

Appendix F

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Place
Service:	Environment
Team:	Public Rights of Way
Lead Officer:	Elaine Cox
Title of Project/System:	Public Rights of Way Case Programmes ID Report
Date of Assessment:	1 March 2020

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p><small>Note – sensitive personal data is described as “data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”</small></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p><small>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</small></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p><small>Note – will it have an interactive element which allows users to communicate directly with one another?</small></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will any decisions be automated?</p> <p><small>Note – does your system or process involve circumstances where an individual's input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</small></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p><small>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</small></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:***
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;***
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:***
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;***
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;***
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.***
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.***
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”***

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	To note progress in dealing with the cases assigned for 2018/19. To agree recommended cases for 2019/20.
Summary of relevant legislation:	Mainly Highways Act 1980 and Wildlife and Countryside Act 1981.
Does the proposed decision conflict with any of the Council's key strategy priorities?	No.
Name of assessor:	Elaine Cox.
Date of assessment:	1 March 2020.

Is this a:		Is this:	
Policy	No	New or proposed	Yes
Strategy	No	Already exists and is being reviewed	Yes
Function	Yes	Is changing	Yes
Service	Yes		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	Improvement of the public rights of way network and ensuring ease of use.
Objectives:	Specific targets for physical works, path orders, enforcement, and general improvements.
Outcomes:	Improvements to access in terms of physical provision for the public. Also delivery of applications to create, move or extinguish access.
Benefits:	Improvement of the public rights of way network, and ensuring ease of use, in certain targeted areas of work.

2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age	Inaccessible structures, e.g.	Work planning involves EIA

	stiles, and uneven PROW surfaces, exist on the PROW network. Some PROW may therefore be difficult to negotiate.	and often consultation with local people, parish councils and the Local Access Forum.
Disability	Inaccessible structures, e.g. stiles, and uneven PROW surfaces, exist on the PROW network. For the blind or partially-sighted, there may be trouble reading promotional information.	Work planning involves EIA and often consultation with local people, parish councils and the Local Access Forum.
Gender Reassignment	N/A.	N/A.
Marriage and Civil Partnership	N/A.	N/A.
Pregnancy and Maternity	Inaccessible structures, e.g. stiles, and uneven PROW surfaces, exist on the PROW network.	Work planning involves EIA and often consultation with local people, parish councils and the Local Access Forum.
Race	For those who are unable to read English, some PROW signs and literature may be unclear.	Work planning involves EIA and often consultation with local people, parish councils and the Local Access Forum.
Religion or Belief	For those who are unable to read English, some PROW signs and literature may be unclear.	Work planning involves EIA and often consultation with local people, parish councils and the Local Access Forum.
Sex	N/A.	N/A.
Sexual Orientation	N/A.	N/A.
Further Comments relating to the item:		
Those managing the public rights of way (PROW) network are legally obliged to ensure that all PROW are maintained in a suitable condition for those who wish to use them. There is a network of 700 miles of rural, urban and suburban PROW. When managing and maintaining this network, each PROW is considered on a case-by-case basis and reasonable adjustments are made to for access for the disabled.		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	Yes
Please provide an explanation for your answer: see mitigating measures explained in the table above for each category.	

What actions will be taken to address any negative effects?			
Action	Owner	By When	Outcome
Inaccessible structures, e.g. stiles, and uneven PROW surfaces, are to be removed/improved as part of the case programmes.	PROW team	Ongoing	A gradual improvement in accessibility across the network, with priorities in the case programme for replacement of stiles with gates and for identification of new routes for easy access by those with reduced mobility.
The case programme contains steps to introduce greater use of interactive web pages, to benefit the partially-sighted and those unable to read English.	PROW team	Ongoing	There is a priority in the case programme for promotional work, so there will be an improvement in accessibility to such material.

Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4 Identify next steps as appropriate:	
Stage Two required	No.
Owner of Stage Two assessment:	N/A.
Timescale for Stage Two assessment:	N/A.

Name: Elaine Cox

Date: 1 March 2019.

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.