

Data Protection Impact Assessment (DPIA)

A - Does the proposed activity involve ECC processing, collecting, handling, storing or sharing personal data?

☒ Yes – continue to question B

☐ No – this form does not need to be completed for your proposed activity

B - Will all of this personal data be anonymised? (please see the attached standard for the anonymisation of data <https://ico.org.uk/media/1061/anonymisation-code.pdf>)

☐ Yes – this form does not need to be completed for your proposed activity, however, should you need any Advice and Guidance from IG then please contact the team (informationgovernanceteam@essex.gov.uk)

☒ No – continue with the completion of this DPIA form

Customer is only required to complete Sections 1 - 8

1 - About the activity:

Title of activity:	Adult Social Care Travel Arrangements
Person completing this form:	Joshua Stevens-Ward
Information Asset Owner:	
Business Owner Details:	
System Owner Details:	
Other people IG may need to liaise with and their role in the activity: (e.g. if you are on leave, a commercial colleague, activity lead or owner etc).	Georgia Dedman- Procurement Specialist Andrew Gregory- Adults Children Education Transport Manager
Previous DPIA Completed: <i>If a DPIA has been completed previously for a similar piece of work, please provide the title of this activity</i>	Unknown
Online portal reference:	185832
IG Filing Number & IG Officer completing:	IG01205 Wendy Pope

2 - Describe the activity:

Briefly describe what the activity is and what is the purpose of the activity, why it needs to happen, how it is intended to work. *This is to ensure IG and TS understand the activity and can provide you with the required support.*

Please attach any relevant documents you think we may need to see.

This DPIA relates to the continuation of current transport arrangements for Adult Social Care, these arrangements will take affect 1st August 2022.

There are no changes to how current data is handled within existing contracts.

Transport arrangements are for people with Disabilities, (learning, physical and sensory), dementia, mental health and older people. All Adults are aged 18+. Activities include transport to day centres, colleges and employment settings.

Data will be stored on Mosaic and Capita one. ECC will pass personal data of people (ASC Clients) to transport operators to deliver transport services. The data shared will be relevant to what the transport operator is required to know. Data will be shared with operators by secure email and all documents will be password protected.

3 - Describe the information and Data Subjects involved:

Please tell us about the information that will be collected or processed, will this be by:

☒ ECC collecting/processing the information ☒ Third Party collecting/processing

3 (a) - Personal Information

Personal data:

Please list the fields of data that will be processed:

Passenger name,
DOB,
address,
telephone,
special transport needs (including any SEND or medical needs that are relevant for the provision of transport),
route details,
transport start/end dates,
days of attendance
the ASC centre attended

Special categories of personal data:

Please mark if any of the below are involved:

- ☐ Religious or Philosophical Beliefs
- ☐ Racial or Ethnic Origin
- ☐ Political Opinions
- ☐ Trade Union Membership
- ☐ Genetic Data
- ☐ Biometric Data
- ☒ Health
- ☐ Sex Life/Sexual Orientation

Other detail on the personal data:

Other detail on the special categories of data:

Categories of Data Subject

Mark a box next to the categories of data subject whose personal data will be processed

Customers	<input checked="" type="checkbox"/>	Complainants (& Reps)	<input type="checkbox"/>	Suspected Offenders	<input type="checkbox"/>
Suppliers	<input 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 type="checkbox"/>	Captured on CCTV	<input type="checkbox"/>
Students/ Pupils	<input checked="" type="checkbox"/>	Incident witnesses	<input type="checkbox"/>	Employees of other Orgs	<input type="checkbox"/>
Landlords	<input type="checkbox"/>	Employees/ Contractors	<input type="checkbox"/>	Holders of Public Office	<input type="checkbox"/>

Number of Data Subjects this involves:

Comments on categories of Data Subject:

Approximately 255

3 (b) – Is personal identifiable information being used for statistical/analytical/research purposes in relation to Adult Social Care?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A If Yes, have you considered the National Data Opt Out guidance and are using a ‘cleaned’ data set, as laid out in the guidance? <input type="checkbox"/> Yes <input type="checkbox"/> No	
3 (c) - Does the data activity include the use of data relating to criminal convictions and offences?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<i>If yes, please describe the data collected:</i>

4 - Privacy Notices and Transparency		
<i>Please provide any information provided to Data Subjects that explains how their data will be processed, such as a Privacy Notice or wording on a consent form.</i>		
Does a Privacy Notice exist for this processing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<i>Insert hyperlink or embed notice here:</i>
If relying on consent, is a consent form in place?	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A – lawful basis is not consent, however individuals will be advised that their data will be shared with the provider in order for transport to be arranged.

4 (a) - Compliance with accuracy and retention policy: (link with Retention Schedule)	
Please answer the following	
Accuracy	Data accuracy will be maintained by Officers accessing/updating the data onto Mosaic and Capita one. Teams handling data and ensuring accuracy consist of: <ul style="list-style-type: none"> - ASC (Social Workers) - Integrated Passenger Transport Unit.
Retention Schedule	This data will be deleted after 6 Years

4 (b) Has there been any consultation with Data Subjects?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If No, why not? Continuation of current arrangements in place.
4 (c) Does your activity involve engaging with Service Users or Members of the Public?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, please contact the Research and Citizen Insight Team to discuss your requirements, as you may need to complete the research governance process: citizeninsight@essex.gov.uk

5 - Data Controller/Processor

Is ECC the Data Controller? <i>(If you are unsure please describe below and the IG Team will assess).</i>		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is ECC a Joint Controller? <i>(If Yes, please provide the details of the other controller involved)</i>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the processing involve Data Processor(s)? <i>If so, who are the third parties involved in this activity?</i>		
Yes, data is shared from ECC to transport operators, these are yet to be selected. Transport Operators are processors as they will only be able to use the data for the purpose we provide them with.		
Do we have a statutory duty to provide this service and process the personal data?		If yes, please name the relevant legislation/statutory instrument:
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Care Act 2014

6 – Transfer/storage outside the UK and outside the EEA. <i>Where will information be transferred or stored?</i> <i>This includes systems and support services for those systems. Consider <u>all</u> parties involved.</i>							
6 a)	Will all information remain in the UK?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Yes – Go to section 7 or; No – go to 6 b)				
6 b)	Will all information remain in the EEA?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<table border="1"> <tr> <td>Please detail country:</td> <td>Yes – Go to 6 d) No – Go to 6 c)</td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	Please detail country:	Yes – Go to 6 d) No – Go to 6 c)		
Please detail country:	Yes – Go to 6 d) No – Go to 6 c)						
6 c)	If outside of the EEA, where will information be stored/transferred?	Please detail:	Then go to 6 d)				
6 d) Describe why it is necessary to transfer information outside of the UK:							

6 e) - Transfer outside the EEA. <i>If the answer to 6b was yes, please complete:</i>			
Select safeguards:		Appropriate conditions – derogation for situation:	
Adequacy Decision	<input type="checkbox"/>	Where it is in the public interest established in UK law	<input type="checkbox"/>
		To defend legal claims	<input type="checkbox"/>
Standard Contract Clauses	<input type="checkbox"/>	In the vital interests of the data subject or others	<input type="checkbox"/>
		Public registers	<input type="checkbox"/>

Binding Corporate Rules	<input type="checkbox"/>	NON-STATUTORY ONLY - Explicit consent of the Data Subject	<input type="checkbox"/>
		NON-STATUTORY ONLY - Where necessary for the performance of a contract	<input type="checkbox"/>

7 – What security measures will be implemented to protect the data?

All data shared with transport operators will be done in line with ECC security measures. Data will only be shared via secure email. Data shared will be password protected.

Information held by ECC will be stored on Mosaic and Capita One

8 – Contracts/Agreements/Protocols

Where a third party is processing information on behalf of ECC or we are sharing information, we need to ensure we have the right written instructions in place.

Has a Data Processing agreement been completed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What Contract/Agreement is in place?	Data Handling Schedule within the overarching terms and conditions
What Procurement Process is being implemented for this activity?	Via open tender process
Is there an Information Sharing Protocol (ISP) in place? (please provide the title of this document)	N.A
Is this activity without formal agreements or terms in place such as an internal process or ad hoc sharing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

End of Customer Section

For Information Governance to complete

9 – Technical Services (TS) Engagement

Has TS provided any input regarding technical controls relating to this proposed activity?

<input type="checkbox"/> Yes	<i>If No, then the customer needs to be directed to the Security Architect for them to review this process</i>
<input type="checkbox"/>	
No	
<input checked="" type="checkbox"/> N/A	

10 - Conditions for Processing

Tick all relevant conditions which provide a legal basis for the processing of Personal and Special Category data.

Personal Data			Special Categories					
6(1)(a)	Consent	<input type="checkbox"/>	9(2)(a)	Explicit Consent	<input type="checkbox"/>	9(2)(g)	Public Interest	<input type="checkbox"/>
6(1)(b)	Contracts	<input type="checkbox"/>	9(2)(b)	Employment, Social Security, Social Protection Law	<input type="checkbox"/>	9(2)(h)	Medicine, Employee Capacity, Medical Diagnosis, Health or Social Care	<input type="checkbox"/>
6(1)(c)	Legal Obligation	<input checked="" type="checkbox"/>	9(2)(c)	Vital Interests	<input type="checkbox"/>	9(2)(i)	Public Health	<input type="checkbox"/>
6(1)(d)	Vital Interests	<input type="checkbox"/>	9(2)(d)	Not-for-Profit Body	<input type="checkbox"/>	9(2)(j)	Archiving, Scientific and Historical Research or Statistical Purposes	<input type="checkbox"/>
6(1)(e)	Public Interest/ Official Authority	<input checked="" type="checkbox"/>	9(2)(e)	Made Public	<input type="checkbox"/>			
6(1)(f)	Legitimate Interests	<input type="checkbox"/>	9(2)(f)	Legal Claims / Judicial	<input type="checkbox"/>			

11 - High Risk Processing

Does the processing meet the criteria of High Risk processing as defined by the Information Commissioner's Office?

Systematic and extensive profiling with significant effects	<input type="checkbox"/>	Profiling children or targeting marketing or online services at them	<input type="checkbox"/>
Processing of special category, for law enforcement purposes or criminal offence data on a large scale	<input type="checkbox"/>	Processing data that might endanger the individual's physical health or safety in the event of a security breach.	<input type="checkbox"/>
Systematically monitoring publicly accessible places on a large scale, e.g. CCTV	<input type="checkbox"/>	Profiling or special category data to decide on access to services;	<input type="checkbox"/>
New technologies, or changes to how we use technologies	<input type="checkbox"/>	Profiling individuals on a large scale	<input type="checkbox"/>
Where we intend to match data or combine datasets from different sources	<input type="checkbox"/>	Where processing genetic or biometric data	<input type="checkbox"/>
Where we collect personal data from a source other than the individual without providing them with a privacy notice ('invisible processing')	<input type="checkbox"/>	Where international transfers will be necessary	<input type="checkbox"/>
Processing to track individuals' location or behaviour	<input type="checkbox"/>	High Risk? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

12 - Compliance with Data Protection Principles (the principles of Accuracy and Storage are addressed by the customer in section 4a):

Have the following principles been addressed? (If the answer is 'No' to any of the below then please provide an explanation for the risk that has been assessed)

	Yes	No	Comments
Lawfulness, Fairness and Transparency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Privacy notice will be updated to show this processing before activity goes live and once transport provider is known.
Purpose limitation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Data Minimisation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Integrity, Availability and Confidentiality	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Data Protection Act 2018 (DPA 2018) (Law Enforcement Processing) ONLY

13 - Is the above data processed for Law Enforcement purposes?

This must be the primary purpose for processing the data and we must have enforcement powers to do so.

☐ Yes (continue completing this section) ☒ No (continue to section 16)

14 - Conditions for Sensitive Processing

Tick all relevant conditions which provide a legal basis for sensitive processing under part 3.

Schedule 8 conditions.

1	Judicial and Statutory Purposes	<input type="checkbox"/>	6	Legal Claims	<input type="checkbox"/>
2	Administration of Justice	<input type="checkbox"/>	7	Judicial Acts	<input type="checkbox"/>
3	Protecting Individual's Vital Interests	<input type="checkbox"/>	8	Preventing Fraud	<input type="checkbox"/>
4	Safeguarding of Children and of Individuals at risk	<input type="checkbox"/>	9	Archiving etc.	<input type="checkbox"/>
5	Personal data already in the public domain (by the Data Subject)	<input type="checkbox"/>			

15 - Transfer outside the EEA.**The transfer is only permitted if the following three conditions are met:**

Condition 1	Necessary for Law Enforcement Purposes	<input type="checkbox"/>
Condition 2	Based on an Adequacy Decision (section 74) or;	<input type="checkbox"/>
	Appropriate Safeguards (section 75) or;	<input type="checkbox"/>
	One of the Special Circumstances below:	<input type="checkbox"/>
(a)	To protect the vital interests of the Data Subject or another person	<input type="checkbox"/>
(b)	To safeguard the legitimate interests of the Data Subject	<input type="checkbox"/>
(c)	For the prevention of an immediate and serious threat to the public security of a member state or third country	<input type="checkbox"/>
(d)	In individual cases for any of the law enforcement purposes	<input type="checkbox"/>
(e)	In individual cases for a legal purpose.	<input type="checkbox"/>
Condition 3	Recipient is a relevant authority in a third country or a relevant international organisation. (If neither, further sections may apply, see chapter 5)	<input type="checkbox"/>

16 – Risk Description

Risk Number	Risk Description	Score and Risk Probability Indicator before mitigations	Mitigating Factors	Score and Risk Probability Indicator after mitigations
R1	Information being shared or stored without proper security in place, this could lead to unauthorised access and action by the ICO	Impact 3 - Probability 3 Overall Grading 3 x 3 = Medium (9)	Information will be shared via secure email, and data stored within ECC will be on Mosaic and Capita One	Impact 3 - Probability 1 Overall Grading 3 x 1 = Minor (3)
		Choose an item. Overall Grading Choose an item.		Choose an item. Overall Grading Choose an item.
		Choose an item. Overall Grading Choose an item.		Choose an item. Overall Grading Choose an item.

[Corporate Risk Assessment](#)

17 – Has this processing been fully updated on the Information Asset Register (RoPA)?

<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Asset (or sub-asset) ID:		Flow ID:	
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18 – Activity Approval

Has this proposed activity been approved by IG?

☐ Yes (please go to Section 18A) ☐ No (please see below for the reasons for this decision)

Reason for activity not be approved

Name

Date

Select Date

18A - Customer agreement

Please sign to confirm that IG advice given has been followed as documented above and that any new changes to this activity will be notified to the IG Team so that a review can be undertaken prior to the activities annual review date as denoted below.

Please Note: A further review will take place on the 3rd Month of this activity being approved

Name:

Date:

Annual DPIA Review will be completed on the following date: Select Date

19 - Information Governance approval

Name

Date

Select Date

Annual DPIA Review will be completed on the following date:

Select Date

20 – Additional Approvals

		Name	Date	Comments
Information Governance	Scope/Design:		Select Date	
	Implementation:		Select Date	
Further sign offs if required:				
Data Protection Officer (DPO)	Sign off residual risks if IG have been unable to mitigate fully:		Select Date	

If prior consultation with the ICO was sought:

Date of request for consultation	Date of acknowledgement	Date response due (Generally 8 weeks, but can extend for a further 6 weeks)	Date of response	ICO opinion
Select Date	Select Date	Select Date	Select Date	
Senior Information Risk Officer (SIRO)	Name		Date	Comments
			Select Date	
Supporting Documentation [Hyperlink or embed here]				

Guidance:**Personal Data:**

Information about a living individual that identifies them either on its own or with other data. Such as:

Name	Address	Date of Birth
IP Address	Location Data	Online Identifier

Law Enforcement Purposes: The prevention, investigation, detection or prosecution of criminal offences, or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security. Only Competent Authorities can process personal data for law enforcement purposes. If we have enforcement powers, e.g. Trading Standards, School Penalty Notices, Coroners this may apply, but it would not apply to processing where law enforcement is not the primary purpose, e.g. Child and Adult protection services.

Data Controller: (See the 'key terms' link below to the ICO website for further details).

'means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law'

In most cases if ECC need to conduct work or commission a service to do this work on our behalf, we will be the Data Controller for the information which is processed in order to do that work.

Data Processor(s): (See the 'key terms' link below to the ICO website for further details).

'means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller'

This will usually be the third party we contract to do work on our behalf or provide us with systems.

Business Information:

Information not relating to individuals such as finance information, project documentation or any other information we would not want to be out in the public domain.

Third Party:

A party who will be processing information on our behalf. Such as a partner, a commissioned provider, another party involved in the activity. This could also be a volunteer, person on work experience, a consultant, or anyone who is not employed by ECC but is handling our information.

The EEA:

The EEA includes EU countries and also Iceland, Liechtenstein and Norway.

<https://www.gov.uk/eu-eea>

Consider where the information is transferred or stored. For instance, some companies have their servers hosted outside the EEA and this would not meet Data Protection requirements.

For more information:

Please see the guidance document here: [IGIA Guidance](#)

Please see some [key terms](#) on the ICO website

Here are the ECC [information policies](#)

You can contact the information governance team on:

informationgovernanceteam@essex.gov.uk - 03330 139824