouraged to discuss the topic 'Identifying cultural barriers to data sharing'. Delegates shared what they are currently doing in this topic and considered how this should be shaped to form part of a regulatory offer.

### Workshop One Sharetown - current information

- Two complaints from neighbouring shop around mice infestation
- Reports of illicit cigarettes being sold in the local area have increased in the last six weeks
- Five recent reports to Police of increased anti-social behaviour outside the shop involving a group of 15 year olds who were in possession of alcohol
- Mr Kazam has a licence to sell alcohol but the bakery side of the business has not been declared
- The two other businesses owned by Mr Kazam have been established for 6 years
- Overfilled bins outside the shop and littering noticed by local warden
- Shop seems to be managed by a teenager who has English as a second language
- Supply food beyond the use-by date
- Fly tipping of waste identified as coming from his scrap business

### Five key learning points that came from the World Café were:


1. Regulators should separate 'can't share' from 'won't share'. It was identified that there were key reasons not to share: systemic, legislative and cultural. It is important that delegates find out how real the barriers are, and they are not put off because it was 'hard'.
2. Regulators should undertake work to understand which types of information they needed to know about their business, and which they needed to share. Through this information-mapping process, the administrative burden of collecting, maintaining and sharing unnecessary regulatory data would be reduced.
3. Regulators should take time to build strong relationships with partner agencies. This is essential as successful information sharing is all about mutual trust.
4. Regulators should see devolution as an opportunity to recognise good practice and to acknowledge that successful outcomes have been achieved where there is a clear, strategic approach to information sharing.
5. Regulators should highlight good practice. If they have shared information successfully, and can show the benefits from doing so, they should publicise this as widely as possible to encourage and support others in the industry.

### Workshop Two

Why is there a barrier to sharing information?

What could you do now to overcome this barrier? A) Locally B) Nationally

What good practice are you currently aware of/ have you implemented that can help you overcome this barrier?



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