

Data Protection Impact Assessment – Stage Two

What is it you're planning to do?

Explain the problem, need, issue or deficiency your project will address, and what kind of data processing it will involve. You may wish to include project plans or flowcharts.

Consider:

- What do you want to achieve?
- What is the intended effect on individuals?
- What are the benefits of the processing for your service and the wider organisation?

A revised Housing Allocations Policy is being put forward for adoption following public consultation.

The Housing Allocations Policy is a key statutory policy that must meet the council's legal requirement to provide a statement of choice and also adhere to the "Allocation of Accommodation: Guidance for Local Housing Authorities in England" (CLG, June 2012).

There has been an amendment to the Housing Act 1996 in the form of the Homelessness Reduction Act requiring a review of the Council's current Allocations Policy. The revised policy takes into account all current legal context and considerations including guidance and stipulations by Central Government.

The Housing Allocation Policy has been updated from a points-based system to a banding system which is considered to be fairer. It has also been amended so that anyone not meeting the Council's qualifying criteria, as set out in the policy, is not able to join the register.

These changes mean that social housing will be allocated to residents of West Berkshire with the highest housing need and ensure that we support the most vulnerable residents in our community. The number of applicants on the common housing register will reduce to reflect only those in true housing need. It will deliver more accurate data to inform the supply of housing that will be required to meet current and future demand in the district.

Describe the nature of the processing.

Consider:

- How will you collect, use, store and delete data?
- What is the source of the data?
- Will you be sharing data with anyone?
- What types of processing are involved that can be identified as likely high risk?

You might find it useful to refer to a flow diagram or another way of describing data flows.

Anyone wishing to join WBC's housing register will complete an online housing register application form via a customer housing portal. The portal is web based with appropriate online security.

Data collected is necessary to assess applications to ensure that they are eligible and qualify to join the housing register in line with the Housing & Immigration Act and the Housing Allocations Policy. Once an applicant's housing register application has been processed they will be allocated a band which will enable them to bid on social housing properties. Data will be deleted from the system after seven years.

Relevant data for those who successfully bid for a property will be shared with registered providers who advertise their properties on the council's housing register. Information may also be shared with other professional bodies e.g. children's services, adult social care, the NHS as necessary in line with the Housing service privacy and fair processing notice.

The processing of collected data in the manner described above does not present any high risk scenarios.

Describe the scope of the processing.

Consider:

- What is the nature of the data, and does it include sensitive "special category" or criminal offences data?
- How much data will you be collecting and using? How often? How long will you keep it? Have you reviewed/arranged an entry in the corporate records retention schedule?
- How many individuals are affected?

The data provided by an applicant includes sensitive data. All of the data collected as part of an application is necessary for assessing an application to determine if they are eligible and qualify to join the housing register and awarding a priority band. This data is held securely in the Abris Housing System, access to the system is controlled by individual passwords and online security.

Data will be kept for seven years before being deleted and an entry in the corporate retention schedule is being arranged.

Those affected by the scope of data processed are applicants who have registered and/or applied to join the housing register. There are currently between 3000 to 4000 new applications to join the housing register every year.

Describe the context of the processing.

Consider:

- How much control will people have over their data?
- Would they expect you to use their data in this way?
- Do they include children or other vulnerable groups?
- Are there prior concerns over this type of processing or security flaws?
- Is it novel in any way?
- What is the current state of technology in this area?

- Are there any current issues of public concern that you should factor in?
- Are you signed up to any approved code of conduct or certification scheme (once any have been approved)?

When an application for assistance with housing is made, the applicant will firstly create an account on the Abrisas Customer Housing portal. From here the applicant can view their data and amend or update it as necessary for their application. The registration process requires confirmation from all applicants that they have read and understood the privacy policy which includes the fair processing notice and that they are happy to continue. When they submit their application they are confirming that the council can use their data in the manner described to carry out an assessment of their housing need. The information will include details of children and other vulnerable adults who form part of the household, this will help determine the size of accommodation that will be suitable for the household and whether the households are currently living in overcrowded circumstances

The database that holds all of the applications and document files from the live Abrisas system are securely backed up. The primary backup storage server provides rapid access to data should it be required. The backup storage server has the following controls to protect the data:

- 256 bit AES operating system level encryption of all data stored
- File based encryption of the database
- Server located in secure, locked machine room environment
- Server protected by UPS
- Administrator only access to storage server

Iron Mountain provides long-term secure archival storage of data through a nationwide infrastructure of secure vaults and vehicles, compliant to BS4783 standard for data protection and ISO9001:2000 audited, Iron Mountain provide security and reliability for critical data.

There are documented quality standards for the implementation and upgrade of the Abrisas Housing System. Part of the quality standards are security procedures carried out on the system which include:

- Standard security settings for the live site configured using automated scripts to minimise the risk of human error
- Automated software-based security scan of sites as part of the testing process
- Critical aspects of the system build are only undertaken by senior employees of Abrisas with the appropriate skills
- Reviews of the security set up are carried out as part of the quality processes

Abrisas undertakes administration of the hosted environment. The tasks are undertaken by a small group of experienced administration employees. Procedures are in place for this administrative process covering all key areas including:

- Anti-virus software
- Backup monitoring and control
- Application of security patches
- Performance tuning
- Server build standards
- Documentation
- Firewall setup
- Network security scanning

- Change control
- Control of access to backups
- Network configuration

Access to network resources are controlled by active directory authentication. None of West Berkshire data is stored anywhere on the standard network server file system. A separate encrypted drive is used when testing data loads. Procedures are in place to disable logins when employees leave.

Two methods of secure data transfer are used:

- For the ad-hoc manual transfer of secure documents, the Secure upload site is used
- For ongoing/automated data transfer of documents the FTPs method should be used

The Enhanced Disaster Recovery cover means that server hardware and backup infrastructure is in place in a secondary environment with a complete system build undertaken each night in the event this backup is needed.

Overall, the changes in the Allocations policy will result in a reduction in the number of applicants on the Housing Register from about 3000 to 800. This will also significantly reduce the sensitive data that is currently being stored.

Do you intend to consult with affected stakeholders? If not why not?

Consider/explain:

- When and how you will seek individuals' views – or justify why it's not appropriate to do so.
- Who else do you need to involve within your organisation? Do you need to ask your processors to assist? Do you plan to consult information security experts, or any other experts?

A public consultation on the revised housing allocations policy has been completed. We published the proposed policy which includes details of the information required for the banding process as well as a questionnaire regarding the changes to the Allocations Policy on our website at www.westberks.gov.uk/housing. The questionnaire was available for a six week period with feedback requested by midnight on 3rd May 2020.

Respondents were directed to the revised policy and a document summarising the changes which they could read before answering the questionnaire. A total of 234 stakeholders submitted feedback.

Each question related to a specific change in the policy and a reference to the paragraph and page in the policy were included. Alongside this, we set up a dedicated email address to deal with any questions or queries relating to the consultation process including queries relating to the ability to access the questionnaire. We printed copies of the proposal documents and surveys following enquiries and made them available on request.

Our approach also included delivering focus groups but due to Covid-19 we were unable to proceed with face to face focus groups.

We also wrote to everyone on the housing register as at 13th March 2020 (around 3,700 households). In addition, letters were sent to other stakeholders, including those resident in temporary accommodation provided by the Council, the voluntary sector, Registered

Providers, internal departments and partner organisations, notifying them of the consultation and inviting their contributions.

Finally, we issued a press release and further publicised our consultations through our Facebook and Twitter accounts. We addressed the changes through various relevant boards within the Council, Housing Board being one of these.

The Abrisas Housing ICT system is being implemented in tandem with the new Housing Allocations Policy. Colleagues in WBC I.T. department have been significantly involved with the project from the early scoping stages through to procurement and implementation of the new system. The procurement process itself involved the use of the government gateway which requires all vendors to meet government approved security standards.

Describe compliance and proportionality measures.

Consider:

- What is your lawful basis for processing? Does the processing actually achieve your purpose? Is there another way to achieve the same outcome?
- How will you prevent function creep (using the data for more than the original purpose)?
- What information will you give individuals? How will you help to support their rights? What measures do you take to ensure processors comply? How do you safeguard any international transfers?

The council is legally required to have and operate a Housing Allocation Policy under part VI of the Housing Act 1996. The allocations policy must meet the council's legal requirement to provide a statement of choice and adhere to the "Allocation of Accommodation: Guidance for Local Housing Authorities in England" (CLG, June 2012). The data collected from housing applicants is processed for this legal basis.

Data collected is for the sole purpose of assessing an individual's eligibility and qualification to join the housing register with a housing need for housing assistance and the allocation of social housing. There is no risk of function creep as the functions of the housing team is limited to the council's statutory housing duties.

Applicants will have access to the council's privacy policy which includes the fair processing notice. Information about how to contact the data protection officer is also made available. Applicants can withdraw their consent for us to process their data at which point we will stop processing such data and delete them appropriately. The Abrisas housing ICT system has a robust audit log of everyone who accesses a particular casefile (housing application) and periodic case audits by managers will help ensure information is being used strictly for the management of the housing register and homelessness functions.

There are no international transfers and all data is stored and processed on servers based in the UK.

Risk Assessment

Identify, list and classify risks.

#	Include associated compliance and corporate risks as necessary <i>The Data Protection Principles are reproduced in Appendix A – you may wish to refer to these when identifying risks</i>	Likelihood of harm	Severity of harm	Overall risk
1	Data loss	<i>Remote</i>	<i>Severe</i>	<i>Low</i>
2	Data breach	<i>Possible</i>	<i>Significant</i>	<i>Medium</i>
3		<i>Remote, possible or probable</i>	<i>Minimal, significant or severe</i>	<i>Low, medium or high</i>

Risk Mitigation		
Risk #	Options to reduce or eliminate risk (Possible or Probable Risks only)	Effect on risk
1	Ensuring staff complete mandatory data protection training and refreshers in time. Recommending the use of the e-mail facility in Abritas which is linked to service user's e-mail to minimise risk of sending information to the wrong e-mail address. Reminding staff at team meetings to double check recipients of communication shared by outlook e-mail.	<i>Reduced</i>

Approvals

This assessment must be approved before the project proceeds to implementation stage.

	Signed	Date
Data Protection Officer		
DPO advice/actions:		
Head of Service <i>Signature by Head of Service indicates acceptance of DPO advice unless expressly overruled with reasons</i>	Gary Lugg	12/11/2020
This DPIA and completion of actions arising from it will be the responsibility of (insert name of responsible officer in service)		

Once approved, this document should be sent to dp@westberks.gov.uk

END

Appendix A

The Data Protection Principles (from the General Data Protection Regulations)

1. Personal data shall be:
 1. processed lawfully, fairly and in a transparent manner in relation to the data subject ('lawfulness, fairness and transparency');
 2. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with [Article 89\(1\)](#), not be considered to be incompatible with the initial purposes ('purpose limitation');
 3. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');
 4. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');
 5. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with [Article 89\(1\)](#) subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject ('storage limitation');
 6. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').