

## **SEND Improvement Plan - Privacy Impact Assessment**

<b>Ref</b>	<b>Questions</b>	<b>Assessment responses</b>
	<b>TITLE</b>	<b>SEND Improvement Plan</b>
<b>A</b>	<b>Basic Information</b>	
1	Information Asset Owner / Head of Service	Nick Wilson
2	Service Manager	SEND Group Manager
3	Contact name	Penny Richardson
4	Contact telephone	
5	Target date required for completion of PIA	
6	Target implementation date of project/change	
7	Information Asset Register Reference (if known)	

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8	<p>Project/Change Outline - Brief description of what is being planned.</p> <p><i>Include links to relevant project documentation if available</i></p>	<p>The SEND Improvement Action Plan is a response to the requirement to produce a Written Statement of Action detailing how we will tackle areas for improvement identified by the Joint Local Area SEND Inspection that took place between the 5 – 9 March 2018. The findings of the Inspection were published on the 16th May 2018. The plan also includes associated and ancillary actions and tasks to ensure there is a single implementation plan that responds to the findings and the implementation of the SEND strategy. The primary aim of this plan is to build trust and confidence in the system that supports parents, carers, families and children and young people with SEND.</p>
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9	<p>What are the privacy impacts of this proposal?</p> <p>Describe the new or change in the way the service is delivered, change of system, how will personal data be collected or treated differently to current usage? Is specific information being collected or accessed that hasn't previously or is the level of information about an individual increasing?</p>	<p><i>Changes to service delivery will be developed during the initial planning phase under each workstream of the plan.</i></p> <p><i>The planned service improvement is not expected to impact the way or amount of personal data captured</i></p>
10	Number of customers/stakeholders impacted	<i>The proposed changes will impact all SEND children and families</i>
<b>B</b>	<b>INFORMATION COLLECTED</b>	
B1	<p>What personal data is involved? For health systems, is it patient identifiable data?</p> <p><i>See Notes below</i></p>	<i>Personal data collected involve names, address and diversity monitoring data. A unique identifier is created through Frameworki</i>
B2	<p>Describe the planned information flows, i.e. where does the information go - internally, externally and how.</p> <p><i>An information flow diagram would be useful if you have this.</i></p>	<i>The information is stored on Frameworki and will be shared with any partnership agency that will provide support with consent gained and recorded</i>
B3	Describe why you really need all the personal information you are planning to collect, or can you collect anonymised information instead.	<i>The information collected is essential for assessments and support to be carried out and some is required to be collected for reporting and monitoring purposes</i>
<b>C</b>	<b>FAIR PROCESSING</b>	
C1	Are you relying on individuals to provide consent for the processing of their information or is there a Legal Gateway?	<i>Consent will be captured and recorded for personal data to be shared with any partner agency who may be able to provide support. Consent may be withdrawn at any time and records updated accordingly.</i>

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	<p>If consent how will that consent be obtained, recorded and kept up to date? What will happen if they withdraw consent?</p> <p>If Legal Gateway please detail what legislation/Act you're relying on</p>	
C2	<p>Will the individuals whose information will be in the system be informed of the processing and disclosures that will take place? For example, are they aware of the collection and how their information will be used.</p> <p>Please provide a link to the service specific privacy notice</p>	<p><i>Privacy notices are available on the public website.</i></p> <p><i>Children's Specific Notices:</i>  <a href="http://www.worcestershire.gov.uk/info/20097/children_families_and_communities/473/children_families_and_communities_policy_and_guidance">http://www.worcestershire.gov.uk/info/20097/children_families_and_communities/473/children_families_and_communities_policy_and_guidance</a></p> <p><i>Council's Privacy Notice:</i>  <a href="http://www.worcestershire.gov.uk/fullprivacynotice">http://www.worcestershire.gov.uk/fullprivacynotice</a></p>
C3	<p>If the service is being commissioned, who will be responsible for informing the individuals of change of provider and gaining consent</p>	<p><i>Any commissioning arrangements will be developed under each individual workstream. A communication plan detailing this will be developed where necessary</i></p>
C4	<p>What provisions are in place for if a person objects to the new way of processing?</p>	<p><i>The processing of personal data will not change</i></p>
<b>D</b>	<b>OWNERSHIP and LOCATION of DATA</b>	
D1	<p>Who will be responsible for the data stored.          If external, provide the names of all sub-contractors (i.e. who may store/host the data on behalf of main partner/supplier )</p> <p><a href="#">ICO guidance</a>  <a href="#">NHS guidance (IGA)</a></p>	<p><i>All CFC staff are responsible for ensuring that recorded information on active cases is accurate</i></p>
D2	Data Controller(s)	

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	<i>Determine if Joint or Common data controllers and rationale.</i>	
D3	Data Processor(s) <i>If applicable</i>	
D4	Format of data.  <i>Require a list of all types - delete those that do not apply or add new.</i>	<i>All data is electronic and captured on FWI</i>
D5	Location of all data. <i>Is data being stored and accessed off-site from Council premises?</i>  Specify country data is held if offsite, e.g. England, Ireland, Germany, EEA, US, Worldwide	<i>All data is stored on internal secured servers.</i>
<b>E</b>	<b>ACCESS TO DATA</b>	
E1	What measures are being put in place to ensure data sets are only available to those with a legitimate need to access them and the data is held securely? e.g. Physical or system or role based access restrictions.	<i>Access to Frameworki is only permitted to staff who work in social care and those who provide a support function. Access must be requested and approved</i>
E2	Will the data be shared outside of WCC staff by partners/suppliers and are sharing agreements in place or do they need to be developed?	<i>Data will be shared with required partners to provide support.</i>
E3	Are audit trails planned to log who accesses the data?	<i>Frameworki logs all users who access records and this is monitored for unusual activity</i>
E4	How will personal data be supplied for subject access requests? Does the system/process have this built in?	

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E5	Describe how all staff are adequately training in data protection and confidentiality.	<i>Staff are required to complete e-learning modules around data protection and confidentiality before access to Frameworki is granted</i>
<b>F</b>	<b>ACCURACY, RETENTION AND DISPOSAL</b>	
F1	Will the information be kept up to date and how will the personal data be checked for accuracy? This applies to electronic and paper formats.	<i>All workers are responsible for checking the accuracy on active cases</i>
F2	Are measures in place to routinely remove redundant information and for it to be disposed of securely? This applies to electronic and paper formats.	<i>The information is subject to regulations and the Councils disposal schedule</i>
F3	Retention of data How long will data be kept for? <i>Link to retention schedule if known.</i>	<i>The information will be retained according to the retention schedule</i> <a href="https://worcestershirecc.sharepoint.com/:x:/r/information-governance/Documents/Disposal%20Schedule.xlsx?d=wacd46750af034f59b65a2c530bb8b2aa&amp;csf=1">https://worcestershirecc.sharepoint.com/:x:/r/information-governance/Documents/Disposal%20Schedule.xlsx?d=wacd46750af034f59b65a2c530bb8b2aa&amp;csf=1</a>
<b>G</b>	<b>COMMISSIONING</b>	
G1	If the data is being commissioned externally does the contract or agreement in place have clauses that relate to Information Governance, including information about Data Protection, Freedom of Information and Records Management?  <i>The contract should also include about what happens to the information once a contract comes to a close, i.e. transfer to</i>	<i>Any commissioning activity will include all standard clauses regarding information governance within the contract and any further details will be considered under each workstream</i>

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	<p><i>new provider, transfer back to Worcestershire</i></p> <p>See <a href="#">commissioning/ decommissioning IM checklists</a></p>	
G2	<p>Is it clear who is responsible for responding to subject access requests. i.e. will it be Worcestershire or the commissioned service provider?</p>	<p><i>The details of responsibility will be clarified in any contract</i></p>
G3	<p>Is there a process for when a customer asks for their personal data to be removed from the system?</p>	<p><i>Any request will follow the responsible organisation's processes</i></p>
<b>H</b>	<b>DIRECT MARKETING</b>	
H1	<p>Does the system send messages by electronic means? <i>This includes both live and pre recorded telephone calls, fax, e mail, text messages or via social networking sites.</i></p>	<p><i>No</i></p>
H2	<p>Will you be involved in direct marketing? <i>This may be classed as direct marketing and the PECR regulations would apply. Consent and opt-out is required. Seek advice.</i></p>	<p><i>No</i></p>

<b>I</b>	<b>RISKS</b>	<i>To be agreed by service contact and IM</i>
	<p>List here risks identified. <i>Have the information risks been already assessed for the process/system or are they part of the project risk register?</i></p>	<p>1. <i>The risks to data are captured under the Frameworki risk log</i></p>

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<b>J</b>	<b>ACTIONS</b>	
	List planned actions to address risks identified above.	1. <i>Any actions will be recorded on the Frameworki risk log</i>
	<b>Assessment Completed by: (name &amp; contact number)</b>	Rachel Kiernan
	<b>Assessment completion date</b>	18.2.19
	<b>APPROVALS REQUIRED</b>	
	<b>Information Management Date:</b>	
	<b>Service Manager Date:</b>	Nick Wilson 19.2.19
	<b>Copied to: <i>Insert names as relevant (SIRO/CG/IAO)</i></b>	



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## NOTES:

**Personal data** as described in the Data Protection Act  
Information sufficient to identify a living individual by itself or in conjunction with other information held by the Council. Includes any expression of opinion about an individual and any indication of the intentions of the Council or any other person in respect of the individual.  
Examples are:

- contact details,
- NI number,
- bank account details, credit card details.

Some may be high risk for the individual for example, access details for vulnerable people, protected whereabouts for people at risk.

## Sensitive personal data

Specific attributes defined in the Data Protection Act as sensitive data are:

- physical/mental health
- criminal proceedings
- ethnicity data
- sexual life
- trade union
- political opinions
- religious beliefs

**Personal Identifiable Data (PID)** as described in the NHS by HSCIC, is information (an identifier) about a person e.g. a patient, client, service user or staff, from which the individual could be singled out from others.

It may be a single or combination of two or more identifiers such as:

Name, Address, Postcode, Email address, Date of birth, Driving licence number (DoB and first part of surname), Other dates (e.g. death, diagnosis), NHS number, National Insurance number, Local identifier number (Social care, hospital, or GP practice number).

## WCC information risk classifications

- No Risk
- Low Risk
- High Risk
- Very High Risk