



## Data Protection Impact Assessment

### Ref. No. 40 – Domcare Framework

**IMPORTANT:** This Data Protection Impact Assessment (DPIA) is an important means of evidencing our compliance with the requirements of the Data Protection Act 2018 and the General Data Protection Regulation. It must be completed fully and accurately and submitted in good time to secure the necessary approvals prior to ‘go live.’

The law requires that a **DPIA must be completed before** undertaking any processing of personal data (i.e. anything you do with data) which is ‘likely to result in a high risk to the rights and freedoms of individuals’. There are defined criteria for what constitutes high risk processing and these are assessed via a Summary DPIA.

<b>Have you previously completed a summary DPIA for this project or initiative?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If no, please contact the DPO <a href="mailto:bob.miller@bracknell-forest.gov.uk">bob.miller@bracknell-forest.gov.uk</a> to request a Summary DPIA template to establish whether you need a full DPIA before proceeding.		

The DPIA should be a ‘live’ document. However, we also need to **ensure that the document has sign-off at the appropriate time(s) during project / initiative development and before data processing commences**. For instance, a DPIA is likely to be required and signed-off before any procurement exercise and refined thereafter with the supplier(s), when more information is known. Likewise, at pre and post a pilot or design and implement stages.

Beyond that, DPIAs should be systematically reviewed as part of the management of risk and in line with any recommended review dates given at the initial DPIA sign-off.

Much of the DPIA takes the form of a check list comprising yes / no questions with short explanations required. The DPO aims to work proactively with business leads to support them to complete their DPIAs and obtain the necessary approvals. When a full DPIA has been assessed as being needed via a Summary DPIA, the DPO will provide support.

Please send general queries about the DPIA process or form and / or return the form to [bob.miller@bracknell-forest.gov.uk](mailto:bob.miller@bracknell-forest.gov.uk).

**When completing the DPIA think about the security and protection measures you would want putting in place to address risk if it were your data!**

**This DPIA should be completed by the business owner of the change with the support of the DPO, and input from Procurement, ICT and Legal team colleagues, where appropriate.**

### **Version History – Pre-Approval**

Version	Review date	Details of update	Completion Date	Approval Date
1.0AC		First draft	12/01/21	

### **Version History – Post-Approval & Review**

Version	Review date	Details of update	Completion Date	Approval Date

### **1. Contact details**

<b>Contact Details &amp; Project / Initiative Title</b>				
<b>Author of this DPIA (Business owner )</b>				
Name of Author	Alison Cronin			
Job Title	Senior Commissioner			
Department/Team Name	Strategic Commissioning			
Email	Alison.cronin@bracknell-forest.gov.uk	Tel No	Ext 1601	
<b>Project Sponsor/Director/Information Asset Owner</b>				
Name	Melanie O'Rourke			
Job Title	Executive Director: People			
<b>Name / Title of project / initiative:</b>				
<b>Procurement of a framework for domiciliary care services</b>				
Date DPIA Submitted	18/12/2020			

## 2. Project / Initiative details

Brief description of the project
Domiciliary care is provided to people who still live in their own homes but require additional support to remain there. The service supports adults with a wide range of conditions, which includes older adults, people with long term conditions, and people with dementia. Services may include activities such as household tasks, personal care and any other activities that allows them to maintain both their independence and quality of life – preventing and or delaying more costly solutions such as residential care.  Regular home visits, from fully trained care workers, range from 30 minutes through to several hours a day and often include: - <ul style="list-style-type: none"><li>• Personal / continence care</li><li>• Managing medication</li><li>• Helping to mobilise in and around the home</li><li>• Household tasks and meal preparation</li><li>• Clinical care - this is specialised care and support involving training from specialist nurses. it needs to be delivered to the care agencies and can overlap with a health funded need.</li></ul> Alongside these essential care tasks Domiciliary Care also provides a valuable source of companionship and brings comfort, the feeling of safety and friendship. This is often referred to as 'social care'. Social care can benefit (or improve) mental health and well-being, reduce social isolation and provides mental stimulation.  This DPIA covers the arrangement that will exist between the council and providers of domiciliary care services once the new framework is implemented. All domiciliary care arrangements are within borough.  The procurement is due to commence May 2021, with the framework commencing 1 April 22. Domiciliary care services are currently provided through a community based support framework with 3 providers, and 12 spot contracts. There will be no restriction on the number of providers on the framework.
What does the project / initiative involve and what does it aim to achieve (reference any project documentation where applicable)?
The Care Act 2014 sets out clear expectations for local authorities to ensure that people in need of services have a wide range of choice in terms of provision: <ul style="list-style-type: none"><li>• Prevention: it is better to take action before harm occurs</li><li>• Proportionality: the least intrusive response appropriate to the risk presented</li><li>• Protection: support and representation for those greatest in need</li><li>• Partnership: Local solutions through services working with their communities - communities have a part to play in preventing and reporting neglect &amp; abuse</li></ul> BFC seeks to commission a service that meets these requirements and is compliant with BFC Procurement and Contract Rules and in accordance with the Public Contract Regulations 2015. The objectives of the project are: <ul style="list-style-type: none"><li>• That all people eligible for services receive good quality, affordable community services which focus on their individual needs and individually identified outcomes in terms of care and support through a framework of pre approved providers</li><li>• That people have choice, in relation to service provision</li><li>• Collaboratively develop and implement an efficient, transparent and compliant domiciliary care service</li></ul>

- Develop our provider market by opening and maintaining engagement and information sharing with all parties
- Influence an innovative domiciliary care and support market which is monitored regularly with effective governance

A Strategic Procurement Plan is being drafted at the time of completing this DPIA.

**Has this project been proposed to / approved through a formal decision making route (e.g. been approved by committee / challenge panel?)**

**If yes, please provide details including date(s)**

A Strategic Procurement Plan (SPP) is being drafted, which will go to DMT 16/3/21, for onward transmission to the Executive on 27/4/21. The Executive will be asked to approve the SPP. A copy of this DPIA will accompany the SPP. Subject to approval, a procurement will commence.

Yes  No

### 3. Data Protection

**Why is the use of personal data necessary for the purpose of the initiative?**

What type of data processing is involved? What is the intended effect on individuals? What are the benefits of the processing for the individual, Bracknell Forest Council and more broadly?

People receive domiciliary care services in their own accommodation. The service will be provided in accordance with a care plan supplied by the council to the service provider. This will include details of the individual and their circumstances e.g. health, care and support requirements, and the outcomes to be achieved. The care plan contains the individual's signed consent for the information to be shared.

During the delivery of the service, further information will be gathered and exchanged between the council and the provider. This is required to ensure information is up to date, that services can be provided safely, in accordance with needs and to monitor that outcomes are met. It will also identify any changes in care needs, which would result in a reassessment of the person's needs.

**Who is the data subject? Please indicate who will be affected by this project (Tick below all that apply)**

Service Users	<input checked="" type="checkbox"/>	Employees/Contractors	<input type="checkbox"/>	Suspected offenders	<input type="checkbox"/>
Suppliers	<input checked="" type="checkbox"/>	Advisors/consultants	<input type="checkbox"/>	License/permit holders	<input type="checkbox"/>
Offenders	<input type="checkbox"/>	Benefits recipients	<input type="checkbox"/>	Inspected persons	<input type="checkbox"/>
Claimants	<input type="checkbox"/>	Carers ( & Reps)	<input checked="" type="checkbox"/>	Those captured on CCTV	<input type="checkbox"/>
Students/pupils	<input type="checkbox"/>	Incident witnesses	<input type="checkbox"/>	Employees of other organisations	<input type="checkbox"/>
Landlords	<input type="checkbox"/>	Complainants (& Reps)	<input type="checkbox"/>	Holders of Public Office	<input type="checkbox"/>
Other:					

**How many individuals are you processing the data of?**

1 – 100	<input type="checkbox"/>	101 – 1000	<input checked="" type="checkbox"/>	1000+	<input type="checkbox"/>	Other Insert	
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**With what frequency will you be processing the data?**

Ad hoc	<input type="checkbox"/>	Daily	<input checked="" type="checkbox"/>	Weekly	<input type="checkbox"/>	monthly	<input type="checkbox"/>	annually	<input type="checkbox"/>
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**What geographical area will the processing cover?**

Borough of Bracknell Forest

**Please indicate which of the following personal data (PD) will be used**

Forename	<input checked="" type="checkbox"/>	Surname	<input checked="" type="checkbox"/>	Postal address	<input checked="" type="checkbox"/>	Post code	<input checked="" type="checkbox"/>
Email address	<input checked="" type="checkbox"/>	Age	<input checked="" type="checkbox"/>	Date of Birth	<input checked="" type="checkbox"/>	Gender	<input checked="" type="checkbox"/>
Mobile Number	<input checked="" type="checkbox"/>	Telephone Number	<input checked="" type="checkbox"/>	NI Number	<input type="checkbox"/>	NHS number	<input checked="" type="checkbox"/>
Unique ID number (e.g. Mosaic ID)	<input checked="" type="checkbox"/>	Online identifier (IP address etc.)	<input type="checkbox"/>	Voice recording	<input type="checkbox"/>	Image (photo or video of person)	<input checked="" type="checkbox"/>
Personal financial details	<input type="checkbox"/>	No personal data held	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

Other: manual handling risk assessment, next of kin (name and contact details), relevant incidents and accidents, complaints and compliments

**Please indicate which of the following special category data (SCD) will be used**

Criminal allegations convictions or offences (if relevant to the care)	<input checked="" type="checkbox"/>	Data concerning health information	<input checked="" type="checkbox"/>	Data concerning sex life or orientation	<input type="checkbox"/>	Religious or philosophical beliefs	<input checked="" type="checkbox"/>
Political opinions	<input type="checkbox"/>	Racial or ethnic origin	<input checked="" type="checkbox"/>	Biometric data	<input type="checkbox"/>	Genetic data (in relation to sharing details on hereditary health issues)	<input type="checkbox"/>
Trade Union membership	<input type="checkbox"/>	No special category data	<input type="checkbox"/>				

**Please indicate in which formats this data will be collected, stored and shared?**

Audio Tape/Cassette	<input type="checkbox"/>	Digital document (e.g. Spreadsheet or word doc)	<input checked="" type="checkbox"/>	Digital image	<input checked="" type="checkbox"/>
Digital Video/CCTV images	<input checked="" type="checkbox"/>	Electronic system (e.g. Mosaic, Total Mobile, BMS)	<input type="checkbox"/>	Emails	<input checked="" type="checkbox"/>
Paper documents	<input checked="" type="checkbox"/>	Web content	<input type="checkbox"/>	Film/X-Ray	<input type="checkbox"/>
Microfilm	<input type="checkbox"/>	Network Drive (e.g. G or U drive)	<input type="checkbox"/>	Video tape/DVD	<input type="checkbox"/>
Other	<input type="checkbox"/>	(Please indicate):			

<b>Will any third parties (i.e. non-BFC teams staff etc.) have access to / be processing data as part of this project initiative?</b>				
If yes, please provide roles and organisation				Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<p><b>Service Providers – sharing information between BFC and service provider in order to provide the care and support required by the individual, with their consent. The service provider may also share information with their regulatory body, Care Quality Commission, health professionals, next of kin, in accordance with legislative requirements.</b></p>				

<p><b>Please describe the data flows within this project. How is the data sent/shared (in what format) and who receives it? What type of data is transmitted - personal (= PD); Special Category (= SCD); law enforcement (= LED); Where BFC is the receiver / sender name the team. Where a third party is the sender / receiver, name the organisation(s). Please fill out the data flows sections below (adding extra lines where necessary) or insert a data flow map.</b></p>				
<b>Incoming data flows (i.e. to BFC) - Tick box if there are none</b>				<input type="checkbox"/>
Sender Name	Document type / Data format	Data type	Method of sending	Receiver Name
To be confirmed with service providers on the framework, after contract award	Email SharePoint file (TBA)	SCD	By email/phone/in person/ Sharepoint (TBA)	Adult social care teams, Access to Resources, Commissioning team
To be confirmed with service providers on the framework, after contract award	Email SharePoint file (TBA)	PD	By email/phone/in person/ Sharepoint (TBA)	Adult social care teams, Access to Resources, Commissioning team
		Choose an item.		
<b>Internal data flows (i.e. within BFC) - Tick box if there are none</b>				<input type="checkbox"/>
Sender Name	Document type / Data format	Data type	Method of sending	Receiver Name
Adult Social Care teams, Access to Resources, Commissioning Teams	Email Documents	SCD	Email/phone/in person/hard copy documents	Adult Social Care teams, Access to Resources, Commissioning Teams
Adult Social Care teams, Access to Resources, Commissioning Teams	Email Documents	PD	Email/phone/in person/hard copy documents	Adult Social Care teams, Access to Resources, Commissioning Teams
		Choose an item.		
<b>External data flows (i.e. out of BFC) - Tick box if there are none</b>				<input type="checkbox"/>
Sender Name	Document type / Data format	Data type	Method of sending	Receiver Name
Adult Social Care teams	Emails, documents	SCD	Email, post, phone/in person (at meetings)	Service Provider/s on framework and spot providers

		Choose an item.	
<b>Any comments about data flows:</b> The final data flow will be developed and finalised with the service providers on the framework after contract award, as it may depend on their proposed operating models. There may be occasions that the data received from the provider / generated internally, will need to be shared around safeguarding issues (as per duties outlined in the Care Act 2014). This process is covered by the respective Safeguarding Board information sharing protocol.			
<b>Is any Personal Data being held in / transferred to outside the European Economic Area (EEA) – this includes servers outside the EEA?</b>			

If yes, please provide details:  Yes  No

#### Is any further use to be made of the data (i.e. beyond what it was collected for) ?

If yes, please provide details:

The service providers will be required to provide data reporting as part of the contract monitoring detailed in the contract, but this will be anonymised whenever possible, and to their registration inspection, Care Quality Commission. It will also be used as appropriate for equality and diversity purposes.

Yes  No

#### Describe the training employees/users will receive to support new ways of working/system. What supporting materials/guidance will be available for employees / users?

The council provides appropriate training to staff, for example, through its e-learning system, coaching, and formal training sessions. This includes LAS training, which is mandatory before access is granted to the system, due to the sensitive nature of the information it contains. This is supported through relevant materials, processes and guidance, and at 1:1

#### Confirm that there is a process in place for ensuring that personal data is accurate and is reviewed where necessary

There are numbers of way information is updated. This could be through annual reviews and other contact with service users and relatives/carers.

#### Describe how you will minimise the collection and use of personal data

Is the data being obtained the minimum amount necessary to achieve the objectives (i.e. necessary and proportionate)  Yes  No

Will pseudonymisation or anonymisation be put in place (i.e. technical measures to de-identify personal data)?  Yes  No

#### Comments:

During the mobilisation period for the framework, there will be discussions on the level of personal data to be collected in order to deliver the service. these discussions will also include the level of security that will be in place to protect all personal data held, and how it will be shared e.g. use of secure emails

#### How will you ensure the data is only kept as long as necessary and in line with the BFC Retention Schedule [HERE](#)? (e.g. a system may prompt review or auto deletes after so many days etc. or an operational procedure may require manual data deletion.)

Bidders will be expected to complete information on their data protection processes, including data retention. The final process will be agreed during the mobilisation period for the framework.

Internal data will be retained and stored in accordance with the council's retention Schedule and data management and data retention policy. Each team is responsible for the appropriate implementation of the policy, and SharePoint is currently being implemented.

**If this is a new system replacing in whole or part of an existing system, please explain what is happening to the existing system and the data within it.** (Include here details of how the existing system is being decommissioned, who is the named individual responsible for the decommissioning, what is happening to the data (how is it being disposed), and the timescales for the completion of this work.)

The framework will be replacing current arrangement for the Community Based Support framework and spot contracts.

It is hoped that all current service providers of domiciliary care will apply for the framework, and be successful. Where this is the case, people will remain with their existing providers, so there will not be a need to exchange information.

In the event that any service providers do not bid, or are not successful, discussions will be held with these providers to agree how any information will be shared with incoming providers. It should be noted, that people will be offered the option of a direct payment if they would prefer to remain with their existing providers, rather than transfer to a new service provider. This may reduce the level of information sharing as part of this project

### Information Asset Register

Will entries relating to Information Assets and Data Flows need to be added / updated as a result of this project / initiative?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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**If NO, please state rationale and if YES please give details and timeframes:**

The relevant section in the council's Retention and Disposal policy is AS2.3. This does not need updating as this project is not for a new service. We are only replacing something we are already doing. However, the processing will be recorded in the Council's Record of Processing Activities (ROPA) – link: [Access to Information - ROPA - All Documents \(sharepoint.com\)](#)

### Consultation

Have you consulted with individuals (e.g. via user groups) about the new / change to processing of their data either discreetly or as part of project / initiative consultation?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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**Comments** - describe the methods of consultation but if not, why have you not consulted:  
As part of the project the council will consult with people who receive services. This is still in the planning stage, and no dates or agendas have been set at the time of completing this DPIA, however, we do not anticipate any changes to the way people's data is processed, but this will be kept under review.

### Individual Rights – note where not applicable record N/A in comments section

To be Informed - Will individuals know what you're doing with their personal data at the outset? (this is typically done via a privacy notice)?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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**If so, how** (include details of plans to revise / draft privacy notice(s) or confirm the processing is covered in the **BFC Corporate Privacy Notice**)?

In accordance with BFC Corporate Privacy Notice.

Will be discussed with service providers during the mobilisation period, between Jan 21-Mar 21

To have access to their data – Will you be able to produce copies of data for individuals if they request access to their data?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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<b>If so, how?</b> In accordance with BFC Corporate Privacy Notice. Will be discussed with service providers during the mobilisation period, between Jan 22-Apr 22	
<b>To have their data erased - Will you be able to erase people's data</b> (note: this right will only apply in limited circumstances?)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>If so, how?</b> In accordance with BFC Corporate Privacy Notice. Will be discussed with service providers during the mobilisation period, between Jan 22-Apr 22	
<b>To object to / restrict their data being processed - Will you be able to temporarily / permanently stop processing an individual's data</b> (note: in limited circumstances processing may have to be suspended / ended)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>If so, how?</b> In accordance with BFC Corporate Privacy Notice. Will be discussed with service providers during the mobilisation period, between Jan 22-Apr 22	
<b>To have their data corrected - Will you be able to correct an individual's data to make it accurate?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>If so, how?</b> In accordance with BFC Corporate Privacy Notice. Will be discussed with service providers during the mobilisation period, between Jan 22-Apr 22	
<b>To challenge automatic decision-making (including profiling) and have the decision reviewed (i.e. human intervention?)</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>If so, how?</b> In accordance with BFC Corporate Privacy Notice. Will be discussed with service providers during the mobilisation period, between Jan 22-Apr 22	
<b>To data portability – to request a copy of their data in a structured, commonly used and machine readable format</b> (note: this right will only apply in limited circumstances)	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If so, how?</b> In accordance with BFC Corporate Privacy Notice. Will be discussed with service providers during the mobilisation period, between Jan 22-Apr 22	

#### 4. Information Technology & Security – to be completed in conjunction with the assigned ICT officer (designated through Business Partner)

<b>Technology, systems and software</b>		
Will the project introduce new or amend existing technology, systems or software?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, what will be used		
Are you using automated processing systems for criminal law processing?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

## ICT Security Questionnaires

Please tick **ONE** of the following boxes to indicate which of the ICT security questionnaires apply (one will apply to all projects with an ICT component). These questionnaires [which can be found ..... are intended to detail the technical security that is / will be in place to protect the data. When you have completed the relevant questionnaire, embed it in the supporting documents section.

If you have not completed one of the questionnaires, please consult your ICT business partner for support

<b>Externally Hosted Application Questionnaire completed &amp; embedded –</b> required where a system or application used by BFC is hosted by an external organisation/service provider, or if it is Cloud/Internet based (to be completed by the provider) <b>N/A</b>	<input type="checkbox"/>
<b>Third Party Processing Questionnaire completed &amp; embedded –</b> required where data processing activities are completed by employees from a third party organisation (generally as part of outsourcing a business function) - to be completed in conjunction with the third party <b>N/A</b>	<input type="checkbox"/>
<b>Internal System Security Assessment completed &amp; embedded -</b> If the system or application used is run by BFC ICT Services - to be completed in conjunction your ICT Business Partner (or their nominee) <b>N/A</b>	<input type="checkbox"/>

There is no BFC/IT aspect to this DPIA. The service provider of the service will use a system that will be entirely separate to any systems used by BFC

## ICT engagement / support and approval

Has an BFC ICT Business partner been involved in developing this proposal?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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If YES, name the ICT Business Partner:

If NO, please consult your ICT Business Partner before progressing if there is an ICT aspect to the project / initiative.

ICT comments from Elise Battison: *Whilst there is no new system introduced from our perspective you will need to ensure that those on the framework follow best practice with regards to data security for any information they are holding on clients and specify our expectation on their data security and data retention.* This will be covered by the Data Sharing Agreement.

## Systems Operating Procedures

This section explores the documented controls in place for a business system or discreet use of a business system (e.g. the general BFC meeting rooms system being used and reconfigured for use by a particular service).

All BFC information systems must have a system owner – see [BFC system owner role descriptor](#).

Information systems should have standard operating procedures for administering a system to ensure that they are understood, assigned to the right staff and can be applied consistently. A template can be found [HERE](#).

A good practice example is available from the DPO [bob.miller@bracknell-forest.gov.uk](mailto:bob.miller@bracknell-forest.gov.uk)

<b>Is this is a DPIA for a business system / discreet use of a business system</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>If yes, who is the system owner (name &amp; role)</b>	n/a	
<b>Is there a system manager / administrator (name &amp; role)</b>	n/a	
<b>Are there documented system operating procedures setting out the controls in place to use the system (e.g. user access control etc) – N/A</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Do these cover all of the essential requirements included in the template document referenced above – N/A</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

<b>Have these documents been embedded where they exist?</b> N/A	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>If not, please explain:</b> N/A		
<b>If there are no or only partial system operating procedures, please explain what plans are in place to address this gap (include timelines and action owners)?</b> N/A		
<b>Is access to the system confined to only those that have a business need to see the data?</b> N/A	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Comments:</b> No council information systems are involved in this project. Any information system used will be wholly owned and operated by the service providers on the framework		
<b>ICT comments (to include any risks, the severity of those risks and recommended mitigations)</b>  There are no links between BFC and service providers IT systems, however the business should ensure that providers meet best practice guidelines for the systems as part of due diligence.		
ICT sign off name	Elise Battison	Date of sign off <b>30/11/2020</b>

## 5. Procurement – to be completed in conjunction with the appropriate Category Manager in Central Procurement

<b>Procurement Details</b>			
<b>Will the project / initiative involve a procurement / tender exercise?</b>		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If YES, please complete the remainder of this section with support from Category Managers. If NO, please proceed to next section			
<b>When do you expect the procurement exercise to commence?</b> <b>11/02/2021</b>			
<b>Will this process follow the standard BFC procurement process &amp; contracting in relation to data protection?</b>		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<b>If NO, why and what equivalent controls will be in place?</b>			
<b>To be completed in the post-procurement DPIA review.</b>			
Contract start date	<b>01/09/2021</b>	Contract end date	<b>31/08/2025</b>
<b>Supplier Name</b>		Accredited	
Supplier Name(s) and whether they are accredited to a recognised Code of Conduct (e.g. ISO27001; Cyber Essentials etc.). Add additional entries as required for framework contracts/ 'lot' winners.			
Not known at this stage, as procurement has not started			

<b>Procurement comments (to include any risks, the severity of those risks and recommended mitigations)</b>  To ensure GDPR compliance successful bidders processes must be reviewed and appropriate data sharing agreements issued.			
Procurement sign - off	K D Ayers – by email	DATE	<b>06/05/2020</b>

## 6. Legal Basis for processing - To be completed with guidance from Legal Services if necessary

**What is the legislation / authority under which you provide a service that gives rise to the need for the processing of personal data (e.g. Children Act (1989), Children Act (2004), Localism Act (2011), Crime and Disorder Act (1998), Fire and Rescue Services Act (2004), Data Protection Act (2018), Human Rights Act (2018), Health and Social Care Act 2012 (as amended by the Health and Social Care (Safety and Quality) Act 2015).**

Care Act 2014

Legal basis for processing			
Personal Data		Special Categories of Personal Data	
Consent	<input type="checkbox"/>	Explicit Consent	<input type="checkbox"/>
Contracts	<input type="checkbox"/>	Employment, Social Security, Social Protection law	<input type="checkbox"/>
Legal Obligation	<input type="checkbox"/>	Vital interests where the data subject is incapable of giving consent	<input checked="" type="checkbox"/>
Vital interests	<input checked="" type="checkbox"/>	Not for profit organisation	<input type="checkbox"/>
Task in the public interest / under official authority	<input checked="" type="checkbox"/>	Made public by the data subject	<input type="checkbox"/>
Legitimate interest (only applicable in limited circumstances).	<input type="checkbox"/>	Legal claims/judicial	<input type="checkbox"/>
		Substantial public interest -Please detail the appropriate condition(s) for processing under Schedule 1 of the Data Protection Act 2018	<input type="checkbox"/>
		Medicine/Employee capacity, medical diagnosis, health or social care where the processing is carried out under the responsibility of a health / social work professional or another person who owes a duty of confidentiality.	<input checked="" type="checkbox"/>
		Public Health	<input type="checkbox"/>
		Archiving, Scientific and Historical Research or Statistical Purposes in the public interest	<input type="checkbox"/>

<b>Consent – consent will only be the basis for processing in exceptional circumstances (Follow this <a href="#">link</a> to view the BFC procedure for obtaining and managing consent).</b>		
Is the data processing carried out on the basis of consent?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<b>Comments – in accordance with BFC relevant policies we will seek consent but that will be under common law rather than data protection law</b>		

Legal Services comments		
Has Legal Services been consulted on the DPIA?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Name of lawyer: Bob Miller 18/12/20		
If NO why?		
Is Legal Services content with the stated Legal Basis for processing in the context of the details within this form?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Legal comments / advice (to include any risks, the severity of those risks and recommended mitigations)		

## 7. Risk Review – To be completed by business owner with support from Audit and Risk Management Team

The following is the Council's risk assessment matrix. It combines a risk rating from low to very high, derived from a combination of the likelihood of a risk occurring, coupled with the impact if it does. It, and the Likelihood and Impact scoring guides below should be used to assign pre and post mitigation risk scores in the risk log in the following section.

### APPENDIX 2 RISK MATRIX

LIKELIHOOD	5	Medium	Hiigh	High	High	High
	4	Medium	Medium	High	High	High
	3	Low	Medium	Medium	Medium	High
	2	Low	Low	Low	Medium	Medium
	1	Low	Low	Low	Low	Medium
		1	2	3	4	5

**IMPACT**

#### Likelihood:

- 5 Very High
- 4 High
- 3 Significant
- 2 Low
- 1 Almost Impossible

#### Impact:

- |                |           |
|----------------|-----------|
| 5 Catastrophic | 80%+      |
| 4 Critical     | 51% – 80% |
| 3 Major        | 21% – 50% |
| 2 Marginal     | 6% – 20%  |
| 1 Negligible   | 0% – 5%   |

The risk log below should detail privacy risks that the project/initiative may give rise to; mitigations with completion dates; pre and post-mitigation risk ratings and mitigation action owners (i.e. the name of the person who is responsible for carrying out the actions required to mitigate the risk(s). The Information Asset Owner / Project Sponsor etc. will be accountable for ensuring the mitigations are completed. Mitigating actions should be incorporated in project plans.

**This information should be incorporated into the project plan/ proposal documentation**

**KEY:** L = Likelihood of the risk occurring I = Impact of the risk occurring [see BFC risk matrix to apply scoring 1 to 5 in each case to drive a score]

#	Risk Description <b>There is a risk that .... Giving rise to ....</b>	Pre-Mitigation			<b>Mitigating Action(s) and Action Owner (i.e. who is responsible for the action)</b>	Due Date	Status	Post-Mitigation		
		L	I	Risk				L	I	Risk
e.g.	Mobile equipment (laptops) will be lost resulting in loss of / unauthorised access to personal data	4	5	H	Laptops to be encrypted by ICT prior to roll-out. Reporting system for lost equipment in place: Owner: Mandy Jones	30/9/18	Live	2	4	M
e.g.	Data will be accessed by people who are not authorised to view it resulting in increased privacy risks	5	3	H	Access controls to be set within CareCounts system and administered by X. Reports will be generated every X months and access will be checked by Y with action taken accordingly. Owner: Bob Smith	31/12/18	Live	2	3	L
1	<b>Laptops or mobile phones may be lost resulting in the loss of, and/or unauthorised access to personal data</b>	3	4	M	<b>The service provider will be required to operate a high level of security on all IT equipment, including encryption and high level of password protection Owner: Service provider</b>	1/4/22	Live from mobilisation	3	1	L
2	<b>The service provider has ICO enforcement notices or decision notices issued against them</b>	2	4	M	<b>The service provider will be on an approved framework which means that they would have already undergone due diligence exercise by way of a pre-selection questionnaire. In addition, the council to exercise due diligence by way of screening questions directed at potential insurance providers during the procurement process. The council to check ICO website for ICO enforcement</b>	1/4/22	Live from mobilisation	1	3	L

					<b>notices or decision notices before offering a contract to successful bidders</b>					
3	The service provider fails to exercise good data protection practices putting the service users personal and sensitive data at risk	2	4	M	The council to undertake a risk assessment of tenderers to ensure that they exercise good data protection practices, for example, ensuring staff undergo GDPR training and to enter into a data sharing agreement/contractual agreement with the provider	1/4/22	Live from mobilisation	1	3	L
4	The TUPE personal data transferred from outgoing service to the council is to be forwarded to bidders to assist bidders to determine whether they want to make a bid. The bidder fails to comply with the GDPR and/or Data Protection Act 2018 or commits a data breach putting employee personal data at risk and damaging the councils corporate reputation	3	5	H	Bidders are required to sign a data processing agreement which will include a confidentiality clause. The risk will be further reduced, as the hope is that all current providers will apply to be on the framework. Where this happens, and the provider is successful, this will reduce the level of TUPE information that could apply	1/4/22	During procurement stage	2	3	L
5										
6										
7										
8										
9										

## 8. Sign-Off, Advice and Approvals

### Sign-off by Business Owner

This DPIA is an accurate account of the project / initiative and Data Protection and Security measures that will be applied. Outstanding risk mitigations will be incorporated into project plan.

#### Comments:

Name	Alison Cronin	Date	18/12/2020
Signature			

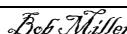
### DPO Advice

The DPO's advice is based on an assessment of the DPIA and whether proportionate and appropriate technical and organisational measures have been put in place to uphold an individuals' right to privacy.

#### Recommendation, comments and sign-off

Approve DPIA as drafted	<input checked="" type="checkbox"/>	Defer pending further risk mitigation	<input type="checkbox"/>
Reject DPIA as drafted	<input type="checkbox"/>	Refer to ICO	<input type="checkbox"/>

#### DPO comments / advice (including date for review):

Name	Bob Miller	Date	18/12/2020
Signature			

### SIRO/Caldicott Guardian decision

Before signing the DPIA, the SIRO/Caldicott Guardian must ensure that they have considered advice of the Data Protection Officer (DPO) and are satisfied that the impact assessment is robust, has addressed all the relevant issues and that appropriate actions have been taken. Where the advice of the DPO has not been accepted, the rationale should be set out below.

#### Decision, comments and sign-off

Have you considered and accepted the DPO's advice  Yes  No

#### If NO, please record rationale:

Approve as drafted	<input type="checkbox"/>	Approve subject to conditions below	<input type="checkbox"/>
Defer pending further risk mitigation	<input type="checkbox"/>	Reject as drafted	<input type="checkbox"/>
Refer to ICO	<input type="checkbox"/>		

#### Comments:

Name:	Kevin Gibbs	Date:	12/01/2021
Signature:		By email: 12/01/2021	Copy embedded (section 9 below)

DPIA approval details logged on the DPIA tracker	Click here to enter a date.
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## 9. Supporting Documents *[insert relevant documents]*

The business owner Project Manager should embed relevant documents in this section.

Document	Title/Summary
<b>DPIA supporting documents</b>	
Summary DPIA	 Summary%20data%20protection%20imp%
DPIA Checklist [DPO to embed] DPO to add	[Embed Doc]
<b>Legal</b> Including: Information Security Questionnaires; Privacy Notices, Consent Forms, Information Sharing Agreements, Data Processing Agreements, documentation of suitable safeguards for transfers of personal data to a third country or an international organisation	
To be added once developed	[Embed Doc]
	[Embed Doc]
<b>Project</b> Including: Business cases, PIDs, training documents, procedures	
To be added once developed	[Embed Doc]
	[Embed Doc]
<b>Design &amp; ICT Security</b> Including: Spec, Security Assessments, Network Diagrams etc.	
To be added once developed	[Embed Doc]
	[Embed Doc]
<b>Procurement</b> Including: IG evaluation(s), Contract/Agreement	
To be added once contracts issued and signed	[Embed Doc]
	[Embed Doc]
<b>Approval</b> Where signoff has been conducted by email	
	[Embed Doc]
	[Embed Doc]

