

East London Patient Record Data Protection Impact Assessment (DPIA)

Checklist to see if DPIA Required

1. What type of information are you sharing?

- Personal Identifiable
- Personal Non-Identifiable
- Business
- Corporate

2. Is it new data?

No

3. What is the purpose?

Direct Care

4. Does the information sharing introduce new or additional technologies?

No

5. Does the information sharing about the individual raise privacy concerns?

No

6. Does the information sharing involve you using new technology which might be perceived as being intrusive? For example, the use of data to make a decision about care that's automated?

No

7. Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information?

Yes

8. Will the project require you to contact individuals in ways which they may find intrusive?

No

9. Will 3 or more organisations be involved in sharing the information?

Yes

10. Will the information sharing involve new or significantly changed consolidation, inter-linking, cross referencing or matching of personal data from multiple sources?

No

Actual DPIA (Data Protection Impact Assessment)

Date assessed or reviewed?

03/04/18

People

Are there privacy notices to enable information sharing?

Do you have a defined subject access request process?

Process

What is the lawful basis for processing information?

Select

- Child Support Information Regulations 2008, Regulation 4 (2) g
- Common law Duty of Confidentiality
- Data Protection Act 1998
- Digital Economy Act 2017
- Enterprise Bill 2016, which inserted Sections 63A, B and C into the Local Government Finance Act 1988
- Family Procedure (Amendment) Rule 2012; in particular, Rule 3(b) which amended Rule 2.3(1) of the Family Procedure Rules 2010
- Freedom of Information Act 2000
- GDPR (from 26/05/2018)
- Health & Social Care (Safety & Quality) Act 2015
- Health & Social Care Act 2006 (Section 251)
- Human Rights Act 1998
- Local Government Finance Act 1992
- NHS Acts (2006, 2012)
- Section 1 of the Localism Act 2011
- Section 111 of the Local Government Act 1972.
- Section 115 Crime and Disorder Act 1998
- Section 129 Nationality, Immigration and Asylum Act 2002
- Section 130 - 133 of Welfare reform Act
- Section 40 Administration of Justice Act 1970
- The Children Act 2004 Information Database (England) Regulations 2007
- The Council Tax (Administration and Enforcement) Regulations 1992, No.613 reg 4 (7)
- The Data Retention and Investigatory Powers Act 2014
- The Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2008
- The Safeguarding Vulnerable Groups Act 2006 (Prescribed Information) Regulations 2008 - Regulation 7

- The Social Security (Information in relation to welfare services) Regulations 2012

Are the new purposes for processing information stated in the current ISA likely to be identified in the future?

No

Have all organisations sharing or consuming information met the minimum IG Toolkit Level 2?

Yes

Will any information stated in the ISA be transferred outside EEA?

No

Technology

If required, do you or any parties subject to the ISA have the means to make changes to the data?

Yes

Is there a section within the ISA that covers Data Quality?

Yes

Does the organisation and agreement comply with records management code?

Yes

Is your information security proportional to the sensitivity of the data being transferred?

Yes

Data

Select the data covered?

Select

Type

- Identifiable
- Aggregate
- Pseudonimised
- De-identified

Personal

- Firstname
- Surname
- Address (home)
- Address (business)
- Postcode (home)

- Postcode (business)
- NHS No
- Email address
- Date of birth
- Payroll number
- Driving Licence [shows date of birth and first part of surname]
- Passport Number
- Gender?
- Next of kin
- Age

Sensitive

- Racial / ethnic origin
- Political opinions
- Religious beliefs
- Trade union membership
- Physical Health
- Mental Health
- Sexual life
- Criminal offences
- Biometrics; DNA profile, fingerprints
- Bank, financial or credit card details
- Mother's maiden name
- National Insurance number
- Tax, benefit or pension Records
- Adoption, employment, school, Social Services, housing records
- Child Protection
- Safeguarding Adults
- Local identifier

Risk scoring

Below is the risk scoring matrix for scoring this initiative. The east London Patient Record carries a minor impact (score of 2) and an unlikely likelihood (score of 2) and so carries a score of 4.

| | | IMPACT | | | | |
|---------------------|---|------------------|----------|-------------|----------|-----------------|
| | | 1) Insignificant | 2) Minor | 3) Moderate | 4) Major | 5) Catastrophic |
| LIKELIHOOD | | 1 | 2 | 3 | 4 | 5 |
| 1) (rare) | 1 | Low | Low | Medium | High | High |
| 2) (unlikely) | 2 | Low | Low | Medium | High | Extreme |
| 3) (moderate) | 3 | Low | Medium | High | Extreme | Extreme |
| 4) (likely) | 4 | Medium | High | High | Extreme | Extreme |
| 5) (almost certain) | 5 | Medium | High | Extreme | Extreme | Extreme |