

Privacy Impact Assessment

Introduction

The Council handles information about individuals, such as residents, service users and its staff. A privacy impact assessment (PIA) is a process which helps the Council to assess privacy risks to individuals in the collection, use and disclosure of information. They help identify privacy risks, foresee problems and bring forward solutions.

Purpose

There are a number of reasons why the Council needs to conduct a PIA for its projects:

- To identify privacy risks to individuals
- To identify privacy and data protection liabilities for the Council
- To protect the Council's reputation
- To instil public trust and confidence in it's services and new projects

By conducting a PIA, the Council will identify and manage privacy risks appropriately whilst also understanding the type of information which is being included in projects.

Procedure

The first step in the process is to identify the need for a PIA. The screening questions are designed to help responsible officers to decide if a PIA is necessary and they are also designed to be used by project managers and other staff who are not familiar with data protection or privacy matters. The screening questions allow 'non-experts' to identify the need for a PIA as they are best placed within the Council to understand the types of information being processed.

For all new projects or changes in processes (or any activity which could have an impact on the privacy of individuals), the screening record form must be completed and signed off by the Chief Officer (or delegated officer) to show that the Council have considered the types of information being processed.

In some cases a PIA isn't required however justification for not completing the assessment must be recorded on the screening form as part of the audit trail.

Where the screening form indicates that a PIA should be completed, the template provides key privacy risks which the responsible officer will need to apply to the project/change in process and assess the risk as described in Appendix A of the template. It is usual for an officer involved with the project/change in process to complete the PIA however final sign off by the Chief Officer (or delegated officer) is required is required.

Definitions

A **Project** is a new project or any change in process regarding the handling of Personal Information; it includes obtaining, recording, holding/storing, disclosing, transmitting or disseminating personal information. Any activity which could have an impact on the privacy of individuals.

Personal Information is any information which relates to a living individual who can be identified – (a) from that information, or (b) from that information and other information which is in the possession of, or is likely to come into the possession of, the Council.

Sensitive personal information is personal information (as described above) consisting of information as to –

- a) the racial or ethnic origin of the data subject
- b) his/her political opinion
- c) his/her religious beliefs or other beliefs of a similar nature
- d) whether he/she is a member of a trade union (within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992)
- e) his/her physical or mental health or condition
- f) his/her sexual life
- g) the commission or alleged commission by him/her of any offence, or
- h) any proceedings for any offence committed or alleged to have been committed by him/her, the disposal of such proceedings or the sentence of any court in such proceedings

VERSION	Version 3
DATE AGREED	November 2012
NEXT REVIEW DATE	November 2014
AGREED BY	Corporate Management Team
COVERAGE	This Procedure applies to Bracknell Forest Council
AUTHOR(S)	Information Management and Security Officer

Amendment to V1 – Penny O’Callaghan – reviewed and refreshed to take into account restructure December 2013

Amendment to V2 – Penny O’Callaghan – inclusion of risk column, rewording of some sections, Appendix A added and additional guidance April 2014

Screening Record Form for New Project / Change in Process / or any activity which could have an impact on the privacy of individuals

Date of Screening:	Directorate: Environment Culture & Communities	Section: Libraries
1. Project to be assessed	Library Self Service and Technology Assisted Opening	
2. Officer responsible for the screening	Mandy Bates, Fiona Atkinson	
3. What is the Project?	<input type="checkbox"/> Policy/strategy <input checked="" type="checkbox"/> Function/procedure <input type="checkbox"/> Project <input type="checkbox"/> Review <input type="checkbox"/> Service <input type="checkbox"/> Organisational change	
4. Is it a new or existing handling of Personal Information?	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Existing	
5. Personal Information involved	<input checked="" type="checkbox"/> Personal Information (information about an identifiable individual) See definitions <input type="checkbox"/> Sensitive Personal Information (such as health information or information about any offence) (*also tick Personal Information) See definitions <input checked="" type="checkbox"/> Over 1,000 records of Personal Information	
6. Type	<input checked="" type="checkbox"/> Collecting new Personal Information <input checked="" type="checkbox"/> Re-using existing Personal Information <input type="checkbox"/> Sharing Personal Information with another organisation <input checked="" type="checkbox"/> The project uses new or additional information technologies which have the potential for privacy intrusion	
	If two boxes are ticked at section 5 and one box at section 6 a full Privacy Impact Assessment should be undertaken.	
7. Summary of the business case justifying the Project	Please describe briefly its aims, objectives and main activities as relevant. Bracknell Forest library service consists of nine libraries located across the Borough. In addition, there is a home library service providing library resources to housebound customers.	

	<p>Unlike most library services around the Country, Bracknell Forest's libraries have not yet benefited from investment in new self-service technology that can bring efficiencies and an enhanced offer to customers.</p> <p>The Transformation Programme, specifically the Library Services review, has identified that a different business model including self-service could deliver significant savings.</p> <p>Different options were considered in the Analyse Phase Gateway Review on 20th July 2016 as well as at an additional mini gateway review workshop held on the 4th October 2016. However it was agreed at the Plan Phase Gateway Review on 30th January 17 that the introduction of Self Service Kiosks and Technology Assisted Opening (TAO) would form part of a new model to deliver efficiencies and savings across the Library service.</p> <p>The project is closely linked to a wider transformation of the library service, in particular: a new vision for the service and refocusing of its activities and its image; increased hours of access; a programme of staff restructuring and culture change; and extended use of volunteers in libraries.</p> <p>In summary, the introduction of new technology in the Library Service will provide:</p> <ol style="list-style-type: none"> 1. Self-service that enables customers to issue and return books and pay library charges for themselves, without the need of staff intervention 2. Technology Assisted Opening (TAO) that enables library members to access Library premises when the libraries are closed and to make use of the full range of facilities on offer 		
<p>8. On the basis of sections 5 and 6 above is a full impact assessment required?</p>	<p>Y ✓</p>	<p>N</p>	
<p>9. If a full Privacy Impact Assessment is not required; what action will be taken to reduce and avoid privacy intrusion? Please complete the action plan in full, adding more rows as needed.</p>			
<p>Action</p>	<p>Timescale</p>	<p>Person Responsible</p>	<p>Milestone/Success Criteria</p>

10. Chief Officer / Head of Service (or delegated officer's) signature.	Signature:		Date:

When complete please retain on the file and send a copy to Legal Services Penny.O'Callaghan@bracknell-forest.gov.uk.

Have you considered whether you need to do an Equality Impact Assessment?

Privacy Impact Assessment Template for New Project / Change in Process / or any activity which could have an impact on the privacy of individuals

The following should be completed and retained on the file with a copy provided to Legal Services Penny.O'callaghan@bracknell-forest.gov.uk

Project name	Library Self Service and Technology Assisted Opening
Department	Environment Culture & Communities
Chief Officer / Head of Service (or delegated officer)	Gareth Jones/Fiona Atkinson
Are members of the public in favour of the project, if so, provide details and refer to supporting evidence	Yes. As part of the transformation project the public have been consulted on the proposals. 78% agreed that the council should implement Option 2, the Council's preferred option;

Instructions for completion

Some cells within the assessment have already been completed and you will need to complete the following cells:

Answer: This response should relate to the question being asked and confirm whether existing controls are already in place e.g. Q1, Yes – Council documentation includes a statement which details how the information will be used and who it will be shared with or No – The Council hasn't informed the individual yet.

Assessment of risk:

In the Assessment of Risk column, score the risk in terms of **Likelihood** and **Impact** using the matrix in **Appendix A** as a guide.

By plotting the numbers on the matrix, you will be scoring them against CMT's tolerance level and you will be able to determine if they are classed as green, amber or red. Enter the appropriate colour in the **Tolerance** cell.

Corrective action/recommendation: You will be able to complete this once you have scored the risk.

Green risks – no further action is required as the risk is at a suitable level

Amber risks – You may need to take further action in an attempt to mitigate the risk down to a green. Fill in the cell if this action is appropriate and consider whether the risk is acceptable at its current level.

Red risks – These are significant risks where attention is required and cannot be tolerated at that current level. You will need to take corrective action to mitigate against the risk.

Priority: This column relates to the priority of the corrective actions and generally should be assessed as:

Red risks – Priority 1 (High)

Amber risks – Priority 2 (Moderate)

Green risks – Priority 3 (Low)

Privacy Impact Assessment

Category 1: Purpose Specification						
Question	Rationale	Answer (Yes/No/N/A)	Risk	Assessment of risk	Corrective action / recommendation	Priority (1,2,3)
1. If personal information is collected will the individual be informed of how it will be used and who, if anyone, it may be shared with?	The purpose of information collection should be stated when the data is collected. Subsequent data use should be limited to stated or compatible purposes. Making your purpose statement available to the public provides greater openness.	Yes for LMS No The council has not informed the individual yet regarding CCTV	Use of data is not restricted to the original intended purpose or compatible purpose communicated to the individual.	Likelihood score: 1	Comment - All information collected on the self service kiosks and door control is passed to the Library Management System (LMS). The LMS complies with the councils assessed privacy risk to individuals. The membership forms contain the Council's Fair Processing Notice (Information will not be passed to third parties) Audit data held by self service and TAO will use membership number rather than individual details. Additional CCTV images will be recorded when the library is open with no staff. These images will be retained for an agreed period before being deleted. The public will be notified as part of the TAO guide. The relevant image of	
				Impact score: 2		
				Tolerance colour: Green		

					an individual will not be passed to a third party except the police if needed for a criminal investigation.	
2. Is this project needed to deliver services to the public? If not, processing should be with the person's freely given consent.	The Council can process personal information in order to fulfil its statutory responsibilities. If it is not necessary in order to provide a statutory service, the processing should be with the person's freely given consent.	Yes	Consent is not obtained as required.	Likelihood score:1	Comment - It is a statutory requirement for the Council to provide a library service but not a statutory requirement that people use the service.	
				Impact score: 2		
				Tolerance colour: Green		
3. Have the pieces of information the Council needs to collect to fulfil the project's purpose been identified.	Only the amount and type of data needed to achieve a project's purpose should be collected.	No	Data is collected that is in excess of what is strictly required to deliver the project objectives	Likelihood score: 1	Comment – Data is collected in the LMS and the self issue machine and door access software will be configured not to collect data other than membership number. CCTV images are already collected in libraries. However, additional images will be taken when the library is open without staff. This is to ensure public safety and record any significant events e.g. library books being removed without scanning.	
				Impact score:2		
				Tolerance colour: Green		
4. Will there be a review of whether	Privacy is promoted when the Council	Yes	Regular reviews are not	Likelihood score:3	Comment - the LMS system will be reviewed to test that	

the pieces of information collected are still needed?	reviews whether excessive information is being collected and acts accordingly.		undertaken to confirm that information still needs to be collected or retained.	Impact score:2 Tolerance colour: Green	the system complies with the management privacy risks. The Self service kiosk and door access control does not retain personal data. CCTV policies will be reviewed as part of management privacy risks.	
Category 2: Collection Specification						
Question	Rationale	Answer (Yes/No/N/A)	Risk	Assessment of risk	Corrective action / recommendation	Priority (1,2,3)
5. Will the Council only collect the personal information that is needed for the system's purpose?	The Council should not collect personal information it does not need. Limiting the collection minimises the possible use of inaccurate, incomplete or outdated information. It also reduces the information that can be compromised should a breach occur.	Yes	Data is collected that is in excess of what is strictly required to meet the purpose of the system.	Likelihood score: 1 Impact score: 2 Tolerance colour: Green	Comment –The LMS is where personal data about the public is stored. The new systems will not collect personal information except CCTV images.	
6. Will the personal information be obtained by consent? If not, provide details.	Information should be obtained by consent or in a way that is not inappropriately intrusive.	Yes	Consent is not obtained for the information collected.	Likelihood score:1 Impact score:3 Tolerance colour: Green	Comment – The LMS system holds the data. The membership forms contain the Council's Fair Processing Notice (Information will not be passed to third parties) The public will be informed about the use of CCTV	

					during non-staff times. It is then the public's choice whether they use the service.	
Category 3: Records Management						
Question	Rationale	Answer (Yes/No/N/A)	Risk	Assessment of risk	Corrective action / recommendation	Priority (1,2,3)
7. Will there be procedures in place to verify data is accurate, complete, and current?	The Council are required to keep information accurate and when appropriate, up to date. The Council must make reasonable efforts to minimise the possibility of using inaccurate, incomplete, or outdated information.	Yes	Procedures and controls do not ensure that data is accurate, complete and up to date.	Likelihood score:4	Comment – The LMS contains the personal information. Customers will be encouraged to keep their details up to date.	
				Impact score:2		
				Tolerance colour: Green		
8. Will information be retained for no longer than necessary? Does the Retention Schedule need to be amended/updated as a consequence of this project?	The Council must not keep personal information for longer than necessary and has a Records Retention Schedule which should be complied with. If amendment is needed to this Schedule, please submit a request form; available at the last page of the Schedule.	No	Personal information is not removed when it is no longer required.	Likelihood score:1	Comment – Self service kiosk and door access control do not hold personal data. The system controls the deletion of CCTV images after a defined period of time in system configuration. This requirement will be included in tender specification.	
				Impact score:2		
				Tolerance colour: Green		
9. Will there be a procedure to provide notice of	The Council may want to consider establishing logs and audit trails to	n/a	There is no clear trail to identify who has been	Likelihood score:		

correction or modification of information to third parties (if any)?	identify users and third parties that received personal information. This would allow the Council to notify down-the-line users when data are modified from those originally transmitted.		provided with data and end users could potentially be using data that is out of date.	Impact score:		
				Tolerance colour:		

Category 4: Use Limitation

Question	Rationale	Answer (Yes/No/N/A)	Risk	Assessment of risk	Corrective action / recommendation	Priority (1,2,3)
10. Will the use or disclosure of personal information limited to the purposes it was collected for?	Personal data must be collected for specified, explicit, and legitimate purposes and not used in a way that is incompatible with those purposes.	Yes	Personal information is used or disclosed for purposes not intended when it was originally collected.	Likelihood score:1	Comment - The LMS retains the personal information. The information will only be used for the delivery of self service and TAO. CCTV images will only be kept for a limited period.	
				Impact score:3		
				Tolerance colour: Green		
11. Will access to personal information be limited to staff/contractors that need the data for their work? If so, describe how.	Employee/contractor access can be limited by policies and procedures or system design. User access should be limited to the information that each employee needs for official duties.	Yes	The security of information is not sufficiently robust to ensure it can only be accessed by employees/contractors who need the data for their work.	Likelihood score: 1	Comment – All library staff access to LMS to fulfil their role. Access to CCTV images will be limited to staff who need to investigate key events. Those staff needing access will be identified as part of the project and receive appropriate training. System security will be used to limit access and this will form part of the tender specification.	
				Impact score:3		
				Tolerance colour: Green		

Category 5: Security Safeguards

Question	Rationale	Answer (Yes/No/ N/A)	Risk	Assessment of risk	Corrective action / recommendation	Priority (1,2,3)			
12. Will there be appropriate technical security measures in place to protect data against unauthorised access or disclosure?	The Council are required to have appropriate technical and organisational measures in place to ensure personal information is protected from unauthorised access, unlawful processing, accidently loss or destruction of, or damage to personal information.	Yes	System access controls are not sufficiently robust to prevent unauthorised access or disclosure.	<table border="1"> <tr> <td data-bbox="1173 264 1358 396">Likelihood score: 1</td> </tr> <tr> <td data-bbox="1173 399 1358 531">Impact score:4</td> </tr> <tr> <td data-bbox="1173 534 1358 699">Tolerance colour: Amber</td> </tr> </table>	Likelihood score: 1	Impact score:4	Tolerance colour: Amber	Corporate ICT and supplier will advise of necessary security measures to ensure appropriate controls	
Likelihood score: 1									
Impact score:4									
Tolerance colour: Amber									
13. Will there be appropriate physical security in place?	Technical security receives more attention, but physical security is also important.	Yes	Physical access controls are not sufficiently robust to prevent unauthorised access or disclosure.	<table border="1"> <tr> <td data-bbox="1173 703 1358 805">Likelihood score:2</td> </tr> <tr> <td data-bbox="1173 808 1358 911">Impact score: 4</td> </tr> <tr> <td data-bbox="1173 914 1358 1339">Tolerance colour: Amber</td> </tr> </table>	Likelihood score:2	Impact score: 4	Tolerance colour: Amber	Comment – Location of CCTV images to be in a secure location.	
Likelihood score:2									
Impact score: 4									
Tolerance colour: Amber									

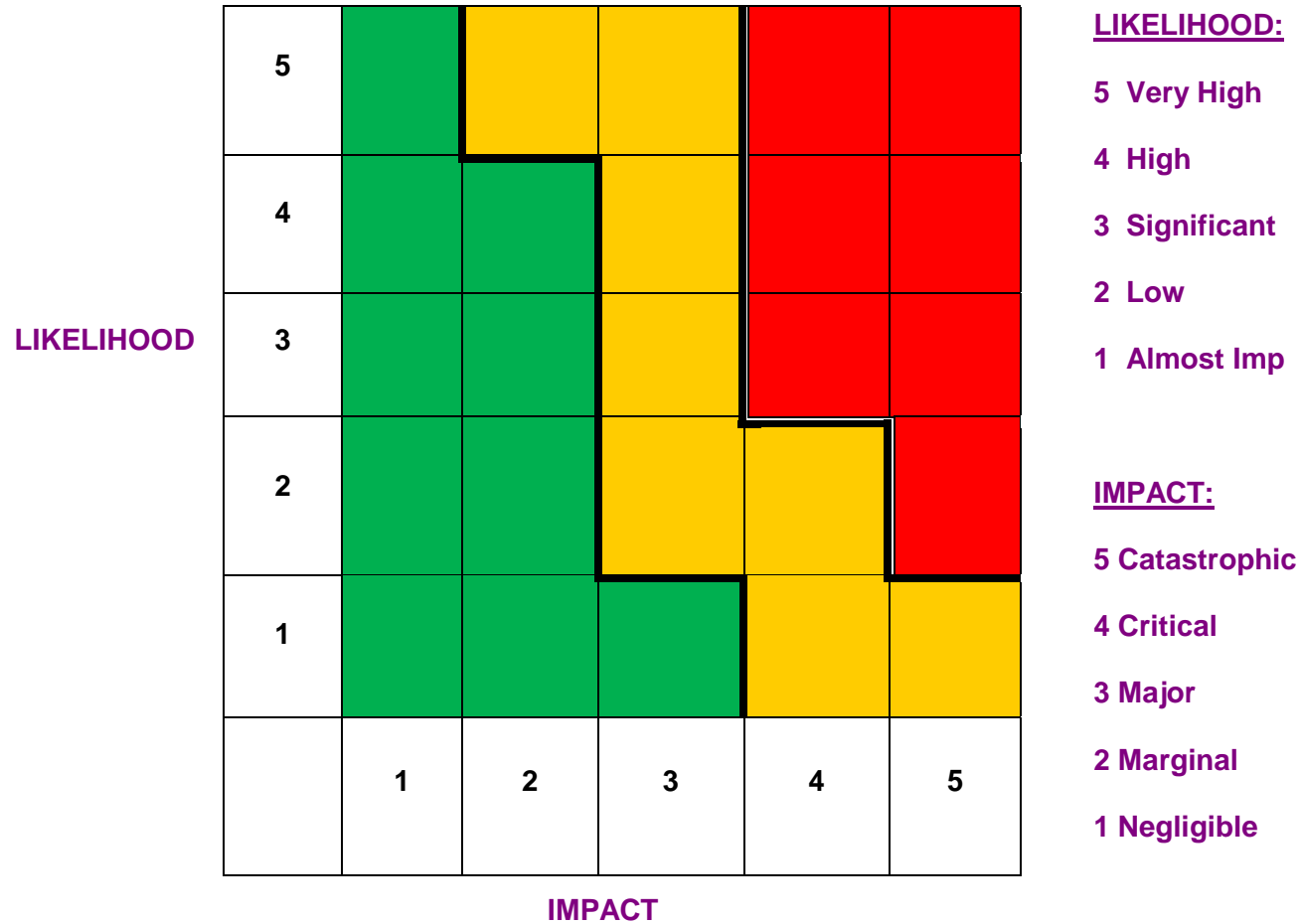
<p>14. Will mechanisms be in place to identify:</p> <ul style="list-style-type: none"> • Security breaches? • Disclosure of personal information in error? 	<p>The Council has an Incident Management Reporting Procedure but it should also consider plans to identify security breaches (such as audit trails) or inappropriate disclosures of personal information. Mechanisms should be established to quickly notify affected parties so they can mitigate collateral damage.</p>	<p>Yes</p>	<p>Culture, training and communication of policies and procedures for reporting incidents do not ensure that all significant breaches are reported to the Information Security Officer.</p>	<p>Likelihood score:1</p>	<p>Comment - The staff are regularly trained on the council's information security policy and procedures.</p>	
				<p>Impact score:1</p>		
				<p>Tolerance colour: Green</p>		

Conclusion

<p>Comments of Chief Officer/Head of Service</p>	
<p>Approved by Chief Officer/Head of Service</p> <p>Date:</p>	<p>In my view the [potential] privacy intrusion of this project are justified, necessary and proportionate. I agree that the issues raised in this assessment should be addressed</p>

Appendix A

We do not have the resources to manage every risk so we need to establish what risks are most likely to happen and what the impact will be. This allows us to focus our efforts on the highest risks. A Council wide scoring methodology of impact and likelihood has been developed to help establish if risks are above the tolerance level determined by CMT. This is set out in the simple risk matrix below:



The scoring of risks is a judgement based assessment but the following can be used as a guide for assigning scores to risks.

CRITERIA FOR ASSESSING LIKELIHOOD

PROBABLILTY	SCORE	DEFINITION
Almost impossible	1	Rare (0-5%).The risk will materialise only in exceptional circumstances.
Low	2	Unlikely (5-25%). This risk will probably not materialise.
Significant	3	Possible (25-75%). This risk might materialise at some time
High	4	Likely (75-95%). This risk will probably materialise at least once.
Very High	5	Almost certain (>95%). This risk will materialise in most circumstances.

Note: the timeframe over which the risk should be assessed should usually be the one-year time frame of the Service Plan or the life of a particular Project/Programme or Partnership – dependent upon the level of risks being considered.

CRITERIA FOR ASSESSING IMPACT

	Negligible	Minor	Major	Critical	Catastrophic
Score	1	2	3	4	5
Disruption to established routines/operational delivery	No interruption to service. Minor industrial disruption.	Some disruption manageable by altered operational routine.	Disruption to a number of operational areas within a location and possible flow to other locations.	All operational areas of a location compromised. Other locations may be affected.	Total system dysfunction. Total shutdown of operations
Damage to reputation	Minor adverse publicity in local media.	Significant adverse publicity in local media.	Significant adverse publicity in national media.	Significant adverse publicity in national media. Senior management and/or elected Member dissatisfaction.	Senior management and/or elected Member resignation/removal.
Security	Non notifiable or reportable incident.	Localised incident. No effect on operations.	Localised incident. Significant effect on operations.	Significant incident involving multiple locations.	Extreme incident seriously affecting continuity of operations.
Financial (Organisation as a whole or any single unit)	<1% of monthly budget	>2% of monthly budget	<5% of monthly budget	<10% of monthly budget	<15% of monthly budget

	Negligible	Minor	Major	Critical	Catastrophic
Score	1	2	3	4	5
General environmental and social impacts	No lasting detrimental effect on the environment i.e. noise, fumes, odour, dust emissions, etc. of short term duration	Short term detrimental effect on the environment or social impact i.e. significant discharge of pollutants in local neighbourhood.	Serious local discharge of pollutants or source of community annoyance within general neighbourhood that will require remedial attention.	Long term environmental or social impact e.g. chronic and significant discharge of pollutants.	Extensive detrimental long term impacts on the environment and community e.g. catastrophic and/or extensive discharge of persistent hazardous pollutants.
Corporate management	Localised staff and management dissatisfaction.	Broader staff and management dissatisfaction.	Senior management and /or elected Member dissatisfaction. Likelihood of legal action.	Senior management and/or elected Member dissatisfaction. Legal action.	Senior management and/or elected Member resignation/removal.
Operational management	Staff and line management dissatisfaction with part of a local service area.	Dissatisfaction disrupts service.	Significant disruption to services.		Resignation/removal of local management.
Workplace health and safety	Incident which does not result in lost time.	Injury not resulting in lost time.	Injury resulting in lost time. Compensatable injury.	Serious injury /stress resulting in hospitalisation.	Fatality (not natural causes)