

Data Protection Impact Assessment



Please complete **Part 1** of this form and send it to the [DPO Mailbox](#).

Part 1

A DPIA is our way of thinking about how to keep people's personal information safe when starting a new project or delivering a new service, or when updating our processes. The purpose of a DPIA is to consider how we receive, process, and share personal data, and minimise risks associated with doing those things.

Please remember the thought, security, and protection you would want in place if it were your data!

Title of DPIA Example: AI in Customer Calls	Retender of Property and Motor Insurance Provider
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Summary: Please give us a concise summary of how you will use personal data in your project/ service?	Personal data will be collected for the purposes of investigating claims made against the Council. The data will be provided either by the 'claimant' themselves through the completion of the Council's Incident Report Form, or via their insurer or legal representative.
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Author of DPIA	Helen Rogers
Department/ team	Audit and Risk Management
Project sponsor/ Business owner	Sally Hendrick
Date of Submission	09/05/2024

DPIA Checklist

Please tick any of the following that apply to your project/ service. We will be:

Personal data

- Processing **personal data** (this includes collecting, holding, and sharing it)
- Processing personal data that, if something were to go wrong (e.g. a data breach), could result in a high-risk of harm to individuals
- Disclosing information about individuals to organisations or people who have not previously had routine access to the information
- Contacting individuals in a way that they might find intrusive

Special category or criminal offence data

- Processing **special category data** (medical, race/ ethnicity, political opinion, sexual orientation, etc.)
- Using special category data to help make decisions about whether someone can access a service, benefit or opportunity (e.g. using medical data to decide whether an individual is entitled to care service)
- Processing **criminal offence data** (including allegations, convictions, offences)

Children and vulnerable people

- Processing children's personal data (including for profiling or automated decision making)
- Processing children's personal data for marketing purposes or to deliver online services to them
- Processing vulnerable individual's personal data

Profiling or automated decision making

- Using systematic and extensive profiling of individuals to make significant decisions about them

- Using profiling or automated decision making to help make decisions about whether someone can access a service, benefit or opportunity
- Carrying out profiling on a large scale

Systematic monitoring or tracking

- Using CCTV (Systematically monitoring a publicly accessible place on a large scale). Please complete the ICO template for CCTV DPIAs, which can be found here: [Data protection impact assessments for surveillance cameras - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/612222/Data-protection-impact-assessments-for-surveillance-cameras-GOV.UK.pdf)
- Tracking individuals' online or offline location or behaviour

Technology

- Using innovative technology to deliver our project/ service

Biometric or genetic data

- Processing biometric or genetic data

Processing without providing a privacy notice

- Processing personal data without providing individuals with a privacy notice ([on the BFC website](#))

Change to our existing process

- Changing the way we currently use information to use it for a different purpose
- Changing the way we obtain, record, transmit, delete or hold personal data (this includes moving it to, or holding it on a different system (e.g. from a spreadsheet to a case management system))

Why are we processing this data?

It is required specifically by law or guidance (e.g. a statutory return to a Government department or processing applications for an education provision)	<input type="checkbox"/>
Necessary to fulfil a local authority statutory function? (e.g. processing Planning applications)	<input checked="" type="checkbox"/>
To meet local or central government themes (I have been asked to do it)	<input type="checkbox"/>

Type of personal data

Which of the following personal information will be involved?									
Forename	<input checked="" type="checkbox"/>	Surname	<input checked="" type="checkbox"/>	Address	<input checked="" type="checkbox"/>	Postcode	<input checked="" type="checkbox"/>	Email address	<input checked="" type="checkbox"/>
Age	<input checked="" type="checkbox"/>	Date of birth	<input checked="" type="checkbox"/>	Gender	<input type="checkbox"/>	Phone no.	<input checked="" type="checkbox"/>	NI number	<input checked="" type="checkbox"/>
NHS number	<input checked="" type="checkbox"/>	Image/ video recording	<input checked="" type="checkbox"/>	Voice recording	<input type="checkbox"/>	Financial details	<input checked="" type="checkbox"/>	Online ID (e.g. IP)	<input type="checkbox"/>
Unique ID no. (e.g. MOSAIC ref)	<input type="checkbox"/>	No personal data held	<input type="checkbox"/>	Other:					

Which of the following special category information will be involved?							
Criminal allegations/ convictions/ offences	<input type="checkbox"/>	Data concerning health information	<input checked="" type="checkbox"/>	Data concerning sex life or orientation	<input type="checkbox"/>	Religious or philosophical beliefs	<input type="checkbox"/>
Political opinions	<input type="checkbox"/>	Racial or ethnic origin	<input type="checkbox"/>	Biometric data	<input type="checkbox"/>	Genetic data	<input type="checkbox"/>
Trade Union membership	<input type="checkbox"/>	No special category data	<input type="checkbox"/>	Other:			

Lawful basis

We have to have a lawful basis in order to process any personal data. What is our lawful basis for processing this personal data?

- Public task:** we need to process the data to perform a specific, necessary task that is in the public interest and is set out in law
- Consent:** the data subject consents to the processing of their personal data
- Contract:** we need to process the data to fulfil our contractual obligation with the individual
- Legal obligation:** we need to process the data to comply with the law
- Vital interest** of the data subject: we need to process the data to protect the individuals' life
- Legitimate interest** (as a public body, this basis is **very unlikely** to apply and you must complete the [Legitimate Interest Assessment](#) before choosing this)

If you have chosen legal obligation or public task, identify the legislation / authority (e.g. Children Act (2004), Health and Social Care Act (2012) Crime and Disorder Act (1998))
Legal obligation: please state the legislation (e.g. Children Act (2004), Health and Social Care Act (2012) Crime and Disorder Act (1998)) Civil Procedure Rules (1998)
Public task: this might be a piece of legislation *or* a specific (named) piece of Government guidance, regulations, regulatory guidance, etc.

Civil Procedure Rules

Only complete this section if you process special category data.

Special category data

Under the [General Data Protection Regulation](#) (GDPR), the lawful basis we rely on for processing the data is Article 9 GDPR:

- (a) Your consent**
- (b) Employment and social security and social protection law
- (c) Processing is in the vital interests of the data subject
- (d) Processing is carried out in the course of legitimate activities [**Note:** as a public body, this basis is **very unlikely** to apply and you must complete the [Legitimate Interest Assessment](#), and seek DPO approval before choosing this]
- (e) Processing relates to personal data which are manifestly made public by the data subject
- (f) Exercise or defence of legal claims
- (g) Processing is necessary for reasons of substantial public interest
- (h) Processing is necessary for provision of health or social care treatment
- (i) Processing is necessary for reasons of public interest in the area of public health
- (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes

Only complete this section if you use special category data and are relying on basis (g) 'processing is necessary for reasons of substantial public interest'

Which one of the [conditions in Schedule 1 of the Data Protection Act 2018](#) do you rely on to process the data

- (a) Your consent
- (f) Exercise or defence of legal claims

Number of individuals involved

How many individuals' personal data will be involved?	
0 - 100	<input type="checkbox"/>
100 - 1000	<input checked="" type="checkbox"/>
1000 – 5000	<input type="checkbox"/>
5000 +	<input type="checkbox"/>

Third parties

Does this DPIA involve a relationship with external parties? (e.g. are we commissioning, procuring, or buying a new service/project or initiative?)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> (if no, you do not need to complete the rest of this section on third parties)
Will information be shared between BFC and the other party?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
What is the relationship between us and the third party?	<input checked="" type="checkbox"/> BFC is the Controller and the other party is the Processor (We have decided what the personal data will be used for, and the other party will process it on our instructions e.g. a company processing payroll on BFC's behalf)		
	<input type="checkbox"/> BFC is the Processor and the other party is the Controller (Another party has decided what the personal data will be used for, and we are processing it on their instructions)		
	<input checked="" type="checkbox"/> BFC and the other party are Joint Controllers		
	<input type="checkbox"/> BFC and the other party are separate Controllers		
	<input type="checkbox"/> Unsure of the nature of the relationship		
Has a data processing/ sharing agreement been drafted?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Contracts	Are you using the BFC standard contract terms?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	If yes , has the other party signed up to the terms?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	If no , have you confirmed that the contract terms meet minimum data protection requirements?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Part 1 complete - next steps:

1. Please sign-off here (**this form cannot be reviewed without being signed**)

Comments	
Please add any relevant comments in the box below	
<p>In respect of the relationship between BFC and the third party – in some cases the information will be provided by the claimant (person making the claim) to BFC who will then pass this on to the third party to process. In other cases the claimant will be providing the information direct to the third party, but then that information will be shared by the third party to BFC as part of regular reporting of claims activity. So I did not know which box to check.</p> <p>We will not be using standard BFC contract terms as the contract is being procured through the YPO DPS. The 'call off terms and conditions' have been previously vetted by BFC Legal and no issues were identified with DP terms. We can provide a template of this if required.</p>	
Name	Helen Rogers
Date	02/05/2024

Signature



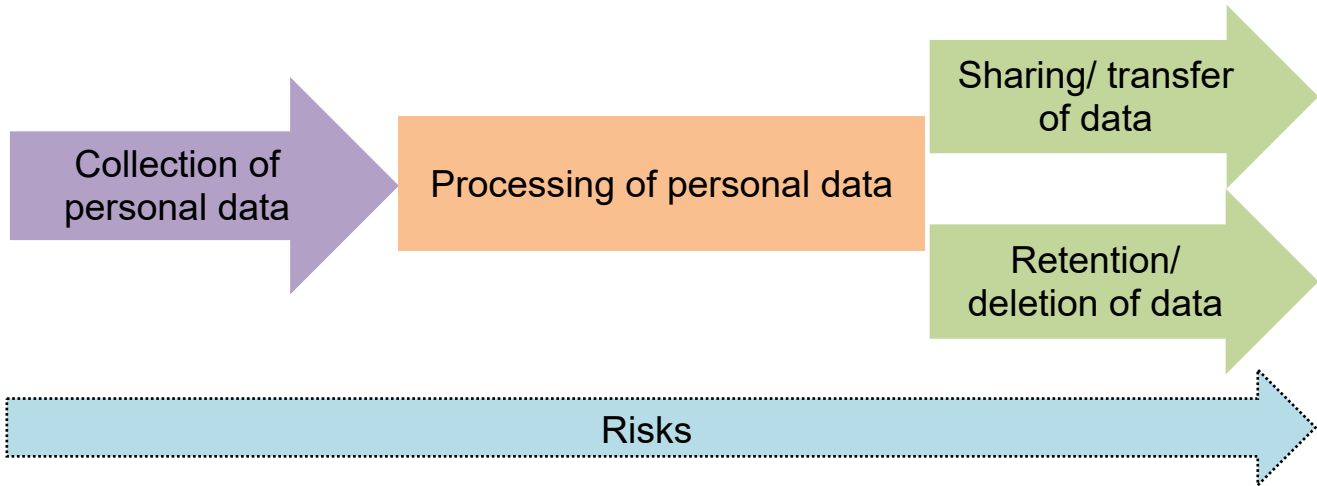
Stop here!

2. Send this form to the DPO Mailbox (DPO@bracknell-forest.gov.uk), who will tell you whether you need to complete the rest of the form or not

Part 2 – Data Protection Impact Assessment

The next sections are split into 4 parts:

1. **Collection of personal data**
2. **Processing of personal data**
3. **Sharing/ transfer to another party or retention and deletion in BFC**
4. **Risk analysis**



1. Collection of personal data

Source

What is the source of the personal data – where will it come from? (e.g. the individual themselves, a Government department, health colleagues, etc.)

It will come from the individual themselves or their insurers or legal representative

How will it be collected and received by BFC? (e.g. we will be sent an Excel spreadsheet via email, we will download a report from an online portal, the individual will fill in a BFC online form, etc.)

Via completion of Council's online Incident Report Form or provided by the claimant themselves or their insurer/legal representative through email or physical post.

Scope

Note: you can choose as many options as required

What area will the processing cover?		How often will you be collecting/ receiving the data?	
Bracknell	<input checked="" type="checkbox"/>	Daily	<input type="checkbox"/>
Berkshire	<input checked="" type="checkbox"/>	Weekly	<input type="checkbox"/>
UK	<input checked="" type="checkbox"/>	Monthly	<input type="checkbox"/>
EU	<input checked="" type="checkbox"/>	Annually	<input type="checkbox"/>
Outside EU	<input checked="" type="checkbox"/>	Other	<input checked="" type="checkbox"/>
Other, please describe:			
Data will arrive as new claims are received so there is no set frequency that these will be received Data may arrive from local area, within UK or worldwide – would depend on where the 'claimant' resides			

ICT

ICT engagement, support and approval N/A

If there is an ICT aspect, you must ensure ICT have had input into this DPIA.		
Is there an ICT aspect to your project/ service?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have the relevant IT team(s) been involved in developing your project/service?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
IT comments (including confirmation that there is no security concern around the use of this technology):		

Are you aware of any public concerns around the use of this technology?
None as far as I am aware

Procurement

Are you procuring a new service?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has the Procurement team been involved and provided their input into this initiative?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

2. BFC processing of personal data

Use

Where are we storing the personal data and in what form? (e.g. spreadsheet on SharePoint, assessment form on MOSAIC, record on Matrix, etc.)
MS applications on Sharepoint and within the Council's claims management software, Figtree.

Who will have access to the data and how is access controlled?
Helen Rogers Emma Condon Sally Hendrick – have access to Figtree via password and MFA encryption

We must only use personal data for the purpose it was collected. How will we ensure the personal data does not get used for other purposes?
Data is only held within the Council's claims management software

We have to make sure our data is up to date and correct. How will we make sure of this?
Any amended information provided by claimants will be updated within our software as soon as we are made aware

We are only supposed to collect the minimum amount of personal data we need. Have you considered whether we <u>actually need</u> to use all the personal data we are collecting? Can we collect less? Can it be anonymised? Do we need to share it as widely, if at all?
Incident Report Form is used to collect the data and this is regularly reviewed to ensure only relevant information is collected for the purposes of investigating claims.

Who is the Information Asset Owner for this information? You can ask your IG Lead to help you check your Record of Processing Activity (ROPA) if you are unsure
Sally Hendrick

Individual rights

The UK GDPR gives individuals rights over their information in certain circumstances:	
If the law allows, would we be able to amend or delete the individual's record?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If no, why not?	
We would be required to keep the data for a minimum of 10 years for the purposes of obtaining future insurance quotations, but we would anonymise the information	
If the law allows, would we be able to provide copies of the individual's records?	
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If no, why not?	
If the law allows, would we be able to stop processing the individual's data?	
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If no, why not?	
Anonymised information would still need to be retained for a minimum of 10 years following collection for the purposes of obtaining future insurance quotations	

3. Sharing with external parties or retention and deletion in BFC

Sharing

Will you be sharing the data with any external parties?		
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
If yes, please list every party you will be sharing with (e.g. health partners, schools, Government departments, etc.)		
This is yet to be determined as we are retendering the contract		
Are you sharing this information outside the UK? This is possible but until new contract is awarded we can not be sure	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Retention

How long do we need to keep the information for based on business requirements? You can contact the Records and Data Manager if you have any queries at the DPO Mailbox
For a minimum of 10 years, although for incidents involving minors, this could be longer as any claim might be received three years after they turn 18 – so would depend on their age at the time of the incident

Deletion

How is the information deleted/ destroyed? You can contact the Records and Data Manager if you have any queries at the DPO Mailbox
This would need to be determined with the new provider following the award of the new contract.

Privacy Notice

Is there a Privacy Notice that relates to this business area? https://www.bracknell-forest.gov.uk/help/privacy-notices	
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If yes, does the Privacy Notice need updating to reflect this DPIA?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

4. Risk analysis

Identify risks to people’s personal data, and measures to reduce or mitigate the risks. 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.

Risk Matrix

LIKELIHOOD	5	Medium	High	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 risks to personal data that the project/ service may give rise to. The Business Owner will be responsible for ensuring that the mitigating actions are completed, and the actions are to be incorporated into relevant documents (such as a project plan).

#	Risk description	Pre-mitigation	Mitigating actions	Action Owner	Due date	Post-mitigation	Status
Example	The data is being sent to our partner by Excel spreadsheets on emails. There is a risk that this information will be sent to the wrong recipient due to human error.	High	The data will be sent by secure email by the same member of staff every week. The member of staff will complete the refresher training before they start this piece of work.	[NAME]	01/04/22	Low	Live
1	Insurance provider has ICO enforcement notices or decision notices issued against them.	M	The provider will be on an approved framework which means that they would have already undergone due diligence exercise by way of pre-qualification questions. In addition, BFC to exercise due diligence by way of screening questions directed at potential insurance providers during procurement process. BFC to check ICO website for ICO	Helen Rogers	31/3/25	Low	Live

			enforcement notices or decision notices				
2	Insurance provider fails to exercise good data protection practices putting BFC personal data at risk.	M	BFC to undertake a risk assessment of tenderers to ensure that they exercise good data protection practices and to enter into a data sharing agreement/contractual agreement with insurance provider.	Helen Rogers	31/3/25	L	Live
3	Insurance provider appoints processors or sub data processors to process BFC's personal data without approval.	L	Insurance provider to seek written approval in accordance with a data processing agreement from BFC before the appointment of sub contractors, data processors or sub data processors.	Helen Rogers	On going	L	Live
4							
5							

End of Data Protection Impact Assessment

Next steps:

1. Please sign-off as business owner at section 5 of this form below
2. Send this form to the DPO Mailbox (DPO@bracknell-forest.gov.uk) for review

5. Business Owner sign-off

This DPIA is an accurate account of the project/ initiative/ services, and Data Protection and security measures that will be applied. Outstanding risk mitigations will be incorporated into project plans or service delivery.			
Comments			
Unable to sign until outstanding comments are resolved with DPO			
Name		Date	Click or tap to enter a date.
Signature			

Once signed off by the business owner, send this DPIA to the [DPO mailbox](#) for review.

6. IG Sign off (DPO/ Caldicott/ SIRO)

DPO sign-off – Part 1 only

This section is to be completed for the DPO to confirm that no full DPIA is required.	
Accept that no full DPIA is required <input type="checkbox"/>	
Reason for no full DPIA requirement:	
Date of sign off:	Click or tap to enter a date.
Signature:	

DPO sign-off – Full Assessment

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.			
Approve DPIA as drafted <input type="checkbox"/>			
Approve DPIA subject to conditions <input type="checkbox"/>			
Reject DPIA as drafted <input type="checkbox"/>			
Refer DPIA to ICO <input type="checkbox"/>			
Comments, recommendations and requirements			
DPO request for assurance from Legal Services			
Legal advice sought?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
Legal advice/ recommendations:			
Advised by		Date	Click or tap to enter a date.
Date of next DPIA review	Click or tap to enter a date.		
Date of sign off:	Click or tap to enter a date.		
Signature:			

Caldicott Guardian (where required)

Before signing the DPIA, the Caldicott Guardian must ensure that they have considered advice of the 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.

Approve DPIA as drafted

Approve DPIA subject to conditions

Reject DPIA as drafted

Refer to ICO

Comments, recommendations and requirements

Date of sign off: Click or tap to enter a date.

Signature:

SIRO sign-off

Before signing the DPIA, the SIRO must ensure that they have considered advice of the 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.

Approve DPIA as drafted

Approve DPIA subject to conditions

Reject DPIA as drafted

Refer to ICO

Comments, recommendations and requirements

Date of sign off: Click or tap to enter a date.

Signature:

Relevant documents

Document	Title/Summary
Legal	
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	
	[Embed or Link Doc]
	[Embed or Link Doc]
Project	
Including: Business cases, PIDs, training documents, procedures	
	[Embed or Link Doc]
	[Embed or Link Doc]
Design & ICT Security	
Including: Spec, Security Assessments, Network Diagrams etc.	
	[Embed or Link Doc]
	[Embed or Link Doc]
Procurement	
Including: IG evaluation(s), Contract/Agreement	
	[Embed or Link Doc]
	[Embed or Link Doc]