

**Appendix E – Data Privacy Impact Assessment**

<i>Classification</i>	<b>Official</b>
<i>Distribution</i>	<b>Internal</b>
<i>Status</i>	<b>Issued</b>
<i>Filename</i>	<b>DPIA Enhanced Housing Management for Refugees Service</b>
<i>Version</i>	<b>1.0</b>
<i>Date</i>	<b>11/10/2018</b>

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**DATA PRIVACY IMPACT ASSESSMENT DOCUMENT**

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## **Screening Questions**

These questions are intended to help you decide whether a DPIA is necessary. Answering 'yes' to any of these questions is an indication that a DPIA would be a useful exercise. You can expand on your answers as the project develops if you need to.

Question	Response
Will the project involve the collection of new information about individuals?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will the project compel individuals to provide information about themselves?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the project involve you using new technology that might be perceived as being privacy intrusive? For example, the use of biometrics or facial recognition.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the project result in you making decisions or taking action against individuals in ways that can have a significant impact on them?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? For example, health records, criminal records or other information that people would consider to be private.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the project require you to contact individuals in ways	

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that they may find intrusive?

☐ Yes

☒ No

## **Data Privacy Impact Assessment**

The template follows the process that is used in the ICO's PIA code of practice.

### **Step One - Identify the need for a DPIA**

Explain what the project aims to achieve, what the benefits will be to the organisation, to individuals and to other parties. You may find it helpful to link to other relevant documents related to the project, for example a project proposal. Also summarise why the need for a PIA was identified (this can draw on your answers to the screening questions).

#### **Aims**

Herefordshire Council has committed to resettling 95 refugees in Herefordshire under the Syrian Vulnerable Persons Resettlement Scheme (SVPRS) and Vulnerable Childrens Resettlement Scheme (VCRS). Following the initial year of orientation and support, during which the families make significant steps towards independent living, a service for the provision of enhanced housing management during the second and third year of resettlement is commissioned. Further details of the service can be found in the [service specification](#).

The adults in the refugee families will be encouraged to provide information about themselves and their families, as appropriate, so that the provider can support them. Enhanced Housing Management involves ensuring tenants are able to understand and manage their tenancy, budgeting, how to make their home safe and secure and integration with the local community. The provider may also make a referral to other services, which would require information sharing with consent from the person concerned. In some cases (where an adult or child is at risk of harm and safeguarding applies), information may be shared without the consent of those concerned.

#### **The Need for a Privacy Impact Assessment**

It is by exception where persons information will be shared with or gathered from other organisations without their consent, and only in cases where safeguarding may apply in order to reduce the likelihood of an adult or child experiencing significant harm. However, there is a chance that a person (service user's) privacy will be impacted under such circumstances and hence why this DPIA is required.

### **Step Two – Describe the Information Flows**

You should describe the collection, use and deletion of personal data here and it may also be useful to refer to a flow diagram or another way of data flows. You should also state how many individuals are likely

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to be affected by the project.

A handover of information will be provided by the Orientation and Support provider in the first instance. It will be explained to each service user how their information will be used, including who it will be shared with and why information from other organisations might be gathered. This will enable the service user to provide informed consent to information sharing.

The circumstances under which the enhanced housing management service may share their personal information with other organisations will also be made clear to the service user.

The enhanced housing management service will have information sharing agreements in place with partner organisations, such as adults and children's social care and the police to ensure information shared is necessary, proportionate and exchanged securely.

There are 95 people resettled in Herefordshire under the SVPRS and VCRS to date, with an additional four births. These people are currently housed in 23 separate households. This may give a sense of the number of service users affected by the newly commissioned service.

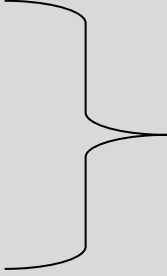
### **Step Three – Identify the Privacy and related risks**

#### **Principle 1 – Information shall be processed fairly, lawfully and in a transparent manner**

Privacy issue		Comments			
Have you identified the purpose of the project?		Yes – see above under aims			
How will you tell individuals about the use of their personal data?		The commissioned service will explain how their personal data will be used/shared, including why and which personal information may be gathered about them from other organisations,			
Do you have a Privacy Notice in place to cover the processing of this data? If so does it need to be updated?		The commissioned service must provide a current privacy notice to all service users.			
Please tick the data items collected.  <div>Personal</div>		<div><input checked="" type="checkbox"/> Name</div> <div><input checked="" type="checkbox"/> Date of Birth</div> <div><input checked="" type="checkbox"/> Address</div> <div><input checked="" type="checkbox"/> Post Code</div> <div><input type="checkbox"/> Next of Kin</div> <div><input checked="" type="checkbox"/> Sex</div> <div><input type="checkbox"/> National Insurance Number</div>			

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<p>Sensitive</p> 	<div><input type="checkbox"/> Sexual Orientation</div> <div><input checked="" type="checkbox"/> Religion</div> <div><input checked="" type="checkbox"/> Ethnic Origin</div> <div><input type="checkbox"/> Genetic / Biometric status and language.</div> <div><input type="checkbox"/> Political Opinions</div> <div><input checked="" type="checkbox"/> Physical or Mental Health</div> <div><input type="checkbox"/> Union Membership</div> <div>Other (please state): Immigration</div>
<p>Who provides the information?</p>	<p>Adults in the household</p>
<p>Have you established which schedule 2 conditions for processing apply? (The conditions can be found <a href="#">here</a>.)</p>	<p><b>Consent:</b> the individual has given clear consent for you to process their personal data for a specific purpose.</p> <p><b>Vital interests:</b> the processing is necessary to protect someone's life.</p> <p><b>Public task:</b> the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law. (Applicable to commissioning process not the provider)</p>

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<p>If sensitive personal data is involved, have you established which schedule 3 conditions for processing apply? (The conditions can be found <a href="#">here</a>.)</p>	<p>The data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;</p> <p>Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;</p> <p>Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;</p> <p>Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.</p>
<p>If you are relying on consent to process personal data, how will this be collected and recorded?</p>	<p>Consent will be obtained from the person and recorded on their file.</p>
<p>Do you need to validate the age of the data subject and if so how will this be done?</p>	<p>No</p>
<p>Have you checked and confirmed that the data subject has capacity to give consent?</p>	<p>Any doubts about the capacity for a service user to give consent will be raised with adult social care for further advice.</p>

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**Principle 2 – Information shall be collected for specified, explicit and legitimate purposes and not further processed for other purposes incompatible with the original purpose**

Privacy issue	Comments
Please state the purpose for the processing of the data: <i>for example research, audit, service provision</i>	1. Identifiable personal data will be used for the purpose of assessing risk to service users and any children), as well as ensuring organisations are joined up in responding to the needs of the individual.  2. Sensitive personal information will be gathered from service users for two purposes –  a) to ensure the service is accessible, takes into account all of their circumstances and meets all of their needs/beliefs  b) to ensure equity of service to all service users and that the service continually responds, improves and shares
Which personal data could you not use without compromising the needs of the project?	All personal data is required and will be used. It is the discretion of the service user what they choose to disclose but on the understanding that the enhanced housing management service may be limited in their ability to provide a response.

**Principle 3 – Adequate, relevant and limited to what is necessary in relation to the purposes**

Privacy issue	Comments
Is the quality of information good enough for the purpose it is used?	Yes

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#### Principle 4 – Accurate and kept up to date

Privacy issue	Comments
How are you ensuring that the personal data obtained from individuals or other organisations is accurate?	Personal information will be obtained directly from service users and recorded.
How will the information be kept up to date and checked for accuracy and completeness?	Regular contact by phone and in person will be maintained during the contract period.
If the data subject withdraws their consent how will this be actioned and recorded?	The enhanced housing management service will make note of the withdrawal of consent, including the date, and take any required action, including notifying other organisations involved.
Is there a documented process to amend and/or delete data when necessary?	The enhanced housing management service will have a documented process to amend and/or delete data when necessary.

#### Principle 5 - Kept in a form that permits identification no longer than is necessary

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Privacy issue	Comments
What are the retention periods for the data?	The enhanced housing management service will have in place and adhere to a data retention policy which is aligned to the retention of records in relation to both adults and children.
Are you procuring software that will allow you to delete information in line with your retention periods?	This will be a decision for the commissioned service aligned to their data retention policy and process.
How will the data be destroyed when it is no longer required?	This will be a decision for the commissioned service aligned to their data retention policy and process.

**Principle 6 - Processed in a way that ensures appropriate security of the personal data**

Privacy issue	Comments
Do the systems provide protection against the security risks identified?	It is the responsibility of the commissioned service to ensure their systems are secure and aligned to their data protection policy.
What training and /or guidance is in place to ensure that staff know how to operate the system securely?	It is the responsibility of the commissioned service to ensure their staff know how to operate their system securely.

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Is there a useable audit trail in place for the system/asset?	It is the responsibility of the commissioned service to have audit trails in place.
Where will the information be kept/stored/accessed?	It is the responsibility of the commissioned service to ensure all data is stored securely.
Will any information be set off site?  If yes where will it be sent and how will it be transferred?	As above. Additionally, the commissioned service must ensure that any information sent elsewhere is done so securely.
Is there an access policy in place which covers the data referred to in the DPIA?	The commissioned provider will have in place controls to ensure that access levels are in accordance with necessity for staff to view records.  The commissioned provider must also ensure they are able to respond to any subject access requests.
Is there a contingency plan/back up policy in place to manage the effect of an unforeseen event?	The commissioned provider will have contingency plans in place in case of an unforeseen event.
Are there procedures in place to recover data (both electronic and paper) which may be damaged through human error, computer virus, network failure, theft, fire or flood?	The commissioned provider will have procedures in place to recover data.

### **Rights of the individuals**

<b>Privacy issue</b>	<b>Comments</b>
What process is in place to support answering Subject Access Requests?	The commissioned provider must ensure they are able to respond to any subject access requests.

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Do you intend to send direct marketing messages by electronic means?	No
If applicable are there any procedures in place for an individual to prevent processing for purpose of direct marketing.	The commissioned provider must ensure they are able to gain appropriate consent if direct marketing is to be used.
Is automated decision making used?  If yes how will you notify individuals?	No
Have you assessed that the processing of personal/sensitive data will not cause any unwarranted damage or distress to the individuals concerned?	<p>The enhanced housing management service will be gathering sensitive and personal information from service users, but how much they choose to disclose is under the control of the service user.</p> <p>The circumstances under which personal information may be shared without consent will be made clear to the service user. In the event of information sharing for the purposes of safeguarding or child protection, this may cause distress to the individual but this is superseded by the both the Council's and any commissioned service's responsibility to protect any person from the risk of significant harm.</p>
What procedures are in place for the rectifying/blocking of data by individual request or a court order?	The commissioned service will be required to have such procedures in place.
Will the information be shared with any other organisation or third parties?	It may be depending on the circumstances of the service user, with consent unless safeguarding applies.

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#### **Step 4 – Completion of Risk Assessment**

Application / Software Name.....

Information Asset Owner Title.....

Directorate.....

**\*\*This risk assessment will be completed by the enhanced housing management service provider\*\***

<b><u>Risks Identified</u></b>	<b><u>Solutions</u></b>	<b><u>Evaluation</u></b> (would the risk eliminated, reduced or accepted?)

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**Step 5 – Sign off and record of DPIA outcomes**

**\*\*This risk assessment will be completed by the enhanced housing management service provider\*\***

<u>Risks</u>	<u>Approved Solution</u>	<u>Approved by</u>	<u>Date Approved</u>

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