



DATA PROTECTION IMPACT ASSESSMENT - Additional Licensing 2022 - V1.3

Reference number: DPIA-426

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DATA PROTECTION IMPACT ASSESSMENT

When to complete this template:

Start to fill out the template at the beginning of any major project involving the use of personal data, or, where you are making a significant change to an existing process that affects personal data. Please ensure you update your project plan with the outcomes of the DPIA.

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1. Document Control

1. Control Details

Author of DPIA:	Sophia Beswick
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2. Document Amendment Record

Issue	Amendment Detail	Author	Date	Approved
0.1	First version	Sophia Beswick	13/12/2022	
0.2	Post consultation edit	Sophia Beswick	28/07/2023	
0.3	Updated privacy notice embedded	Sophia Beswick	28/07/2023	

3. Contributors/Reviewers

Name	Position	Date
Panagia Voyatzis	Information Officer	Throughout
Selina Sammi	Information Officer	Throughout

4. Glossary of Terms

Term	Description
<i>Please insert any abbreviations you wish to use:</i>	
AL	Additional Licensing
HMO	House of Multiple Occupation
Licensing	The licensing (inspection and enforcement of standards) of private rented properties within a designated (legally defined) geographical area
PRS	Private Rented Sector

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2. Screening Questions

1. Does the project involve personal data? Yes	If 'Yes', answer the questions below. If 'No', you do not need to complete a DPIA but make sure you record the decision in the project documentation.
2. Does the processing involve any of the following data: medical data, ethnicity, criminal data, biometric data, genetic data and any other special/ sensitive data?	Yes
2. Does the processing involve any systematic or extensive profiling?	No
3. Does the project involve processing children's data or other vulnerable citizen's data?	No
4. Does the processing involve decisions about an individual's access to a product, service, opportunity or benefit that is based on any evaluation, scoring, or automated decision-making process?	No
5. Does the processing involve the use of innovative or new technology or the novel application of existing technologies?	No
6. Does this project involve processing personal data that could result in a risk of physical harm in the event of a security breach?	Yes
7. Does the processing combine, compare or match data from multiple sources?	Yes
8. Does the project involve processing personal data without providing a privacy notice?	No
9. Does this project process data in a way that tracks online or offline location or behaviour?	No
10. Will the project involve using data in a way it has not been used before?	No
11. Does the project involve processing personal data on a larger scale?	Yes
12. Will the project involve processing data that might prevent the Data Subject from exercising a right or using a service or entering into a contract?	Yes
If you answered 'Yes' to any <u>two</u> of the questions above, proceed to Question 3 below. If not seek advice from the DPO as you may not need to carry out a DPIA.	YES





Project Title: Additional Licensing 3 - 2024

Team: Licensing

Directorate: Community Protection

DPIA Reference number: DPIA-426 *(This will be allocated by the Information Compliance Team or the DPO and must be quoted in all correspondence)*

Has Consultation been carried out? Consultation will be carried out with landlords and other key stakeholders outlined in part 7.4 Consultation and Stakeholder Management of the Additional Licensing 3 – 2024 Project Management Plan (PMP). *(If not why not?) Describe when and how you will seek individual's views- or justify why it is 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?*

1. DDM attached?	No
2. Written evidence of consultation carried out attached?	 Appendix 3 - AL3 - Additional HMO Licen Yes
3. Project specification/ summary attached?	 Proposal to Consult on a Draft Designati Yes
4. Any existing or previous contract / SLA / processing agreement attached?	N/A
5. Any relevant tendering documents attached?	N/A
6. Any other relevant documentation attached?	Yes <ul style="list-style-type: none"> • Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2024 • What is Licensing three houses infographic.   Appendix 1 AL3 - What is Licensing Designation updated,three houses infograp

3. Project - impact on individual's privacy

Issue	Questions	Examples	Yes/No	Initial comments on issue & privacy impacts
Purpose and means		Profiling, data analytics, Marketing. Note: The GDPR requires a DPIA to be carried out where there is systematic and extensive evaluation of personal aspects relating to individuals based on automated processing, including profiling, and on which decisions about individuals are based.		
	Please give a summary of what your project is about (<i>you can also attach or embed documents for example a project proposal</i>).		NCC is working towards the implementation of a third scheme of Additional Licensing (AL) for houses in Multiple Occupation (HMO) not covered by Mandatory or Selective Licensing. The scheme will operate in the proposed citywide designation and evidence has been gathered identifying problems which occur in or around HMO where licensing can be used as a tool to improve the management of properties and neighbourhoods.	
	<p>Aims of project</p> <p>Explain broadly what the project aims to achieve and what types of processing it involves.</p>		Additional licensing is a discretionary power available to local authorities to tackle problems in privately rented housing specifically in smaller HMO. The Council implemented a second scheme of Additional Licensing (AL) for houses in Multiple Occupation (HMO) (i.e. smaller HMOs not covered by Mandatory Licensing or Selective Licensing) in January 2019. The scheme is scheduled to run until 31st December 2023. Additional Licensing - Nottingham City Council	The project aims to implement a third scheme to achieve and maintain higher standards in the PRS. The implementation of a third scheme of Additional Licensing will also underpin the Council's wider priority of quality housing for all and to support vulnerable citizens across the city, help to reduce crime and ASB as well as reducing energy consumption. Additional Licensing will contribute significantly to meeting the objectives of the Strategic Council Plan including making Nottingham "A city where people live in safe, warm and affordable homes, built to a high standard, in vibrant local communities where everyone has a chance to thrive."

			This project involves large scale data processing by collecting and evaluating personal data contained in landlords' applications.
	<p>Describe the nature of the processing</p> <p>How will you collect store and delete data? Will you be sharing with anyone? You might find it useful to refer to a flow diagram or another way of describing data flows. What types of processing identified as likely high risk are involved? Who will have access to the project personal data, how is access controlled and monitored and reliability of staff assessed? Will data be separated from other data within the system?</p>		The data will be collected through applications. Applications need to be made for licences by each landlord who rents any property which meets the AL criteria that falls within the designated area. The vast majority of applications are made online via the Nottingham City Council website. These applications are considered and evaluated by the NCC Additional Licensing team before then being issued a licence, refused, or queried.
	<p>Privacy Implications</p> <p>Can you think of any privacy implications in relation to this project? How will you ensure that use of personal data in the project is limited to these (or "compatible") purposes?</p>	Yes	<p>Additional licensing is a discretionary power of local authorities. NCC has run two schemes of additional licensing and is aiming to implement a third one.</p> <p>The compliance with Article 5 1) a) of the UK GDPR (specifically regarding the lawful basis for their personal data to be collected and used as part of the scheme) is grounded in Article 6 1) e) of the UK GDPR (processing is necessary for the performance of a task carried out in the exercise of official authority), in relation with section 56 of the Housing Act 2004.</p>
	<p>New Purpose</p> <p>Does your project involve a new purpose for which personal data are used?</p>	No	<p>An existing scheme is already in place: Additional Licensing - Nottingham City Council</p> <p>The new designation will operate and use data in the same way as the existing scheme.</p>
	<p>Consultation</p>		There is a legal duty to consult according to the Housing Act 2004 section 56 (1)(a).

	Consider how to consult with relevant stakeholders: Describe 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 in NCC? Do you plan to consult Information security experts, or any other experts?			Extensive consultation will be carried out via events and a survey.
	Will the project:	Expanding customer base; Technology which must be used by individuals; Hidden or complex uses of data; Children's data		
Individuals (data subjects)	Affect an increased number, or a new group, or demographic of individuals (to existing activities)?		Yes	
	Involve a change to the way in which individuals may be contacted, or are given access to services or data? Are there any areas of public concern that you should factor in?		No	
	Affect particularly vulnerable individuals, including children?		No	
	Give rise to a risk that individuals may not know or understand how their data are being used?		No	
Parties	Does the project involve:	Outsources service providers; Business partners; Joint ventures		

	The disclosure of personal data to new parties?		No	As per usual for licensing, relevant landlord accreditation schemes share data.
	The involvement of sharing of personal data between multiple parties?		No	
Data categories	Does the project involve:	Special personal data; Biometrics or genetic data; Criminal offences; Financial data; Health or social data; Data analytics: Note: the GDPR requires a DPIA to be carried out where there is processing on a large scale of special categories of data or of data relating to criminal convictions and offences		
	The collection, creation or use of new types of data?		No	
	Use of any special or privacy-intrusive data involved? <ul style="list-style-type: none"> • Political opinions • Religious beliefs or philosophical beliefs • Trade union membership • Genetic data • Biometric data • Sexual life • Prosecutions • Medical data • Criminal data (Criminal data processing, i.e. criminal convictions, etc. also has special safeguards under Article 10)		Yes	The Licence application form asks various questions within the fit and proper person test about the relevant offending history of the licence holder or any manager or associate of the proposed licence holder, including unspent convictions <ol style="list-style-type: none"> 1. <i>Has the proposed licence holder any unspent convictions in respect of any offence involving fraud or other dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003?</i> 2. <i>Has the proposed licence holder any other unspent convictions that may be relevant to the proposed licence holder's fitness to hold a licence?</i> 3. <i>Has any court or tribunal found against the proposed licence holder that he has practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with, the carrying on of any business?</i> 4. <i>Has the proposed licence holder ever contravened any provision of any enactment relating to housing, public health, environmental health, health and safety at work, planning, building or landlord and tenant law which led to civil or criminal proceedings resulting in a judgement being made against him?</i>

				<p>5. <i>Has any associate of the proposed licence holder any unspent convictions in respect of any offence involving fraud or other dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003?</i></p> <p>6. <i>Has any associate of the proposed licence holder any other unspent convictions that may be relevant to the proposed licence holder's fitness to hold a licence?</i></p> <p>7. <i>Has any court or tribunal found against any associate of the proposed licence holder that he has practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with, the carrying on of any business?</i></p> <p>8. <i>Has any associate of the proposed licence holder ever contravened any provision of any enactment relating to housing, public health, environmental health, health and safety at work, planning, building or landlord and tenant law which led to civil or criminal proceedings resulting in a judgement being made against him?</i></p>
	<p>New identifiers, or consolidation or matching of data from multiple sources?</p> <p>(For example, a unique reference number allocated by a new management system)</p>		Yes	Each application received is given a Civica reference number
Technology	New solutions:	Locator or surveillance technologies; Facial recognition; Note: the GDPR requires a DPIA to be carried out in particular where new technologies are involved (and if a high risk is likely)		
	Does the project involve new technology that may be privacy-intrusive?		N/A	

Data quality, scale and storage	Data:	New data		
	Does the project involve changes to data quality, format, security or retention? What are the benefits of the processing? i.e. will the new system have automatic retention features? Will the system keep the information in a safer format etc.?			Data is pulled from Firmstep into Civica's APP. All applications are given a folder within the shared drive to store all relevant document. All relevant correspondence is also stored in the shared drive. 7 years after the licence expires, the record is deleted. The current Civica system will be deployed and replaced by Civica's Cx (See DPIA Ref 234).
	Does the project involve processing data on an unusually large scale?		Yes	
Monitoring, personal intrusion	Monitoring:	Surveillance; GPS tracking; Bodily testing; Searching; Note: the GDPR requires a DPIA to be carried out where the project involves systematic monitoring of a publicly accessible area on a large scale		
	Does the project involve monitoring or tracking of individuals or activities in which individuals are involved?		N/A	
	Does the project involve any intrusion of the person?		N/A	
Data transfers	Transfers	Transfers outside the EEA		
	Does the project involve the transfer of data to or activities within a country that has inadequate or significantly different data protection and privacy laws?		No	Civica's APP does not have Cloud storage (Civica's Cx upgrade will have cloud based storage) Like other market leading systems, Civica Cx uses cloud based technology. Q20.20.1 NCSC Cloud Security Guidance - Cx Compliance.pdf The contract with Civica specifies that data will be held exclusively in MS Azure North and West Europe.

4. Legal Framework and Governance – Compliance


Ref.	Question	Response	Further action required (and ref. to risk register as appropriate)
1. Applicable laws and regulation			
1.1	Which data protection laws, or laws which impact data protection and privacy, will be applicable to the project?	<ul style="list-style-type: none"> • General Data Protection Regulation 2016/679 • UK General Data Protection Regulation • Data Protection Act 2018 • Human Rights Act 1998 	
1.2	Are there any sector-specific or other regulatory requirements or codes of practice, which should be followed?	<ul style="list-style-type: none"> • Housing Act 2004, Part 2. • Guidance Houses in multiple occupation and residential property licensing reform: guidance for local housing authorities (9 October 2019) • The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 	Consultation - completed March to May 2023, report attached above
2. Organisation's policies			
2.1	Is the project in compliance with the organisation's information management policies and procedures (including data protection, information security, electronic communications)?	Yes	

2.2	Which policy requirements will need to be followed throughout design and implementation of the project?	Data Protection Policy Information Security Policy Records Management Policy	
2.3	Are any changes/updates required to the organisation`s policies and procedures to take into account the project? Note: new requirements for “Accountability” under the GDPR, including record-keeping, DPOs and policies	No	
3. Training and roles			
3.1	Will any additional training be needed for staff in relation to privacy and data protection matters arising from the project?	No	

5. Personal Data Processing Compliance

Ref.	Question	Response	Further action required (and ref. to risk register as appropriate)
1. Personal Data Processing			
1.1	Which aspects of the project will involve the processing of personal data relating to living individuals?	<p>The application form collects:</p> <ul style="list-style-type: none"> • Applicant name, address and contact details • Other licence holder details if given (e.g. business partner, spouse) • Property manager (if relevant) • Persons having control or legal interest in property • Interest in property (owner, leaseholder etc.) • Accreditation and training details • Offending history of relevant criminal and civil offences (including that of 'associates') • Financial information (including details of previous bankruptcy if relevant) <p>Note that the applicant, licence holder, and person with control of property may all be different parties.</p> <p>Application (nottinghamcity.gov.uk)</p>	<p>s.63 (6) c) of the Housing Act 2004 mentions regulations which may 'specify the information which is to be supplied in connection with applications'. These are: The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 (legislation.gov.uk)</p> <p>Schedule 2 Paragraph 2 of these Regulations sets out the relevant information about the individual required in the application (listed opposite).</p> <p>Schedule 2 Paragraph 3 also sets out the information required under the fit and proper person declaration.</p>
1.2	Who is/are the data controller(s) in relation to such processing activities?	Nottingham City Council	
1.3	Who is/are the data processor in relations to such processing activities?	Civica APP (previously known as FLARE)	
2. Fair and Lawful processing - GDPR Articles 5(1)(a), 6, 9, 12, 13			

2.1	<p>Which fair processing conditions are you relying on?</p> <p>GDPR: Article 6(1) (legal basis for processing) and, for sensitive personal data, Article 9(2).</p>	<p><u>Personal data:</u></p> <p>Article 6 1) e) of the UK GDPR (processing is necessary for the performance of a task carried out in the exercise of official authority), in relation with section 56 of the Housing Act 2004 (containing the local authority's power to designate areas as subject to additional licensing), and Schedule 2 Para 2 of The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 (legislation.gov.uk)</p> <p><u>Special category personal data:</u></p> <p>Article 9(2)(g) Substantial public interest – (s.66 of the Housing Act 2004 – fit and proper person test for landlords) and Schedule 2 Para 3 of The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 (legislation.gov.uk)</p> <p><u>Criminal data:</u></p> <ul style="list-style-type: none"> • Statutory and government purposes • Preventing or detecting Unlawful Acts • Protecting the public against dishonesty etc • Regulatory requirements relating to unlawful acts and dishonesty etc 	<p>Other relevant legislation:</p> <ul style="list-style-type: none"> • <i>Landlord and Tenant Act 1987</i> • <i>The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2005 (SI 2006/371)</i> • <i>Section 232 Housing Act 2004</i>
<p>Note: different conditions may be relied upon for different elements of the project and different processing activities. Also, the scope of special category data is wider under the GDPR, and in particular includes genetics & biometric data, and sexual orientation.</p>			

2.2	How will any consents be evidenced and how will requests to withdraw consent be managed?	N/A – consent not lawful basis for processing	
Note: new requirements for obtaining and managing consents within the GDPR.			
2.3	Is the data processing under the project covered by fair processing information already provided to individuals or is a new communication needed (see also data subject rights below)?	<p>Full privacy notice is on licencing webpages: Additional Licensing - Nottingham City Council.</p> <p>Short privacy notice is currently attached to any paper application sent out</p>  <p>PN-274 - Housing Licensing July 2023.pd</p>	
Note: more extensive information required under the GDPR than under current law, and new requirements on how such information is provided. Also, a general principle of “ <i>transparency</i> ”. It is important to assess necessity and Proportionality			
2.4	If data is collected from a third party, are any data protection arrangements made with such third party?	N/A – no data is collected from a third party	
2.5	Is there a risk of anyone being misled or deceived?	No	
2.6	Is the processing “fair” and proportionate to the need’s and aims of the projects?	Yes	
2.7	Are these purposes clear in privacy notices to individuals? (see above)	Yes	

3. Adequate, relevant and not excessive, data minimisation - GDPR Article 5(1)(c)

3.1	Is each category relevant and necessary for the project? Is there any data you could not use and still achieve the same goals?	Yes – all data is necessary in order to administer the regime	
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Note: GDPR requires data to be “limited to what is necessary” for the purposes (as well as adequate and relevant).

3.2	Is/can data be anonymised (or pseudonymised) for the project?	No	
4. Accurate and up to date - GDPR Article 5(1)(d)			
4.1	What steps will be taken to ensure accurate data is recorded and used?	Having an online form available reduces the risk of data being incorrectly entered into the system.	
For example: checks when receiving/sending information from/to third parties, or transcribing information from oral conversations or handwritten documents, any automatic checks on information not meeting certain criteria.			
4.2	Will regular checks be made to ensure project data is up to date?	It is a condition of the licence for licence holders and associated persons to notify the council should any changes to information occur	
5. Data retention - GDPR Article 5(1)(e)			
5.1	How long will personal data included within the project be retained?	7 years	
5.2	How will redundant data be identified and deleted in practice? Consider paper records, electronic records, equipment?	Licences run for a maximum of 5 years and are retained for a maximum of 7 years post expiry. Deletion is performed annually and manually.	
5.3	Can redundant data be easily separated from data which still need to be retained?	Yes, licence expiry date defines this.	
6. Data subject rights - GDPR Articles 12 to 22			
6.1	Who are the relevant data subjects?	Landlords in the Nottingham City area.	
6.2	Will data within the project be within the scope of the organisation's subject access request procedure?	Yes	
6.3	Are there any limitations on access by data subjects?	No	
6.4	Is any data processing under the project likely to cause damage or distress to data	No	

	subjects? How are notifications from individuals in relation to damage and distress managed?		
6.5	Does the project involve any direct marketing to individuals? How are requests from data subjects not to receive direct marketing managed?	The project does not involve any direct marketing. (However, due to the statutory obligation to make the register publicly available, some requesters of the register do use landlord details for marketing purposes. NCC has a well-drafted process in place including a declaration for requesters to sign about this.)	
6.6	Does the project involve any automated decision making? How are notifications from data subjects in relation to such decisions managed?	No	
6.7	How will other rights of data subjects be addressed? How will security breaches be managed?	These rights will be processed by the Information Compliance Team at Nottingham City Council. All breaches will be dealt with by the Information Compliance team and the Data Protection Officer.	

7. Data Security - GDPR Articles 5(1)(f), 32

For example:

- **Technology:** encryption, anti-virus, network controls, backups, DR, intrusion detection;
- **Physical:** building security, clear desks, lock-leads, locked cabinets, confidential waste;
- **Organisational:** protocols on use of technology, asset registers, training for staff, pseudonymisation, regular testing of security measures.

Describe the source of risk and nature of potential impact on the individuals. Include associated compliance and corporate risks as necessary -What security measures and controls will be incorporated into or applied to the project to protect personal data? Consider those that apply throughout the organisation and those which will be specific to the project. N.B Measures that are	Likelihood of harm	Severity of harm	Overall Risk
	Remote, Possible or Probable	Minimal, Significant or Severe	Low, Medium or High

appropriate to the nature of the data and the harm which may result from a security breach			
<ul style="list-style-type: none"> Lawful basis/purpose of NCC processing landlord's data for the Additional Licensing regime is challenged by landlords (Article 6 (1) a) UK GDPR) 	Probable	Minimal	Medium
<ul style="list-style-type: none"> Personal data from landlords is used for other purpose by NCC, risking breaching Article 6 1) b) UK GDPR 	Remote	Minimal	Low
<ul style="list-style-type: none"> Data which is not strictly needed is collected from landlords 	Remote	Minimal	Low
<ul style="list-style-type: none"> Data is not kept accurate or up to date, leading to issues with administration such as a landlord's application being missed, or licences being incorrectly issued 	Possible	Significant	Medium
<ul style="list-style-type: none"> Data of landlords is kept for longer than is necessary 	Possible	Significant	Medium
<ul style="list-style-type: none"> Security of data of landlords is compromised by application forms being misplaced 	Possible	Significant	High
<ul style="list-style-type: none"> Issues with Civica's APP (FLARE) resulting in landlord's data being compromised 	Remote	Significant	Medium
<ul style="list-style-type: none"> Landlord's data is shared inappropriately- internally, or disclosed externally when it should not be 	Possible	Significant	Medium


Identify measures to Reduce Risk- Identify additional measures you could take to reduce or eliminate risks identified as medium or high risk that you have identified

Risk	Options to reduce or eliminate risk	Effect on risk Eliminated/ Reduced or Accepted	Residual risk Low/Medium/High	Measures approved Yes/No
Lawful basis/purpose/fairness of NCC processing landlord's data for the	This DPIA states above in detail the lawful basis for processing.	Reduced	Low	Yes

<p>Additional Licensing regime is challenged by landlords (Article 5 (1) a) UK GDPR)</p>	<p>Two schemes have previously been implemented.</p> <p>The Draft Project Management Plan analysed the renewal of the scheme in view of NCC's Strategic Plan.</p> <p>Extensive consultation in line with legal duty to consult will be carried out and an EIA which will be updated with any relevant changes post consultation and prior to implementation.</p>			
<p>Personal data from landlords is used for other purpose by NCC, risking breaching Article 5 1) b) UK GDPR</p>	<p>No other purpose for landlord's data is envisaged. Project staff and Team Leaders are aware of data protection requirements regarding this. All Licensing staff are up to date with their GDPR and Information Security Learning Zone training.</p>	Eliminated	None	Yes
<p>Data which is not strictly needed is collected from landlords risking breaching Article 5 1) c) UK GDPR</p>	<p>Nearly all personal data collected via licence applications is required within the Regulations.</p> <p>Staff have reviewed previous need for photo</p>	Eliminated	None	Yes

	ID from landlords and it is now not required (Legal advice has been given by Planning, Environment & Leisure Team in Legal that in any case as the ID was not being checked against anything, it would not be necessary to request these).			
Data is not kept accurate or up to date, leading to issues with administration such as a landlord's application being missed, or licences being incorrectly issued	Vast majority of applications are completed online, and data is migrated into Civica's APP (FLARE), reducing the previous risk of manual data entry errors. Emphasis is on landlords to keep contact information up to date.	Reduced	Low	Yes
Data of landlords is kept for longer than is necessary, risking breaching Article 5 1) e) UK GDPR	The team's process is that all relevant licence application information within shared drives is kept separately. Deletion of all application information past its retention period is undertaken by IT Services on behalf of Selective Licensing.	Reduced	Low	Yes

Hard copy application forms being lost in post or misplaced	Landlords are encouraged to apply online whenever possible. Hard copy must be available due to reasonable adjustment requirements. The team have a member of staff responsible for daily management of incoming mail.	Reduced	Low	Yes
Issues with Civica's APP (FLARE) resulting in landlord's data being compromised	Civica's APP (FLARE) is password protected to individual users and have to be changed regularly. A new Cloud-based system (also supplied by Civica) is being implemented in April 2023. A project board is overseeing the migration of data later this year in 2022.	Reduced	Medium	Yes
Landlord's data is shared inappropriately-internally, or disclosed externally when it should not be	Risk of this is low as not frequent data sharing. If licences are issued to the wrong landlord, this is a technical data breach, but low risk as the information on the licence is all available on the public register. All Licensing staff are up	Reduced	Low	Yes

	to date with their GDPR and Information Security Learning Zone training.			
8. Data processors - GDPR Article 28 & direct obligations in other articles				
8.1	Are any data processors involved in the project?	Civica's APP (FLARE)		
8.2	What security guarantees do you have?	In processing agreement		
For example: specific security standards or measures, reputation and reviews				
8.3	Please attach the processing agreement	 Joint Schedule 11 - Processing Data V2.doc		
For example: security terms, requirements to act on your instructions, regular audits or other ongoing guarantees Note: new requirements for the terms of contracts under the GDPR (much more detailed than current law).				
8.4	How will the contract and actions of the data processor be monitored and enforced?	Power to audit under the processing agreement.		
8.5	How will direct obligations of data processors be managed?	Under the processing agreement		
Note: New direct obligations for processors under the GDPR, including security, data protection officer, record-keeping, international data transfers.				
For example: fair & lawful, lawful purpose, data subject aware, security, relevance.				
9. International data transfers - GDPR Articles 44 to 50				
9.1	Does the project involve any transfers of personal data outside the European Union or European Economic Area?	Civica's APP (FLARE) does not. New Civica Cx uses cloud based technology as described above. Applications from landlords outside the EU and EEA should be processed online and no documents should be		

		mailed abroad wherever possible. If it is impossible to send documents to landlords abroad in an electronic form, the relevant Service/team should confirm the address and send all information through recorded mail.	
9.2	What steps are taken to overcome the restrictions?	As above	
For example: Safe Country, contractual measures, binding corporate rules, internal assessments of adequacy Note: GDPR has similar methods to overcome restrictions as under current law, but there are differences to the detail and less scope for an “own assessment” of adequacy.			
10. Exemptions			
10.1	Will any exemptions for specific types of processing and/or specific DP requirements be relied upon for the project?	No	
For example: crime prevention, national security, regulatory purposes Note: Exemptions under the GDPR to be assessed separately and may be defined within additional EU or UK laws.			

6. Sign off and record outcomes

Item	Name	Date
Measures approved by: (project owner) This must be signed before the DP can sign off on the DPIA.	Julie Liversidge Sophia Beswick	28/07/2023
Residual risks approved by: (If accepting any residual high risk, consult the ICO before going ahead)		
DPO advice provided: (DPO should advise on compliance, measures and whether processing can proceed)		
Summary of DPO advice:		
DPO advice accepted or overruled by		If overruled, you must explain your reasons
Comments:		
IT Security Officer: Where there are IT security issues		
IT Officer comments:		
SIRO Sign off: (For major projects)		
Consultation responses reviewed by:		
This DPIA will be kept under review by:		The DPO should also review ongoing compliance with DPIA