

DoH

**DATA PROTECTION IMPACT ASSESSMENT  
SCREENING EXERCISE**

**Project Name:**

**Proposed Amendments to the Human Trafficking and  
Exploitation (Criminal Justice and Support for Victims)  
(Independent Guardian) Regulations (Northern Ireland)  
2016**

**Business Area:**

**Family and Children's Policy  
Directorate (FCPD)**

**Branch: Child Protection Unit**

**1. PROJECT SUMMARY**

*Briefly describe your project, plan or proposal. Set out its purpose and any projected benefits.*

This is a **revised policy decision** to amend Human Trafficking and Exploitation (Criminal Justice and Support for Victims) (Independent Guardian) Regulations (Northern Ireland) 2016 (the 2016 Regulations). It will give effect to certain recommendations for change resulting from a 2021 independent evaluation of the Independent Guardian Service (IGS) for trafficked and/or separated/unaccompanied children and young people. It is intended to enhance the capacity of the IGS workforce by increasing the pool of eligible applicants for the role of Independent Guardian (IG). The proposed changes will also afford both the service provider and commissioner with additional flexibility and discretion in terms of contracts and recruitment. It is also hoped that this flexibility will result in longer term easing of pressures on the Service.

## 2. STAKEHOLDERS

*Identify your data subjects and also the main stakeholders or bodies involved and their role in the project.*

The Department is proposing to issue a public consultation on proposals to amend Training and Qualifications – Regulation 3(b) of the 2016 Regulations. The consultation will be published electronically and via the Citizen Space online consultation tool, with hard copies available on request. Responses will be invited from interested parties. Consultation responses may be published but will not contain any personal data and we will not share any data received with a third party.

A consultation in relation to the original Regulations was conducted in 2015, and an independent evaluation of the IGS was undertaken in 2021 by the Centre for Effective Services (CES), which led to the recommendation to amend the Training Qualifications.

The Strategic Planning and Performance Group (SPPG) are the commissioners of the IGS. SPPG also makes referrals to the IGS upon the arrival of a separated/trafficked child in NI.

Barnardo's is the current IGS service provider.

Other stakeholders include staff of, and potential applicants to, the IGS, as well as its service users. Each stakeholder organisation has robust data protection policies and protocols govern the handling of information about individuals in place.

This DPIA screening will be shared with the Department's Data Protection Officer (DPO) and Data Protection lead for SPPG.

## 3. BRIEF DESCRIPTION OF PERSONAL DATA INVOLVED

Data processing will not change from when the original policy was enacted.

A potentially greater pool of applicants to the IGS may result in the handling of a larger volume of applicant information, such as employment and education history, and equality monitoring.

However, any such increase in data handling will be handled in accordance with the extant robust policies and procedures of the service provider; the manner in which data is handled will not change.

#### 4. PRIVACY ASSESSMENT

*Use this checklist to assess the project for privacy risks. The questions below will help you consider whether a DPIA is necessary.*

| <b>(i) Does the project/activity involve any of the following high risk processing?</b> | <b>Yes</b>               | <b>No</b>                           | <b>If yes, explain your response</b> |
|---|--------------------------|-------------------------------------|--------------------------------------|
| Systematic or extensive profiling, evaluation or scoring                                | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                      |
| Large scale processing of sensitive data  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                      |
| Systematic monitoring of individuals  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                      |
| Use of new technology or novel use of existing technology                               | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                      |
| Denial of an individuals' access to a service   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                      |
| Profiling of individuals on a large scale   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                      |
| Processing of biometric data  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                      |
| Processing of genetic data  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                      |
| Processing of sensitive data or data of a highly personal nature                        | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                      |
| Combining, comparing or matching data obtained from multiple sources                    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                      |
| Invisible processing  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                      |
| Tracking geolocation or behaviour   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                      |
| Targeting of children or other vulnerable individuals                                   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                      |
| Risk of physical harm   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                      |

**If you answer yes to any of the questions in section 4 (i) above, it is likely that a DPIA will be automatically required. Consult DoH Data Protection Officer for further advice.**

| (ii) Does the project involve any of the following?   | Yes                      | No                                  | If yes, explain your response |
|---|--------------------------|-------------------------------------|-------------------------------|
| Automated decision-making with a legal or similar significant effect.   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                               |
| Processing of data on a large scale.  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                               |
| A change to an existing policy, process or system that involves personal data (e.g. new legislation or policy that makes it compulsory to collect or disclose information). | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                               |
| A change in location of a business area or branch (e.g. plans to centralise a service or an office move).   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                               |
| A practice or activity that is listed on a risk register (e.g. activities listed on your business area's risk register or health and safety register).                      | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                               |
| Collecting new information about an individual (e.g. gathering information about an individuals' location).   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                               |
| A new way of gathering personal information (e.g. collecting information online rather than on paper forms).  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                               |
| A change in the way personal information is stored or secured (e.g. cloud storage).   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                               |
| A change to how sensitive personal information is managed (e.g. moving health records to a new database).   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                               |
| Transferring personal information offshore (e.g. using a cloud based application to store data).  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                               |
| A decision to retain personal information for longer than previously kept (e.g. keeping information for 10 years when you previously only held it for 7).                   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                               |

|  |                          |                                     |  |
|--|--------------------------|-------------------------------------|--|
| Using information classed as 'special category data' (e.g. information about an individual's health).  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  |
| Using personal data already held for a new purpose (e.g. to obtain customer profiles).   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  |
| Disclosing information to a third party (e.g. following a request from a law enforcement agency to provide information for a particular purpose).  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  |
| Sharing or matching personal information held by different organisations or in different datasets (e.g. combining data with other information held on systems or sharing information to enable organisations to provide services jointly). | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  |
| A change in policy that results in people having less access to information that you hold about them (for example, archiving documents after 6 months into a facility from which they cannot be easily retrieved).                         | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  |
| Establishing a new way of identifying individuals (for example, a unique identifier, a biometric, or online identity system).  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  |
| Introducing a new system for searching individuals' property, persons or premises (e.g. adopting a new policy of searching data on mobile phones that have been returned for upgrading).   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  |
| Surveillance, tracking or monitoring of movements, behaviour or communications (e.g. installing a new CCTV system or monitoring a member of staff's email account).  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  |

|  |                          |                                     |  |
|--|--------------------------|-------------------------------------|--|
| Changes to premises impacting on private spaces where clients/staff may discuss personal data (e.g. changing the location of a reception desk where people may disclose personal details or relocating a branch where sensitive personal data is processed). | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  |
| New regulatory requirements that could lead to compliance action against individuals on the basis of information about them (e.g. adding a new medical condition to the requirements of a licence).  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  |
| Other privacy intrusions such as body searches, or intrusion into physical space.  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |  |

**Additional Comments/Notes**

No further comments to suggest or provide.

## 5. INITIAL RISK ASSESSMENT

If you answered 'Yes' to any of the questions in section 4, use the table below to give a rating – either Low (L), Medium (M), or High (H) – to each of the aspects of the project set out in the first column. If you answered 'No' to all the questions in section 4, move on to section 6.

| Aspect of the Project           | Rating (L, M or H)   |                          |
|---------------------------------|--|--------------------------|
| Level of personal data handling | L – Minimal personal information will be handled   | <input type="checkbox"/> |
|                                 | M – A moderate amount of personal information (or information that could become personal information) will be handled                    | <input type="checkbox"/> |
|                                 | H – A significant amount of personal information (or information that could become personal information) will be handled                 | <input type="checkbox"/> |
| Sensitivity of information      | L – The information is not sensitive   | <input type="checkbox"/> |
|                                 | M – The information may be considered to be, or may become, sensitive  | <input type="checkbox"/> |
|                                 | H – The information is highly sensitive  | <input type="checkbox"/> |
| Significance of the changes     | L – Only minor change to existing functions/activities   | <input type="checkbox"/> |
|                                 | M – Substantial change to existing functions/activities; or a new initiative   | <input type="checkbox"/> |
|                                 | H – Major overhaul of existing functions/activities; or a new initiative that's significantly different                                  | <input type="checkbox"/> |
| Interaction with third parties  | L – No interaction with other agencies   | <input type="checkbox"/> |
|                                 | M – Interaction with one or two other agencies   | <input type="checkbox"/> |
|                                 | H – Extensive cross-agency (government) interaction or cross-sectional (non-government and government) interaction                       | <input type="checkbox"/> |
| Public impact                   | L – Minimal impact on the organisation and individuals   | <input type="checkbox"/> |
|                                 | M – Some impact on individuals is likely due to changes to the handling of personal information; or the changes may raise public concern | <input type="checkbox"/> |
|                                 | H – High impact on individuals and the wider public; concerns over aspects of project or negative media interest is likely.              | <input type="checkbox"/> |

## 6. SUMMARY OF PRIVACY IMPACT

The privacy impact for this project has been assessed as:

|  |                                     |
|--|-------------------------------------|
| <p><b>Low</b> – There is little or no personal information involved; or the use of personal information is uncontroversial; or the risk of harm eventuating is negligible; or the change is minor and something that the individuals concerned would expect; or risks are fully mitigated.</p> | <input checked="" type="checkbox"/> |
| <p><b>Medium*</b> – Some personal information is involved, and several low to medium risks have been identified</p>  | <input type="checkbox"/>            |
| <p><b>High*</b> – Sensitive personal information is involved, and several medium to high risks have been identified</p>  | <input type="checkbox"/>            |
| <p><b>Reduced risk</b> – The project will lessen existing privacy risks</p>  | <input type="checkbox"/>            |
| <p><b>Inadequate information</b> – More information and analysis is needed to fully assess the privacy impact of the project.</p>  | <input type="checkbox"/>            |
| <p><b>Briefly summarise reasons for the rating given</b></p>   |                                     |
| <p>There is little or no impact on the processing of personal information. This proposal involves making amendments to extant legislation, and such amendments will not make change current processes for data handling.</p>   |                                     |

\* If you have assessed the privacy impact as medium or high, a DPIA must be carried out.

## 7. RECOMMENDATION

A full data protection impact assessment **is** required

A full data protection impact assessment **is not** required

### Reasons

The proposed amendments do not involve any changes to the way in which data is processed, and as such do not meet the criteria for conducting a DPIA.

In consulting on the proposed amendments, the Department will handle any personal information provided in accordance with all relevant legislation and policy. Consultation analysis will not involve any identifiable information. As such, the consultation process does not meet the full threshold for conducting a DPIA.

## 8. SIGN OFF

### Project Manager

Name:

Astrid Hamilton

Date:

21 October 2022

Signed: Astrid Hamilton

### Senior Responsible Owner/Information Asset Owner

Name:

Date:

Signed: