

## Data Protection Impact Assessment (DPIA) – Stage 1

This form is Stage 1 of the Data Protection Impact Assessment (DPIA) process. You are advised to refer to the guidance material before completing the form.

Data Protection Impact Assessment (DPIA)		
Please provide as much detail as possible, avoiding technical language and acronyms, explaining the proposal in a way that someone with no prior knowledge could easily understand.		
Section 1 - Governance		
Project Proposal Name:	Health Care In Police Custody 5 Counties (Exelicare)	
Force SPOC:	[Redacted – S40]	
Information Asset Owner:	** NHS** / CRG Medical Services	
DPIA Advisor:	Mary Donoghue/Rachel Beaty	
Date on which processing will commence:	DD/MM/YYYY	
Date submitted to Information Rights:	15/10/2019	
Note: DPIA Advisor will endeavour to give an <b>initial response</b> within 10 working days of receiving the completed form.		
Information Rights (IR) Assessment		
<b>***IR Use Only***</b>		
A. Stage 2 DPIA is not mandatory.	<input checked="" type="checkbox"/>	<p>Exelicare is approved by NHS digital to provide view only access to (SCR) health data. CRG Medical Services utilise Exelicare in order to provide medical care in custody.</p> <p>BCH are contracting with CRG Medical Services to ensure people in custody have access to medical care. BCH have no access to the system processing the medical data. CRG are the data controller. BCH are neither controller nor processor and are only allowing our site to be used to host the system.</p> <p>Because BCH have no access to the data there is no requirement for a DPIA stage 2.</p> <p>BCH should ensure the Exelicare computers on our premises are securely sited and that screens are not visible to the public.</p>
B. Stage 2 DPIA is not required as long as the remedial action listed is carried out. If the	<input type="checkbox"/>	<p><b>Remedial Action Required</b></p> <p>.</p>

## SELECT MARKING

remedial action is not carried out, Stage 2 will be mandatory.		
C. Stage 2 DPIA is mandatory.	<input type="checkbox"/>	

## Section 2 - Purpose, Scope and Context

In this section you must explain what the processing is, who it will involve, and the intended impact. You must also demonstrate why the processing is necessary and proportionate, providing evidence to support your assessment.

- The processing must be **necessary** for the specific objective of the proposal.
- It must also be **proportionate**, meaning that the advantages resulting from the processing should not be outweighed by the disadvantages to individuals.

### 2.1 Please briefly explain the specific aim and purpose of the proposal in a way that someone with no prior knowledge could easily understand; avoid technical language and acronyms.

Please can you advise on behalf of Beds, Cambs and Herts whether there is a requirement for the Police Service to consider a DPIA.

There has been for some time in place an electronic system (NHS) that allows Health care professionals in custody to access the summary care records (SCR) (GP records etc.) of detainees in custody to ensure that the best holistic care can be provided. This is between the NHS and the healthcare provider (CRG Medical Services). The healthcare providers are employed by CRG – not the Constabularies. . The computer system is standalone – in no way links to any police system at all and police staff do not have access.

SCR is being replaced by a new system – Exelicare. The same principles as above – NHS and the healthcare provider, standalone system etc.

### 2.2 What categories of personal data will be processed? Provide an overview of the categories of personal data that will be processed, for example: names, DOBs, addresses, health data, criminal records, or any other unique identifiers such as IP addresses, usernames, e-mail addresses.

Health records from NHS

The Constabularies will not be processing any personal data

### 2.3 Will special category data be used in the proposal? (Select all that apply)

- |  |   |
|--|---|
| <input type="checkbox"/> Race                  | <input type="checkbox"/> Trade union membership |
| <input type="checkbox"/> Ethnic origin         | <input type="checkbox"/> Genetic Data           |
| <input type="checkbox"/> Political opinions    | <input type="checkbox"/> Biometric Data         |
| <input type="checkbox"/> Sex life              | <input type="checkbox"/> Sexual orientation     |
| <input type="checkbox"/> Religion              | <input checked="" type="checkbox"/> Health      |
| <input type="checkbox"/> Philosophical beliefs | <input type="checkbox"/> None                   |

### 2.4 How will the data be collected? Briefly outline how you will obtain the data, examples include: directly from data subjects, from another data set already in our possession, from a partner agency.

Data is not collected by BCH.

### 2.5 How will the data be used? Briefly describe how the data will be used, recorded, and stored and who it will be shared with.

Exelicare approved by NHS Digital to provide **view only access** to Summary Care Record (SCR) for CRG Medical Services who provide healthcare to person/s in custody.

### 2.6 How many individuals will the processing affect? (Please specify one answer below)

## SELECT MARKING

- ☐ Fewer than 100 data subjects
- ☐ 100 to 1000 data subjects
- ☐ 1000 to 5000 data subjects
- ☐ More than 5000 data subjects

### 2.7 What categories of data subject are involved? (Please select all applicable categories below)

- ☒ Persons suspected of having committed or being about to commit a criminal offence
- ☒ Persons convicted of a criminal offence
- ☐ Persons who are or may be victims of a criminal offence
- ☐ Witnesses or other persons with information about offences
- ☐ Children or vulnerable individuals
- ☐ Employees (current and former)
- ☐ Other

If other then please provide further details below:

[Click here to enter text.](#)

### 2.8 Will it involve the collection of new information about individuals? Will the Force collect data that it has not previously collected or had access to?

- ☐ Yes
- ☒ No

### 2.9 Data Sharing

#### Does the processing involve:

#### Select one option

2.9.1	Data being shared with third parties external to the Force or recipients that have not previously had routine access to the information?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.9.2	Transferring data outside the UK but within the EU?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.9.3	Transferring data outside the EU?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.9.4	Storing data using a cloud service provider?	<input type="checkbox"/> Yes <input type="checkbox"/> No <b>N.B.</b> If Yes a <a href="#">Business Change Proposal</a> must be submitted, which will initiate the cloud security assessment. A data processing contract will also be required.
2.9.5	Will the sharing require the processing of personal data by third parties?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.9.6	Is there a data processing contract, or sharing agreement in place with all parties with whom data will be shared?	<input type="checkbox"/> Yes – agreements in place <input type="checkbox"/> Not yet – agreements required <input type="checkbox"/> No – none required
2.9.7	Will the sharing initiative require non-police employees to access police	<input type="checkbox"/> Yes <input type="checkbox"/> No

## SELECT MARKING

	systems?	
<b>2.10 Why it is necessary to use personal data to achieve the aim and why can't the aim be achieved by other means?</b> For example, can the aim be achieved by using less data or different types of data? Are all categories of data necessary to achieve the aim?		
<b>2.11 Explain how the use of personal data is proportionate to the aim of the proposal. Weigh the advantages of achieving your purpose against disadvantages to data subjects.</b>		

Section 3 – Lawful Basis
<b>3.1 Lawful Basis</b> To process personal data you must have a lawful basis. Please select the one appropriate lawful basis from the drop down list.
Lawful Basis for <b>Operational Data</b> (Personal data processed for law enforcement purposes): Choose an item.
Lawful Basis for <b>Administrative Data</b> (Personal data processed for non-law enforcement purposes, e.g. for HR or Commercial purposes): Choose an item.
<b>3.2 Further Special Category Lawful Basis</b> If processing special category data (section 2.3) you must have identified a further lawful condition
<b>Operational Data:</b> The processing is strictly necessary (please tick to confirm) <input type="checkbox"/> <b>AND</b> One of the following conditions applies (select from the list): Choose an item.
<b>Administrative Data</b> It is necessary for one of the following conditions (select from the list): Choose an item.
<b>OR</b> It is in the substantial public interest (tick to confirm) <input type="checkbox"/> <b>AND</b> for the following purpose: Choose an item.
Section 4 – Review, Retention and Disposal
<b>4.1 Does the proposal have a review, retention and disposal process that complies with Force Policy?</b> All records must have an initial retention period set by the owner of the information when

## SELECT MARKING

first created or received; review and disposal criteria are defined within the [NPCC Retention Schedule](#).

☐ Yes

☐ No

## SELECT MARKING

### Section 5 – ICO: Additional Factors

The Information Commissioner's Office have published a number of factors that present a 'high risk' when processing personal data. Saying yes to one or more of the following may indicate that the processing is high risk and a Stage 2 DPIA is likely to be required.

<b>Does the processing involve:</b>	<b>Please check either Yes or No</b>	<b>If 'Yes' then please provide further details</b>
<p><b>5.1</b></p> <p><b>Systematic, extensive and large scale profiling and automated decision-making about people?</b>  <i>"Any systematic and extensive evaluation of personal aspects relating to natural persons which is based on automated processing, including profiling, and on which decisions are based that produce legal effects, or significantly affect the natural person"</i></p> <p>Profiling is any form of processing where personal data is used to evaluate certain personal aspects relating to an individual, including the analysis or prediction of an individual's performance.</p> <p>Automated decision-making involves making a decision that affects someone by technological means without human involvement, for example issuing speeding fines solely based on evidence captured from speed cameras.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<p>Click here to enter text.</p>
<p><b>5.2</b></p> <p><b>Large scale use of special category data or criminal offence data?</b>  <i>"Processing on a large scale of special categories of data, or personal data relating to criminal convictions and offences referred to in Article 10"</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<p>Click here to enter text.</p>
<p><b>5.3</b></p> <p><b>Public monitoring?</b>  <i>"Systematic monitoring of a publicly accessible area on a large scale"</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<p>Click here to enter text.</p>
<p><b>5.4</b></p> <p><b>New technologies or techniques?</b>  <i>"Processing involving the use of new technologies, or the novel application of existing technologies (including Artificial Intelligence)"</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<p>Click here to enter text.</p>

## SELECT MARKING

5.5	<b>Profiling, automated decision-making or special category data to help make decisions on someone's access to a service, opportunity or benefit?</b> <i>"Decisions about an individual's access to a product, service, opportunity or benefit which is based to any extent on automated decision-making (including profiling) or involves the processing of special category data"</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No	Click here to enter text.
5.6	<b>Biometrics/genetic data?</b> <i>"Any processing of biometric data" and/or "any processing of genetic data other than that processed by an individual GP or health professional, for the provision of health care direct to the data subject"</i> <i>Biometric data can include Facial Recognition technology, fingerprints and is defined as</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No	Click here to enter text.
5.7	<b>Data matching?</b> <i>"Combining, comparing or matching personal data obtained from multiple sources"</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No	Click here to enter text.
5.8	<b>Invisible processing?</b> <i>"Processing of personal data that has not been obtained direct from the data subject in circumstances where providing a Privacy Notice would prove impossible or involve disproportionate effort"</i>  For example, when gathering data, without the knowledge of the data subject, in the course of a police investigation.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Click here to enter text.
5.9	<b>Tracking?</b> <i>"Processing which involves tracking an individual's geolocation or behaviour, including but not limited to the online environment"</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No	Click here to enter text.
5.10	<b>Targeting of children or other vulnerable individuals?</b> <i>"The use of the personal data of children or other vulnerable individuals for marketing purposes, profiling or other automated decision-making, or if you intend to offer online services directly to children"</i>  For example, the use of personal data relating to children for the purposes of marketing their online safety products.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Click here to enter text.



## SELECT MARKING

5.11	<b>Risk of physical harm?</b> <i>"Processing is of such a nature that a personal data breach could jeopardise the [physical] health or safety of individuals".</i>  For example, if data relating to CSAE, HUMINT or protected persons data was compromised then it could jeopardise the safety of individuals.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Click here to enter text.
5.12	<b>Evaluation or scoring?</b> <i>"Aspects concerning the data subject's performance at work, economic situation, health, personal preferences or interests, reliability or behaviour, location or movements" For example, as part of our recruitment process.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No	Click here to enter text.
5.13	<b>Data processed on a large scale.</b> <i>Considerations include:</i> <ul style="list-style-type: none"> <li>• <i>The number of data subjects concerned</i></li> <li>• <i>Volume of data and/or range of data items</i></li> <li>• <i>Duration, or permanence, of the data processing</i></li> <li>• <i>Geographical extent of data processing</i></li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	Click here to enter text.
5.14	<b>Preventing data subjects from exercising a right?</b> <i>The rights are:</i> <ul style="list-style-type: none"> <li>• <i>The right to be informed</i></li> <li>• <i>The right to access data</i></li> <li>• <i>The right to rectification</i></li> <li>• <i>The right to erasure</i></li> <li>• <i>The right to restrict processing</i></li> <li>• <i>The right to object</i></li> <li>• <i>The right to portability</i></li> <li>• <i>Rights relating to automated processing</i></li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	Click here to enter text.

Please forward the completed form to [dataprotection@bedfordshire.pnn.police.uk](mailto:dataprotection@bedfordshire.pnn.police.uk)