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People Impact Assessment (PIA)

Policy/activity or service area to be assessed:	Data Protection, Privacy and Confidentiality Policy, Job No: 257	Person completing assessment:	Andrea Jones
Reason for this assessment: (new policy / review etc)	Revised policy	Date of assessment:	23/09/2021

A PIA involves analysing the effect, or potential effect, of the way we do our business upon groups that share protected characteristics as defined in the Equality Act 2010. This requires us to look at the equality data which we capture or have access to and to consider the outcome of our community engagement. We need to assess whether our policies and practices show 'due regard' for the three aims (see below) of the Public Sector Equality Duty (PSED). The analysis should highlight effects that *increase* equality, *decrease* equality or have *no impact* upon equality across the protected characteristics. Its purpose is not just to paint a picture, but to *identify practical steps* to improve our performance by:

- (a) Eliminating any unlawful discrimination,**
- (b) Advancing equality of opportunity and**
- (c) Fostering good relations between different groups.**

1. Briefly describe the purpose, aims and objectives of the policy/activity: ¹	To ensure that personal data is processed in line with current data protection legislation and the EU General Data Protection Regulation.
2. Who is the policy/activity aimed at: (communities, staff, partners etc)	The policy is aimed at all employees and volunteers who may need to use personal data in the course of their work.
3. Who is responsible for the policy/activity: (Directorate/Department/individual)	Protective security steering group, Senior Information Risk Owner (SIRO) and Information Security Manager.

- For 'policy': any new and existing policy, strategy, services, functions, work programme, project, practice and activity. This includes decisions about budgets, procurement, commissioning or de-commissioning services, service design and implementation.
- Socio economic is not a Protected Characteristic under the Equality Act 2010. We will however demonstrate due regard to it because as a risk factor poverty has a significant contributor to inequality indicators. Also when present alongside a PCs or multiple PCs the risk increases exponentially

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Equality Statement

Clearly explain and provide supporting evidence to show how the policy/activity satisfies the three aims of the Public Sector Equality Duty (PSED) and **DOES NOT** cause or have the potential to cause a **NEGATIVE** (detrimental) effect:

There is no explicit legal requirement under the general duty to collect and use equality information, in order to have due regard to the aims of the general duty, public authorities must understand how the impact of their policies and practices differs with respect to those with particular protected characteristics.

- Collecting and analysing equality information (including information from engagement with people sharing protected characteristics where relevant) can be an important way of authorities developing this understanding.
- The DPA does not prevent public authorities from processing personal data for the purposes of the general or specific duties.
- The DPA does not prevent public authorities from processing personal data as is required in order to carry out either obligations under the specific duty to publish equality information, or equality monitoring to help them comply with the general duty. Much of this personal data is likely to be sensitive personal data and, accordingly, public authorities are required to take extra care when processing it.

Should and when the Data Protection Bill receives Royal Assent it enshrines “This (sic) condition is met if the processing

- a) is necessary for the exercise of a function conferred on a person by an enactment or rule of law, and
- b) is necessary for reasons of substantial public interest.

Public interest would seem to be highly relevant to some of the work we do around equalities and the Equalities Act is the law we would use to justify this. A Data Protection Impact Assessment should be carried out in order to show that we are meeting our legal obligations with regard to the processing of sensitive personal data and implementing suitable controls around purpose, retention, security,

The policy satisfies the PSED by:

- 1) Eliminating any unlawful discrimination – by ensuring the Service processes personal data lawfully, particularly when processing sensitive personal data. Sensitive personal data must only be collected when this is necessary in connection with activities the Service is legally required or empowered to perform. All personal data must be stored securely and only used for specified purposes set out in the register of processing.

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- 2) Advancing equality of opportunity – accurate personal data can assist the Service in providing appropriate support to employees and members of the community. This personal data must be carefully managed in order to keep it secure and ensure that it can be used to help the Service meet its objectives.
- 3) Fostering good relations between different groups – by processing personal data in line with current UK data protection legislation and the EU General Data Protection Regulation, all users of the Service's facilities can be assured that their personal information is being securely processed and stored. This can help allay any suspicions that people may hold about how their personal data is being looked after or the purposes it is used for.

Where the policy/activity **DOES** or has the **POTENTIAL TO** have a **NEGATIVE** (detrimental) effect indicate which of the Protected Characteristics **MUST** be considered:

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Describe the NEGATIVE (detrimental) effect and provide supporting evidence for your rationale *	
Age	The policy does not have a negative impact when any of these protected characteristics are considered, it is designed to ensure that sensitive personal data is processed lawfully. Any sensitive personal data collected must be kept to the minimum necessary for the purpose, stored securely, not kept for longer than necessary and only used for the purposes for which it was collected. The Service is legally able to process sensitive personal data when this is necessary to enable it to comply with its obligations under employment legislation, the Equality Act 2010 and social protection powers under the Fire and Rescue Act 2004.
Disability	
Gender reassignment	
Marriage or civil partnership	
Pregnancy or maternity	
Religion or belief	
Race	
Sex	
Sexual orientation	
Socio-economic disadvantage 2	

* **NOTE:** Where any **NEGATIVE** (detrimental) effects are likely to occur:

(a) For the policy/activity to continue corrective actions/amendments **MUST** be taken to prevent/minimise unlawful discrimination

(b) An action plan **MUST** be completed (next section)

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(c) Where a negative (detrimental) effect can not be avoided, continuation of the policy/activity (with or without amendment) **MUST** be justified

Action plan

This action plan **MUST** accompany the policy/activity and be used continually to assess any negative (detrimental) effects resulting from the delivery of or amendments to the policy/activity based on customer feedback and evaluation.

Negative/detrimental effect	Action needed to prevent/minimise it	By who	By when	Complete (tick)
Lack of due regard as stipulated by the Equality Act 2010 in policy development	Evidence of due regard as stipulated by the Equality Act 2010 to all the accompanying policy development	Protective Security Steering Group	Ongoing in line with Policy developments	

All Completed PIA's should be submitted to E&D team for approval.

Signed: _____ (E&D)

Name: _____

Date: _____

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