

Data Protection Full Assessment
Impact Assessment Id: #383**1.0 Screening Information****Project Name**

Open for Business

Name of Project Sponsor

Sue Crow

Name of Project Manager

Stephen Butterworth

Name of Project Lead

Stephen Butterworth

Please give a brief description of the project

The Open for Business Board will provide leadership and direction, it will endorse individual Open for Business project business cases including investment decisions approved by the Cabinet Member with Responsibility for Economy, Skills and Infrastructure / and or Cabinet

Data Protection screening result

Will require a full impact assessment

Equality and Public Health screening result

Will require a full impact assessment

Environmental Sustainability screening result

Does not need a full impact assessment

1.1 Background and Purpose

Background and Purpose of Project?

To support your answer to this question, you can upload a copy of the project's Business Case or similar document. Open for Business is a funding programme that enables projects to be financially sourced.

The project put forward under the Equality Impact assessment is 'Workforce Resilience'. The project aims are to offer :

1. Embed a consistent and effective approach for Skills Diagnostic/ Training Needs Analysis in Employer Engagement staff within Training Providers, stakeholders and Growth Hub team across Worcestershire . The knock-on impact of centralised and improved diagnostics being improved intelligence within county on employer needs moving forward.
2. Alongside diagnostic tools, offer support for Employers to understand how to effectively workforce plan moving forward, recognising succession needs proactively and utilising reskilling opportunities within the county.
3. Develop Incentives to encourage and support young people to undertake and complete apprenticeships and contribute positively to our economy and key sectors. To include incentives and travel payments for specific industries, where costs can outweigh benefits that would support WCC's wider areas of workforce need such as Apprenticeship opportunities across all key sectors.
4. Curriculum development fund to reduce barriers for providers in developing and running economically vital curriculum for Worcestershire's workforce to include capital and revenue investment to develop and resource new employer driven curriculum, spaces for residents to explore careers development and flexible funds which ensure providers can run courses as needed by economy.
5. Pilot programme to target those young people most at risk i.e. Care leavers and increase participation in Apprenticeships and Employment.
6. Improve access and facilitate spaces for residents to advice and guidance and reskilling services building on current resources.
7. Permanent resources for length of project to drive forward promotion and marketing of Apprenticeships and Workforce planning in the County, continuing to raise profile and support agendas.

Upload Business Case or Support documents

[WLEP-A4-Landscape-Local-Skills-Report-update-2022-FINAL-Version.pdf](#)

Project Outputs

Briefly summarise the activities needed to achieve the project outcomes.

500 Business supported / 500 residents supported into Apprenticeships

Project Outcomes

Briefly summarise what the project will achieve.

This project is designed to reduce the impact faced from a number of challenges, as follows:-

- Employer investment in training in Worcestershire has significantly declined year on year, with the pandemic highlighting low levels of engagement both in apprenticeships and adult education. Employers need help and support to effectively workforce plan.
- During the last twelve months Government intervention has been significant in skills, albeit this has created confusion and duplication, there is a need to support residents and employers to understand available support.
- Education Providers struggle to meet employer demands - Providers face ongoing funding challenges and therefore whilst intelligence is available on provision needs, developing and supporting new curriculum to meet skills needs of Worcestershire economy requires resourcing to affect change. The current funding does not allow these flexibilities as funding is both limited and outcome, results driven.
- During the pandemic young people and residents' access to external careers advice was limited, meaning that where advice was given it often lacked detail or experience, and did not champion all post 16 and 18 destinations. The knock-on impact being that Apprenticeships and reskilling interventions such as Adult Education saw significant declines across county-based providers.
- Marketing routes for local providers were more difficult with physical spaces such as schools/libraries/venues being closed to external organisations meaning providers could not access candidates in the usual way.
- Press and social media have compounded the view for young people and their key influencers that staying in education is better as a strategy than entering the workforce in the economic climate, further escalated the assumption that university is the only path to higher level technical roles and that working in certain industries such as care and customer service is challenging , many of which are key in our Worcestershire economy.
- Those most at risk in our communities have been moved further away from labour market as support needs of wider population become greater with limited changes to the resources available.
- Universities were able to offer significant numbers of unconditional offers and accepted students who may have been unsuccessful in previous years .

Is the project a new function/service or does it relate to an existing Council function/service?

Existing

Was consultation carried out on this project?

Yes

1.2 Responsibility

Directorate/Organisation

People

Service Area

Communities

1.4 Specifics

Project Reference (if known)

Not Recorded

Intended Project Close Date *

September 2024

1.5 Project Part of a Strategic Programme

Is this project part of a strategic programme?

Yes

An overarching screening has already been carried out for the following areas:

Not recorded

Upload previous impact assessment documents if available

No files uploaded

2.0 Personal Data

Who are you processing data about?

Customers, clients or service users

What personal data will be collected? *

The second stage is to list all of the types of personal data that you believe the project/works/additional processing will utilise.

Please select yes for as many examples of types of data that are relevant and include any others in the free text at the bottom of the page.

Basic Identifiers:

Name

Yes

Date of Birth

Yes

Age

Yes

Gender

No

Sex

No

Contact Details:

Address

Address

Yes

Email Address

Yes

Home Phone Number

Yes

Mobile Phone Number

Yes

Postcode

Yes

ID Number:

National Insurance Number

No

Driving Licence/Number

No

NHS Number

No

Other General Identifier

No

Employment:

Work Related Training/Awards

Yes

Financial:

Income/Financial/Tax Situation

No

Appearance:

Photograph

No

Physical Description

No

Lifestyle:

Living Habits

No

Marital Status

No

Technology:

Login/Username

No

Device MAC Address (Wireless Network Interface)

No

Device Mobile Phone/Device IMEI No

No

Location Data (Travel/GDPS/GSM Data)

No

Online Identifier e.g. IP Address

No

Website Cookies

No

Other Data Types Collected

Not Recorded

2.1 Legal basis for Personal Data

What is your lawful basis for processing the personal data? *

Please choose one of the following

Data Subject's consent for the purpose

No

Necessary for a contract with the Data Subject

Yes

Necessary to comply with a legal obligation

No

Necessary to protect the vital interests of an individual(s)

No

Necessary for a task in the public interest or exercise of official authority of Controller

No

Necessary for legitimate interests of Controller unless interests are overridden by the interests or rights of the individual (only available in limited circumstances to public bodies)

No

2.2 Special Data

What special category personal data (if any) will be collected? *

This section will not apply to all projects and should only be completed if it applies to you.

It is important that you read this section carefully, as these data types require additional care and protection.

If you do pick anything from this list, you will be required to give more details in Section 4 of this form.

You can read more about Special Category Data through this link;

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/>

Race

No

Ethnic origin

No

Political opinions

No

Religion

No

Philosophical beliefs

No

Trade union membership

No

Genetic Data

No

Biometric Data

No

Sex life

No

Health or social care

No

2.3 Legal basis for Special Data

What is the relevant condition for processing the special category personal data? *

You must qualify under one of the below exemptions as well as having a legal basis from the previous question.

Explicit Consent

The data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;

Not Recorded

Employment and Social Security

Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;

Not Recorded

Vital Interests

Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;

Not Recorded

Legitimate Interests of:

"a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim".

Processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;

Note – this is not often applicable to local authorities.

Not Recorded

Publicly Available Data

Processing relates to personal data which are manifestly made public by the data subject;

Not Recorded

Legal or Court Proceedings

Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;

Not Recorded

Public Interest - Statutory Necessity

Processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;

Not Recorded

Medical, Health and Social Care Provision

Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;

Not Recorded

Public Health

Processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;

Not Recorded

Archiving or Scientific, Historical or Statistical Research Purposes

Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Not Recorded

2.4

Information Involved

Understanding the information flows involved in a project is essential to a proper assessment of privacy risks.

How will the data be collected? *

This section should be filled in for every project, not just those collecting Special Category data.

Data will be collected as part of an application process to ensure that monies are being allocated to Worcestershire residents and businesses.

Privacy notice will be put in place.

What will the data be used for? *

This section should be filled in for every project, not just those collecting Special Category data.

Ensure that grants are given on an appropriate basis to individuals to support them to access Apprenticeships

Data Processing Agreements will be put in place.

Has data already been collected?

No

Are the purposes for which you are collecting the data different? *

If the data you are hoping to use was not collected specifically for this project, please explain in the box below why it was collected. This will include data that you have collected from other teams within WCC.

Not Recorded

Explain why existing and/or less intrusive processes or measures would be inadequate *

In this section, you should explain why your new method/project is absolutely necessary and show that you have thought about all other options.

In order to ensure Council monies are spent effectively we need to be able to assure the legitimacy of the applicant and that they are a resident in county , other data is collected only to support their application and assist them to access the appropriate course

3.0**Other organisations****Are other organisations involved in processing the data?**

Yes

Please provide details of each organisation that is involved in the processing of Data. Do this by adding to the below list. *

Organisation Name	Heart of Worcestershire College
Data Controller or Data Processor	Data Processor
Organisation's Role	Processing young persons application for an apprenticeship
Data Sharing Agreement or Contract	No
Contract Reference Number/DSA Name	Unknown
Organisation involved reason	Supports applicants application to an apprenticeship
Disclosure and Security	Applicant will sign a waiver to allow us to process and share data with organisations that they select.

Organisation Name	Kidderminster College
Data Controller or Data Processor	Data Processor
Organisation's Role	Supports Applicants to access apprenticeship opportunities and secure employment
Data Sharing Agreement or Contract	No
Contract Reference Number/DSA Name	Unknown
Organisation involved reason	Supports applicant to undertake an apprenticeship
Disclosure and Security	Applicant agrees to disclose details to providers to allow contact to happen

Organisation Name	WCG Ltd
Data Controller or Data Processor	Data Processor
Organisation's Role	Supports Applicants to apply for Apprenticeships
Data Sharing Agreement or Contract	No
Contract Reference Number/DSA Name	Unknown
Organisation involved reason	Needs the applicant details to discuss apprenticeship opportunities with them directly.
Disclosure and Security	Applicant agrees to share data as part of the process

Organisation Name	TDM Ltd
Data Controller or Data Processor	Data Processor
Organisation's Role	Supports Applicants to apply for Apprenticeships
Data Sharing Agreement or Contract	No

Contract Reference Number/DSA Name	Unknown
Organisation involved reason	Supports applicant to find apprenticeship opportunities
Disclosure and Security	Signs to agree to share details with provider

Organisation Name	HWGTA
Data Controller or Data Processor	Data Processor
Organisation's Role	Supports Applicant to access apprenticeships
Data Sharing Agreement or Contract	No
Contract Reference Number/DSA Name	Unknown
Organisation involved reason	Supports applicants to apply for apprenticeships , needs details to contact
Disclosure and Security	Applicant agrees to disclose their information for sharing with providers to support applications

5 records

3.1 Storage detail

How will the information be stored? *

Please include details of whether data will be stored outside of the European Economic Area (EEA).

Please remember that cloud storage and back up servers maybe outside the EEA.

Stored in locked cabinets and processed into a secure online system designed to report to the Councils internal boards on progress.

Data will not be retained for longer than necessary . Advice will be sought from internal teams on how long we are able to keep data.

For how long will the data be retained? *

To be defined by the CIMU team

What is the deletion process? *

Systems will be wiped as per the CIMU processes

4 Consultation details

Consultation can be used at any stage of the DPIA process and is important to allow people to highlight privacy risks and solutions based on their own area of interest or expertise.

For further assistance and information please visit the [consultation toolkit section on Ourspace](#).

Explain what practical steps you are going to take to ensure that you identify and address privacy risks *

Working with both the internal Data controller Becki State and the CIMU department to understand and limit risks, data will only be collected if essential to application to allow communication and support.

Privacy Notice will also be put in place together with a Data Processing Agreement.

Who should be consulted, internally and externally? Do you need to seek the views of members of the public? *

Internally - WCC teams only

How will you carry out the consultation? *

(You should link this to the relevant stages of your project management process)

MEetings will be held with CIMU as part of programme set up to understand the limits of authority and ensure safe collation and limited collation of data

5 Risk register

At this stage you should identify the possible privacy risks together with their likelihood, severity and overall level, and for high risks the measures taken to reduce the risk. Add any risk to the relevant sections below.

Fair and Lawful Processing

Data must be processed lawfully, fairly and in a transparent manner.

Please also consider

- Have you identified at least one lawful basis for the personal data processed as part of the project?
- Does at least one Controller involved have a lawful power to act?
- Do you need to create or amend a privacy notice?
- How is your processing going to be transparent?

Risk that processing is not transparent, and individuals are unaware that data is being collected or why it is processed

Unmitigated Risk

Likelihood - Unlikely

Severity - Minimal Impact

Score - Low

Mitigation/Solution

Individuals will consent to share data as part of profile and application process. Data sharing agreements will be in place with providers

Mitigated Risk

Likelihood - Unlikely

Severity - Minimal Impact

Score - Low

Result

Accepted

Risk that information is being processed unlawfully

No Risk

Specific, explicit and legitimate purposes

The purpose for which you process personal data must be specified, explicit and legitimate. Personal data collected must not be processed in a manner that is incompatible with the purpose for which it was originally collected.

Please also consider

- Does your project plan cover all of the purposes for processing personal data? If not your plan needs amending accordingly.
- Are all elements of the processing compatible with the original reason and justification for the processing?
- What are these specific, explicit and legitimate purposes?

Risk of 'mission creep' and information is used for different, or incompatible purposes to that identified when originally collected

No Risk

Adequate, relevant and not excessive

Personal data processed must be adequate, relevant and not excessive in relation to the purpose for which it is processed.

Please also consider

- Is the quality of the information adequate for the purposes it is used?
- If not, how is this to be addressed?
- Are measures in place to ensure that data is limited to that which is needed to fulfill the aim of the processing?
- Which personal data elements do not need to be included without compromising the needs of the project?

Risk of loss of control over the use of personal data

Unmitigated Risk

Likelihood - Unlikely
 Severity - Minimal Impact
 Score - Low

Mitigation/Solution

Providers will be signed up to a data sharing agreement, individuals will understand what purposes their data is being shared for .

Mitigated Risk

Likelihood - Unlikely
 Severity - Minimal Impact
 Score - Low

Result

Accepted

Risk that inadequate data quality means the information is not fit for the identified purpose(s) potentially leading to inaccurate decision making

No Risk

Risk that any new surveillance methods may be an unjustified intrusion on individuals' privacy

No Risk

Accurate and timely

Personal data processed must be accurate and, where necessary, kept up to date, and every reasonable step must be taken to ensure that personal data that is inaccurate is erased or rectified without delay.

Please also consider

- If you are procuring new software does it allow you to amend data when necessary?
- How are you ensuring that personal data obtained from individuals or other organisations is accurate?
- Do you have processes in place to keep data up to date?
- If any data sets are to be merged, what checks are carried out to ensure that the right data records are matched/merged together?

Any data matching or linking, including whole data sets may link wrong records together

No Risk

Storage limitation

Personal data must be kept for no longer than is necessary for the purpose for which it is processed. Appropriate time limits must be established for the periodic review of the need for the continued storage of personal data.

Please also consider

- What are the risks associated with how long data is retained and how they might be mitigated?
- Has a review, retention and disposal (RRD) policy been established?
- How does the software enable you to easily act on retention criteria – does it enable bulk review/destruction; set review periods; extract for long-term preservation/retention of the corporate memory?

Risk information is retained for the wrong length of time (both too long and too short)

Unmitigated Risk

Likelihood - Unlikely
 Severity - Minimal Impact
 Score - Low

Mitigation/Solution

CIMU will be consulted as part of project set up to define length of time for data record keeping and data will be deleted beyond this

Mitigated Risk

Likelihood - Unlikely
 Severity - Minimal Impact
 Score - Low

Result

Accepted

Risk information is not securely destroyed when its retention period has been reached

Unmitigated Risk

Likelihood - Unlikely

Severity - Minimal Impact
Score - Low

Mitigation/Solution

As part of the project mgmt , staff will note the collation dates and retention dates of records. They will be destroyed and removed from the system as per CIMU processes

Mitigated Risk

Likelihood - Unlikely
Severity - Minimal Impact
Score - Low

Result

Accepted

Security

Personal data must be processed in a manner that ensures appropriate security of the personal data, using appropriate technical or organisational measures (and, in this principle, “appropriate security” includes protection against unauthorised or unlawful processing and against accidental loss, destruction or damage).

Please also consider

- What technical and organisational measures are in place to ensure that the data is protected to an adequate level?
- What training on data protection and/or information sharing has been undertaken by relevant staff?
- What access controls are in place to enforce the ‘need to know’ principle?
- What assurance frameworks are utilised to assess adequacy of security measures in place e.g. NHS DSPT; Cyber Essentials Plus; PSN Certification?

Risk of loss of confidentiality

Unmitigated Risk

Likelihood - Unlikely
Severity - Minimal Impact
Score - Low

Mitigation/Solution

Staff in organisations processing data are trained in DPA and understand the rules around record keeping and data sharing

Mitigated Risk

Likelihood - Unlikely
Severity - Minimal Impact
Score - Low

Result

Accepted

Risk of inadequate security controls in place to protect and secure personal data, including inappropriate access

No Risk

Risk that workers processing the data are not aware of their data responsibilities

Unmitigated Risk

Likelihood - Unlikely
Severity - Minimal Impact
Score - Low

Mitigation/Solution

Staff are trained in WCC and in provider partners

Mitigated Risk

Likelihood - Unlikely
Severity - Minimal Impact
Score - Low

Result

Accepted

Risk that information is distributed using inappropriate methods

No Risk

Risk of re-identification of pseudonymized or anonymised data (e.g. collecting matching and linking identifiers and information may result in information that is no longer safely anonymised)

No Risk

Risk that information is transferred to a 'third country' without adequate safeguards

No Risk

Financial and reputational**Risk of identity theft or fraud****Unmitigated Risk**

Likelihood - Unlikely

Severity - Some Impact

Score - Low

Mitigation/Solution

Data access will be limited to named contacts and those contacts will be trained in data collation protocols.

Mitigated Risk

Likelihood - Unlikely

Severity - Minimal Impact

Score - Low

Result

Accepted

Risk of financial loss for individuals or other third parties

No Risk

Risk of financial loss for the Council (including ICO fines)

No Risk

Risk of reputational damage to the Council, partners, and processors

No Risk

Health, safety and wellbeing**Risk of physical harm to individuals**

No Risk

Risk of physical harm to staff and workers

No Risk

Risk of discrimination

No Risk

Risk of other significant economic or social disadvantage

No Risk

Individuals Rights

Data protection legislation gives data subjects' various rights (listed below). Limiting or restricting any of these rights is likely to be a significant impact so the justification for any restriction, as well as mitigations, must be fully outlined.

Inability to meet individuals' right to be informed**Unmitigated Risk**

Likelihood - Unlikely

Severity - Minimal Impact

Score - Low

Mitigation/Solution

Should Data not be used appropriately, individuals will be informed. However there is no reason to assume this would happen as data access will be limited to users within providers who have signed data agreements.

Mitigated Risk

Likelihood - Unlikely

Severity - Minimal Impact

Score - Low

Result
Accepted

Inability to meet individuals' right of access

No Risk

Inability to meet individuals' right to rectify inaccurate data

No Risk

Inability to meet individuals' right to erase data

No Risk

Inability to meet individuals' right to restrict processing

No Risk

Inability to meet individuals' right to data portability

No Risk

Inability to meet individuals' rights relating to automated decision making and profiling

No Risk

Additional project specific risks

No additional risks recorded

6 Declaration

I confirm to the best of my knowledge that the information I have provided is true, complete and accurate *
Selected

I confirm that I will make sure that data protection has been and continues to be considered throughout the project life cycle and should circumstances change in the project to include any processing of personal data a further Data Protection Impact Assessment Screening will be carried out *
Selected

7 Application Details

Last Updated Date Time

25/08/2022 09:37:37

Screening Submitted Date Time

08/08/2022 16:00:58

Last Reopened Date Time

No Date Recorded

Full Impact Submitted Date Time

25/08/2022 08:37:37

Approved/Rejected Date Time

25/08/2022 09:41:19

Current User Dashboard Request Status

Complete

8.0 People with access to the original screening

[Stephen Butterworth \(sbutterworth@worcestershire.gov.uk\)](mailto:sbutterworth@worcestershire.gov.uk)

8.1 People with access to this data protection assessment

[Judith Gibbs \(JGibbs@worcestershire.gov.uk\)](mailto:JGibbs@worcestershire.gov.uk)

[Stephen Butterworth \(sbutterworth@worcestershire.gov.uk\)](mailto:sbutterworth@worcestershire.gov.uk)

9 Direct Questions

Question:

Hi,

I would suggest under section 2.1 you would only process under contract and not consent as there may be reason you would need to keep the data if consent was withdrawn.

Have you got a privacy notice in place?

Are you putting data processing agreements in place?

Thanks,

Charlotte

Asked by Charlotte Shepard (CShepard@worcestershire.gov.uk) at 10/08/2022 16:51:24

Judith Gibbs (JGibbs@worcestershire.gov.uk), and Stephen Butterworth (sbutterworth@worcestershire.gov.uk) have been asked this question.

Response:

Apologies yes it should be under contract , if the project is approved by Cabinet then yes we will put a privacy notice in place and data processing agreement will form part of the contracting agreements with the third parties.

Judith Gibbs (JGibbs@worcestershire.gov.uk) at 11/08/2022 16:00:30

[Add Response](#)