

# Cabinet

## DOCUMENTS FOR THE MEMBERS ROOM

Monday, 7th February, 2022  
at 6.00 pm

MEMBERS ROOM DOCUMENTS ATTACHED TO THE  
LISTED REPORTS

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# MEMBERS ROOM DOCUMENTS

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- 9 **OUTDOOR SPORTS CENTRE - REDEVELOPMENT** □ (Pages 7 - 12)
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Friday, 28 January 2022

SERVICE DIRECTOR, LEGAL AND BUSINESS  
OPERATIONS



## Equality and Safety Impact Assessment

The Public Sector Equality Duty (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with section 17 of the Crime and Disorder Act and will enable the Council to better understand the potential impact of the budget proposals and consider mitigating action.

<p><b>Name or Brief Description of Proposal</b></p>	<p>Waste Improvement and Transformation Plan (“WITP”)</p>
<p><b>Brief Service Profile</b></p>	
<p>As a unitary authority, Southampton City Council has a legal duty to arrange for the collection and disposal of household waste, and if requested, commercial and industrial waste. The Council’s Waste service operates free fortnightly collections of residual (‘black bag’) and recycling waste from all areas of Southampton. Residents of low-rise properties in Southampton are provided with separate bins for residual waste, dry mixed recycling (“DMR”: paper, card, tins, aerosols, and plastic bottles) and glass. Some blocks of flats have communal bins for residual, DMR and glass. The total number of residential dwellings serviced is around 110,000, or 260,111 residents. Criteria for the correct presentation of bins by residents is set out in the Council’s ‘Managing the Local Environment Policy’. The Council operates further chargeable collection services including:</p> <ul style="list-style-type: none"> <li>• a trade waste service for local businesses;</li> <li>• a bulky waste collection service; and,</li> <li>• a garden waste collection service (servicing around 18,000 properties).</li> </ul> <p>Disposal of waste in Hampshire is carried out through an integrated system, in which the Council is one of three disposal authorities (along with Hampshire County Council and Portsmouth City Council). Coordination of the integrated system is achieved through the Project Integra waste management partnership, comprising Hampshire’s district councils and the disposal authorities. Disposal of household</p>	

waste is carried out on behalf of the disposal authorities by Veolia UK under arrangements which commenced in 1997. Trade waste in Southampton is disposed of by a separate contractor. Currently, Southampton's recycling rate is around 29%, with around 21% of material in recycling bins diverted to landfill or incineration because it is too contaminated.

Waste service delivery is supported by other areas of the Council, including customer services, business support and human resources, communications and legal.

### **Summary of Impact and Issues**

The WITP sets three fundamental goals to drive the planning and operations of the Waste Service during the period 2022-27:

- Increase Southampton's recycling rate above 50% by 2027.
- Improve the customer experience.
- Work with partners to encourage and enforce responsible waste behaviours.

The period of effect of the WITP covers important changes in the regulatory landscape for waste set out in the Environment Act 2021. The 2021 Act will require the consistent collection by local authorities of a wider range of dry mixed recyclables and the separate collection of food waste, with duties expected to commence from 2023/24. Through its membership of the Project Integra partnership and its adoption of the Joint Municipal Waste Management Strategy in November 2021, the Council has committed to introducing a twin-stream collection system for DMR to meet the requirements of the 2021 Act. This system will maintain the existing number of containers for DMR (two) but introduce a different mix of recycling. Glass, cartons, plastics, tin cans and aerosols will go into the existing, blue-lidded recycling bin, with paper and cardboard (fibres) in a separate bin. The WITP addresses the changes to organisation, management and service delivery required to carry twin-streaming and weekly food-waste collections into effect.

The WITP extends further than the requirements of the 2021 Act in defining and setting out plans to address wider issues affecting the performance of the Waste service. It sets new quantitative targets for recycling (above 50% by 2027), reducing contamination (5% or lower by 2027), reducing fly-tipping (80% reduction in fly-tipping), reducing missed bins (90% reduction by 2027) and reducing round cancellations (zero cancellations by 2027). It aims to improve engagement with community stakeholders to further the achievement of these targets.

The WITP addresses the performance of internal aspects of the Waste service, including communications; career development and training provision; IT access; and data gathering and analysis. It is intended that implementation of the WITP will bring about a general improvement of the Waste service across three phases:

1. Stabilisation (by April 2023).
2. Improvement (by April 2025).
3. Excellence (by April 2027).

**Potential Positive Impacts**

The implementation of twin-streaming and a weekly food waste collection in compliance with the 2021 Act are expected to increase the rate of recycling (with customers able to recycle a wider range of materials). Greater separation of materials will lead to an increase in material quality and a lower rate of contamination, decreasing the cost of disposal for the Council. The weekly collection of food waste will lead to a reduction in the proportion of organic material in residual bins, leading to improved hygiene and a reduction in vermin and bad odours. Other measures under the 2021 Act to be implemented centrally will bring about improved labelling of plastic packaging, further improving the rate of recycling in local authority streams.

Twin stream collections will present a lower risk of injuries to SCC operatives than the currently co-mingled system, as waste will be distributed across more containers and less spillages from glass containers.

Measures in the WITP to reduce the number of missed bins and to eliminate cancelled rounds will improve the quality of service provided to residents of Southampton. The adoption of a new waste collection policy by 2023 will improve access to the Waste service for all residents by providing a clear and consistent set of criteria for bin presentation (including contents) and a clear procedure for non-compliance. It is expected that this and general improvements under the WITP will reduce the occurrence of bins left out on highways by residents following collection, which may present a risk to persons with disabilities.

Responsible Service Manager	David Tyrie Head of City Services
Date	January 2022

Approved by Senior Manager	James Strachan Service Director, Business Development
Date	January 2022

## Potential Negative Impacts

Impact Assessment	Details of Impact	Possible Solutions
<b>Age</b>	No impact.	
<b>Disability</b>	People with disabilities may require assistance presenting their DMR containers for collection.	SCC will continue to operate an assisted collection service where loaders will collect the containers from a collection point inside the resident's property boundary and return them to the collection point following emptying.
<b>Gender Reassignment</b>	No impact.	
<b>Marriage and Civil Partnership</b>	No impact.	
<b>Pregnancy and Maternity</b>	No impact.	
<b>Race</b>	No impact.	
<b>Religion or Belief</b>	No impact.	
<b>Sex</b>	No impact.	
<b>Sexual Orientation</b>	No impact.	
<b>Community Safety</b>	No impact.	
<b>Poverty</b>	No impact.	
<b>Other Significant Impacts</b>	Changes to the recycling collection system may cause confusion for residents.	<p>The adoption of twin streaming (rather than kerbside sort) will minimise disruption for residents by providing the same number of containers.</p> <p>The measures in the 2021 Act will make recycling simpler for residents by ensuring a consistent set of materials is collected by local authorities across England albeit some LA's will opt for / continue kerbside sorting of separate materials.</p> <p>The move to twin streaming will be accompanied by a comprehensive, multi-channel communications campaign. Due</p>

		regard will be paid to removing communication barriers for people with relevant protected characteristics.
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## Equality and Safety Impact Assessment

The **Public Sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with Section 17 of the Crime and Disorder Act and will enable the Council to better understand the potential impact of proposals and consider mitigating action.

<b>Name or Brief Description of Proposal</b>	Public Consultation on Southampton Outdoor Sports Centre Draft Masterplan of Improvements – <i>DRAFT ESIA</i>
<b>Brief Service Profile (including number of customers)</b>	
<p>The 150acre Outdoor Sports Centre (OSC) is often described as a “green lung” in the west of the city and attracts a variety of sports clubs and recreational users ranging from dog walkers to informal joggers. The site is managed on behalf of SCC until 2025 by Active Nation, under a sub-contract from Places Leisure, via a service specification. It is estimated the number of visits to the site is around 200,000 per annum.</p> <p>Since the OSC opened in 1938, a number of changes, improvements and modifications have been made. It was recognised recently that there was considerable interest in establishing a future vision for the OSC by developing key areas for improvement to enhance and widen its offer for both competitive sports and leisure users. Over recent years, a number of community engagement activities have taken place to inform a Draft Masterplan of Improvements. As a result, there has been several opportunities for the public to participate in the planning of the improvements and to be able to refine and improve the content of the scheme.</p> <p>In November 2013, this engagement provided valuable feedback where key themes and ideas came to light. This included:</p> <ul style="list-style-type: none"> <li>• Development of a Hub building and sports facilities to include changing and toilet provision, meeting rooms, café/refreshment provision plus indoor sports provision.</li> <li>• Creation of Physical Activity Opportunities to include running/jogging route, cycling circuit, outdoor gym.</li> <li>• Infrastructure Improvements: increase and improve car park provision, improve lighting on access routes or footpaths within the site.</li> <li>• Open Space: develop the existing woodland walks, consider options for recreational activities e.g. wheeled sports park.</li> </ul>	

The resulting Draft Masterplan of Improvements covered key topics including car parking, recreational activities, sports facilities, and the ski centre. In 2015, this improvement plan along with a proposed vision for the OSC went through a 12-week public consultation where local residents, sports clubs and organisations, Friends of Southampton Sports Centre (FOSSC) and a wider audience could review and comment on the proposals. With over 1,200 responses, 89% of respondents agreed with the suggested priority areas for improvement with a large majority, who currently use the OSC once a month or less, stating that they would use the facility more if improvements were made.

In 2017-18, feasibility work was extended to include further elements of the scheme including a detailed evaluation of the football elements and a new 'Hub' building. This work generated a list of recommendations which were then incorporated into the Draft Masterplan of Improvements and there was further engagement and consultation which followed.

The outcomes of the Draft Masterplan, if delivered, range from health outcomes, opportunities to tackle inequalities, provisions for target groups such as women and girls and support city wide initiatives such as Active Travel and the Green City Charter.

In particular, the Southampton Physical Activity and Sports Strategy (PASS) seeks to 'work with our partners to deliver more physical activity and sport opportunities in our parks and open spaces, targeting inactive groups and this project is intended to meet this objective.

### **Summary of Impact and Issues**

The Public Consultation was largely delivered online for individuals, although hard copies were available via libraries. When the facility mix from the Draft Masterplan is finalised, and the improvements concluded, there will be significant positive impact on health, activity and wellbeing levels for residents.

The summary of the impact from the consultation is very positive. Further detail is described in the table headed Potential Impact below, where detailed commentary is provided in the accompanying Appendix documents to the Cabinet report (presented 7<sup>th</sup> February).

### **Potential Positive Impacts**

- All of the formal sports hosted at the OSC will continue to be undertaken in line with their respective National Governing Bodies of Sport (NGBs). This covers areas such as equality and diversity commitments, Safeguarding protocols for children and vulnerable adults.
- NGBs also require risk assessments to be undertaken and Active Nation, as operators, are obliged within their service specification to ensure appropriate procedures are appropriately followed.
- Use of the Bike Park is currently through an informal agreement and it is intended the Draft Masterplan and partnership agreement with British Cycling will result in the Bike Park becoming an affiliated club to British Cycling. This will improve their governance and operating standards.

- A key part of the Draft Masterplan is improved lighting and car parking. It is expected that this will have a positive impact on use of the site.
- As a result of the age and condition of the buildings at the OSC accessibility is challenging. The new buildings, including changing rooms and toilets will incorporate high levels of accessibility in their design, specific consultation will be undertaken with Sport England and Activity Alliance in this respect. Accessible car parking spaces and parent and child spaces will also be provided, along with a 'changing places' facility to accommodate accessible toilet needs to be met.
- The Family Zone will accommodate a wide range of new users for parents with young children via a new Pavilion building.
- Improved opportunities for activities such as skateboarding and cycling, improved lighting throughout the centre and CCTV will widen the range of opportunities for all ages particularly young people. There will also be development programmes working with local clubs and associations.

<b>Responsible Service Manager</b>	Nigel Mullan
<b>Date</b>	17/01/22
<b>Approved by Senior Manager</b>	Tina Dyer-Slade
<b>Date</b>	19 <sup>th</sup> Jan 2022

### Potential Impact

<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
<b>Age</b>	<p>Improvements will have a positive impact on the age range of users from Toddlers and parents using Family Zone to improved facilities for older dog walkers.</p> <p>In general, the younger age groups selected that the changes would have a positive impact more than older age groups.</p> <p>Respondents between the ages of 35 – 44 selected that there would be a positive impact on them and</p>	<p>A wide range of improvements are planned across the centre that will appeal across all ages. Designs are developing across all areas and further work will be undertaken to address these impacts.</p>

<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
	<p>their family to the highest extent (96%).</p> <p>Respondents who were 18-24 said their use would increase to the highest extent (92%).</p> <p>84% of young people under the age of 18 said that their use would increase as a result of these improvements.</p> <p>Respondents over 75 selected that their use were unlikely to change (28%).</p>	
<b>Disability</b>	<p>The existing buildings on the OSC are challenging in terms of access for those with a disability.</p>	<p>Access issues will be considered across all aspects of the project, there will be additional dedicated car parking facilities, there will be improved changing and toilet facilities and there will be a lift within the hub building to provide access to the social and fitness facilities currently planned for the upper floor. Consultation has continued with local users and clubs to ensure that the designs are accessible, along with architectural reference to access and 'secure by design' consultants.</p>
<b>Gender Reassignment</b>	<p>No identified impact.</p>	<p>The hub changing facilities will be designed to comply with the national governing body guidelines as they currently stand. Individual changing rooms should also be available.</p>
<b>Marriage and Civil Partnership</b>	<p>No identified impact.</p>	
<b>Pregnancy and Maternity</b>	<p>There is a need for improved toilet facilities for all at the centre and also there is a need for baby changing facilities.</p>	<p>The new hub will incorporate public toilets and also baby changing facilities available to club and casual users of the centre.</p>

<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
<b>Race</b>	No identified impact.	The hub changing facilities will be designed to comply with the national governing body guidelines as they currently stand. Individual changing rooms should also be available.
<b>Religion or Belief</b>	No identified impact.	
<b>Sex</b>	No identified impact.	The hub changing facilities will be designed to comply with the national governing body guidelines as they currently stand. Individual changing rooms should also be available.
<b>Sexual Orientation</b>	No identified impact.	The hub changing facilities will be designed to comply with the national governing body guidelines as they currently stand. Individual changing rooms should also be available.
<b>Community Safety</b>	Lack of a central social point in the OSC, the Public Consultation highlighted concerns about safety arising from poor lighting and other anti-social behaviours.	There will be improved lighting, CCTV and social facilities such as in the Hub for casual users, schools and the local community. The parking facilities will also be closer to the hub building which may also make users feel safer.
<b>Poverty</b>	Cost of participation can be a barrier to participation.	The Centre will remain free to use for informal recreation and SCC will continue to approve prices levied by the contractor for activities and facilities the OSC. SCC will work with the operator to ensure that prices are affordable and competitive. Further work is to be completed to review these issues.
<b>Health &amp; Wellbeing</b>	Availability of affordable facilities and opportunities to participate either in formal or recreational sport and leisure activities can play a key role in health and wellbeing.	The wide variety of improvements at the OSC are designed to attract participation in formal and informal activity. The results of the consultation.

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	78% of respondents to the consultation said that if the changes outlined in the consultation were implemented, there would be a positive impact on their level of physical activity.	
<b>Other Significant Impacts</b>	No identified impact.	



## Equality and Safety Impact Assessment

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The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with Section 17 of the Crime and Disorder Act and will enable the Council to better understand the potential impact of proposals and consider mitigating action.

<p><b>Name or Brief Description of Proposal</b></p>	<p><b>TCF City Centre - Albion Place Bus Hub</b></p> <p>The Albion Place Hub scheme will deliver a new consolidated bus hub and interchange on the site of the Albion Place car park and a new landscaped open space area on the Castle Way car park. This will provide 10 new bus stops, increasing from current 6, at the Albion Place car park and on Castle Way (road) to provide for 10 new bus stop locations.</p> <p>The aim of this assessment is to assess the impact the project will have on protected characteristic groups and the safety of the general public. If any negative impacts are identified, mitigations will be proposed to minimise them as far as reasonably practicable.</p>
<p><b>Brief Service Profile (including number of customers)</b></p>	
<p>Transport Highways and Parking services is responsible for the policy and strategy relating to all transport activities in the City. It is also responsible for strategic direction of the maintenance and management of the highway network including maintenance and enforcement of all parking related functions.</p> <p>Customers include all transport users in the city including residents, visitors and businesses.</p>	
<p><b>Summary of Impact and Issues</b></p>	
<ul style="list-style-type: none"> <li>• Potential for conflict between buses and pedestrians.</li> <li>• Potential for conflict between motorists and pedestrians at locally narrowed highway.</li> </ul>	
<p><b>Potential Positive Impacts</b></p>	
<ul style="list-style-type: none"> <li>• Promoting sustainable travel.</li> <li>• Improving aesthetics.</li> <li>• Improved crossing facilities for NMUs.</li> </ul>	

<b>Responsible Service Manager</b>	Steve Elliott
<b>Date</b>	14/12/2021
<b>Approved by Senior Manager</b>	Kate Martin
<b>Date</b>	12/01/2022 (by email)

### Potential Impact

<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
<b>Age</b>	This project will have a positive impact on this group as will also improve mobility access, improve crossing facilities, and generally improve clarity regarding users of the space.	BBLP to provide appropriate communication with affected businesses and residents so that they are aware of routes that may be more difficult to cross during the construction phase.
<b>Disability</b>	It is likely that this project will have a positive impact on this group as it aims to improve access, improve crossing facilities, and generally improve clarity regarding users of the space. However, there is potential for a differential impact on people depending on their disability; for example, physically disabled people who may have mobility or sight issues could be affected by poorly designed/maintained traffic management and/or junctions or crossings.	The aim of this project is to improve bus facilities in the area, improving crossing facilities and safety, but also provide a public open space park and better connections to the nearby shopmobility. BBLP to provide appropriate communication with affected businesses and residents so that they are aware of routes that may be more difficult to cross during the construction phase. All traffic management and phasing to be designed to the appropriate standards and properly set out and maintained on site so as not to cause unnecessary obstructions. All proposed junctions have been designed with NMUs in mind and should provide an improved situation.



<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
<b>Gender Reassignment</b>	No differential or negative impact currently identified as a result of this protected characteristic.	Monitor and review if any issues are raised or further information provided.
<b>Marriage and Civil Partnership</b>	No differential or negative impact currently identified as a result of this protected characteristic.	Monitor and review if any issues are raised or further information provided.
<b>Pregnancy and Maternity</b>	It is likely that this project will have a positive impact on this group as it aims to improve access, improve crossing facilities, and generally improve clarity regarding users of the space. However, there is the potential for a negative impact on expectant mothers and those on maternity leave; for example, pregnant mothers will tend to not be able to move as quickly as when not pregnant, therefore, any footpath diversion must be appropriately designed, signed and communicated to residents and businesses so that any extra time required for walked journeys can be accommodated for	The aim of this project is to improve bus facilities in the area, improving crossing facilities and safety, but also provide a public open space park and better connections to the nearby shopmobility. BBLP to provide appropriate communication with affected businesses and residents so that any expectant mothers are aware of routes that may be more difficult to cross during the construction phase.
<b>Race</b>	No differential or negative impact currently identified as a result of this protected characteristic.	Monitor and review if any issues are raised or further information provided.
<b>Religion or Belief</b>	No differential or negative impact currently identified as a result of this protected characteristic.	Monitor and review if any issues are raised or further information provided.
<b>Sex</b>	No differential or negative impact currently identified as a result of this protected characteristic.	Monitor and review if any issues are raised or further information provided.
<b>Sexual Orientation</b>	No differential or negative impact currently identified as a result of this protected characteristic.	Monitor and review if any issues are raised or further information provided.
<b>Community Safety</b>	It is likely that this project will have a positive impact on this group as the conversion of both car parks into a bus hub and open public park will incorporate additional lighting, and separate CCTV project will provide additional coverage of Albion Place and Castle Way.	Monitor and review if any additional issues are raised or further information provided.
<b>Poverty</b>	No differential or negative impact currently identified as a result of this protected characteristic.	Monitor and review if any issues are raised or further information provided.
<b>Health &amp; Wellbeing</b>	It is likely that this project will have a positive impact on this group as the conversion of the Castle Way	Monitor and review if any additional issues are raised

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	car park into a landscaped open public space combined with the improved uncluttered view of the old walls at Albion Place will improve the heritage features, but look to improve air quality, through low / zero emission buses.	or further information provided.
<b>Other Significant Impacts</b>	None anticipated	

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## What is a Privacy Impact Assessment?

A Privacy Impact Assessment (“PIA”) is a process that assists organisations in identifying and minimising the privacy risks of new projects or policies.

Projects of all sizes could impact on personal data.

The PIA will help to ensure that potential problems are identified at an early stage, when addressing them will often be simpler and less costly.

Conducting a PIA should benefit the Council by producing better policies and systems, and improving the relationship with individuals.

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## Why should I carry out a PIA?

Carrying out an effective PIA should benefit the people affected by a project and also the organisation carrying out the project.

Whilst not a legal requirement, it is often the most effective way to demonstrate to the Information Commissioner’s Officer how personal data processing complies with the [Data Protection Act 1998](#).

A project which has been subject to a PIA should be less privacy intrusive and therefore less likely to affect individuals in a negative way.

A PIA should improve transparency and make it easier for individuals to understand how and why their information is being used.

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## When should I carry out a PIA?

The core principles of PIA can be applied to any project that involves the use of personal data, or to any other activity that could have an impact on the privacy of individuals.

Answering the screening questions in **Section 1** of this document should help you identify the need for a PIA at an early stage of your project, which can then be built into your project management or other business process.

## Who should carry out a PIA?

Responsibility for conducting a PIA should be placed at senior manager level. A PIA has strategic significance and direct responsibility for the PIA must, therefore, be assumed by a senior manager.

The senior manager should ensure effective management of the privacy impacts arising from the project, and avoid expensive re-work and retro-fitting of features by discovering issues early.

A senior manager can delegate responsibilities for conducting a PIA to three alternatives:

- a) An appointment within the overall project team;
- b) Someone who is outside the project; or
- c) An external consultant.

Each of these alternatives has its own advantages and disadvantages, and careful consideration should be given on each project as to who would be best-placed for carrying out the PIA.

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## How do I carry out a PIA?

Working through each section of this document will guide you through the PIA process.

The requirement for a PIA will be identified by answering the questions in **Section 1**. If a requirement has been identified, you should complete all the remaining sections in order.

The Privacy Impact Assessment Statement in **Section 7** should be completed in all cases, and a copy of this document should be sent to the Senior Legal Assistant (Information) to record and review.

The Senior Legal Assistant (Information) will then issue a report, confirming whether the proposed measures to address the privacy risks identified are adequate, and make recommendations for additional measures needed.

These measures will be reviewed once in place to ensure that they are effective.

Advice can be found at the beginning of each section, but if further information or assistance is required, please contact the Senior Legal Assistant (Information) on 023 8083 2676 or at [foi.requests@southampton.gov.uk](mailto:foi.requests@southampton.gov.uk).

# Section 1 - Screening Statements

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The following statements will help you decide whether a PIA is necessary for your project.

Please tick all that apply.

The project will involve the collection of new information about individuals.

The project will compel individuals to provide information about themselves.

Information about individuals will be disclosed to organisations or people who have not previously had routine access to the information.

You are using information about individuals for a purpose it is not currently used for, or in a way it is not currently used.

The project involves you using new technology which might be perceived as being privacy intrusive. For example, the use of biometrics or facial recognition.

The project will result in you making decisions or taking action against individuals in ways which can have a significant impact on them.

The information about individuals is of a kind particularly likely to raise privacy concerns or expectations. For example, health records, criminal records, or other information that people would consider to be particularly private.

The project will require you to contact individuals in ways which they may find intrusive.

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If any of these statements apply to your project, it is an indication that a PIA would be a useful exercise, and you should complete the rest of the assessment, including the Privacy Impact Assessment Statement in **Section 7**.

If none of these statements apply, it is not necessary to carry out a PIA for your project, but you will still need to complete the Privacy Impact Assessment Statement in **Section 7**.

## Section 2 - Identifying the Need for a PIA

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With the screening statements in mind, briefly explain what the project aims to achieve, what the benefits will be to the organisation, to individuals, and to other parties.

You may find it helpful to link to other relevant documents related to the project, for example a project proposal.

## Section 3 - Describe the Information Flows

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The collection, use, and deletion of personal data should be described here, and it may also be useful to refer to a flow diagram or another way of explaining data flows.

You should also say how many individuals are likely to be affected by the project.

# Section 4 - Identify the Privacy Risks

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Answering the questions below will help you identify the key privacy risks, and the associated compliance and corporate risks.

The questions cover the 8 Principles of the [Data Protection Act 1998](#), and whilst all may not be relevant to your project, they may prompt you to consider areas of risk which aren't initially apparent.

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## Principle 1

**Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless:**

- a) at least one of the conditions in Schedule 2 is met, and**
  - b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.**
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Have you identified the purpose of the project?

What information will be collected and/or shared?

With whom will the information be shared?

How will individuals be told about the use of their personal data?

Who should be consulted about the processing of personal information, internally and externally?

How will you carry out the consultation?



## Conditions for processing

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For all data (tick all that apply):

The individual who the personal data is about has consented to the processing.

The processing is necessary in relation to a contract which the individual has entered into, or because the individual has asked for something to be done so they can enter into a contract.

The processing is necessary because of a legal obligation that applies to you (except an obligation imposed by a contract).

The processing is necessary to protect the individual's "vital interests".

The processing is necessary for administering justice, or for exercising statutory, governmental, or other public functions.

The processing is necessary for the purposes of the Council's legitimate interests.

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If your project involves the processing of [sensitive data](#)\* (tick all that apply):

The data subject has given his explicit consent to the processing of the personal data.

The individual who the sensitive personal data is about has given explicit consent to the processing.

The processing is necessary so that you can comply with employment law.

The processing is necessary to protect the vital interests of the individual (in a case where the individual's consent cannot be given or reasonably obtained), or another person (in a case where the individual's consent has been unreasonably withheld).

The processing is carried out by a not-for-profit organisation and does not involve disclosing personal data to a third party, unless the individual consents. Extra limitations apply to this condition.

The individual has deliberately made the information public.

The processing is necessary in relation to legal proceedings (for obtaining legal advice, or otherwise for establishing, exercising or defending legal rights).

The processing is necessary for administering justice, or for exercising statutory or governmental functions.

The processing is necessary for medical purposes, and is undertaken by a health professional or by someone who is subject to an equivalent duty of confidentiality.

The processing is necessary for monitoring equality of opportunity, and is carried out with appropriate safeguards for the rights of individuals.

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\* Under the Data Protection Act 1998, sensitive personal data is defined as personal data consisting of information as to:

- (a) the racial or ethnic origin of the data subject,
- (b) his political opinions,
- (c) his religious beliefs or other beliefs of a similar nature,
- (d) whether he is a member of a trade union,
- (e) his physical or mental health or condition,
- (f) his sexual life,
- (g) the commission or alleged commission by him of any offence, or
- (h) any proceedings for any offence committed or alleged to have been committed by him, the disposal of such proceedings or the sentence of any court in such proceedings.

If you are relying on consent to process personal data, how will this be collected and what will you do if it is withheld or withdrawn?

Do you need to create or amend privacy notices (which inform the data subject at the point of collection how their information will be used)?

Will your actions interfere with the right to privacy under [Article 8 of the European Convention on Human Rights](#) (right to respect for private and family life)?

Will any information from the project be published on the Internet or in other media?

Will a third party contractor be involved in the data processing process?

Have you identified the social need and aims of the project?

Are your actions a proportionate response to the social need, and why?

---

## Principle 2

**Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.**

---

Does your project plan cover all of the purposes for processing personal data?

Have potential new purposes been identified as the scope of the project expands?

---

## Principle 3

**Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.**

---

Is the information you are using of good enough quality for the purposes it is used for?

Which personal data could you not use, without compromising the needs of the project?

How will you ensure that only data that is adequate, relevant, and not excessive in relation to the purpose is processed?

---

## Principle 4

**Personal data shall be accurate and, where necessary, kept up to date.**

---

If you are procuring new software does it allow you to amend data when necessary?

How will you ensure that personal data obtained from individuals or other organisations is accurate?

---

## **Principle 5**

**Personal data processed for any purpose or purposes shall not be kept for longer than necessary for that purpose or those purposes.**

---

What retention periods are suitable for the personal data you will be processing?

Are you procuring software which will allow you to delete information in line with your retention periods?

What processes will be put in place for the destruction of the data?

---

## **Principle 6**

**Personal data shall be processed in accordance with the rights of data subjects under this Act.**

---

Will the systems you are putting in place allow you to respond to subject access requests more easily?

If the project involves marketing, have you got a procedure for individuals to opt out of their information being used for that purpose?

---

## Principle 7

**Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.**

---

Where, and in what format, will the personal data be kept?

Will an IT system or application be used to process the personal data?

Do any new systems provide protection against the security risks you have identified?

What training and instructions are necessary to ensure that staff know how to operate the system securely?

Will staff ever work away from the office (e.g. on laptops, tablets, or smart phones)?

How will access to the personal data be controlled?

---

## Principle 8

**Personal data shall not be transferred to a country or territory outside the European Economic Area (EEA) unless that country or territory ensures and adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.**

---

Will the project require you to transfer data outside of the EEA?

If you will be making transfers, how will you ensure that the data is adequately protected?

If a contractor is being used to process the personal information, where are they (and their data stores) based?

# Section 5 - Summary of Identified Risks

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Completing the questions in Section 4 will hopefully have identified areas in your project where personal data is at risk.

Use this section to summarise those risks.

---

Privacy Issue

Risk to Individual

Risk to the Council

---

Privacy Issue

Risk to Individual

Risk to the Council

---

Privacy Issue

Risk to Individual

Risk to the Council

Privacy Issue

Risk to Individual

Risk to the Council

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Privacy Issue

Risk to Individual

Risk to the Council

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Privacy Issue

Risk to Individual

Risk to the Council

Privacy Issue



## Section 6 - Identify Privacy Solutions

---

For each of the risks identified in Section 6, describe the actions you could take to reduce them, and any future steps which would be necessary (e.g. the production of new guidance or future security testing for systems).

---

Risk

Solution

Result

Risk Eliminated

Risk Reduced

Risk Accepted

Is impact of solution on individuals justified, compliant, and proportionate?

Yes

No

---

Risk

Solution

Result

Risk Eliminated

Risk Reduced

Risk Accepted

Is impact of solution on individuals justified, compliant, and proportionate?

Yes

No

Risk

Solution

Result

Risk Eliminated

Risk Reduced

Risk Accepted

Is impact of solution on individuals justified, compliant, and proportionate?

Yes

No

---

Risk

Solution

Result

Risk Eliminated

Risk Reduced

Risk Accepted

Is impact of solution on individuals justified, compliant, and proportionate?

Yes

No

Risk

Solution

Result

Risk Eliminated

Risk Reduced

Risk Accepted

Is impact of solution on individuals justified, compliant, and proportionate?

Yes

No

---

Risk

Solution

Result

Risk Eliminated

Risk Reduced

Risk Accepted

Is impact of solution on individuals justified, compliant, and proportionate?

Yes

No

# Section 7 - Privacy Impact Assessment Statement

---

This statement must be completed for all projects, regardless of whether a PIA was deemed to be necessary on completion of the screening questions in Section 1.

---

Name:

Position:

Project Summary:

---

Please choose one of the following options:

None of the screening statements in Section 1 of this document apply to the above project, and I have determined that it is not necessary to conduct a Privacy Impact Assessment.

Some of the screening statements in Section 1 of this document apply to the above project, and a need to carry out a Privacy Impact Assessment was identified. The assessment has been carried out, and the outcomes will be integrated into the project plan to be developed and implemented.

---

Date:

---

Once completed, please send a copy of this document to the Senior Legal Assistant (Information):

Email: [foi.requests@southampton.gov.uk](mailto:foi.requests@southampton.gov.uk)

Internal post: Corporate Legal, Civic Centre, Municipal, Ground Floor West

## Document Information

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**Title:** Privacy Impact Assessment

**Author:** Chris Thornton, Senior Legal Assistant (Information)

**Version:** v2.1

**Owner:** Information Governance Board on behalf of the Council's Management Team

**Agreed by:** Richard Ivory, Head of Legal and Democratic Services

**Effective from:** 17th July 2015

**Review Date:** 17th July 2016

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### Revision History:

06/12/13 - Version 1.0 - Reviser: Vikas Gupta - Document Created

10/03/15 - Version 2.0 - Reviser: Chris Thornton - Updated to PDF form format

17/07/15 - Version 2.1 - Reviser: Chris Thornton - Added information re report in introduction

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## Data Sharing Agreement for the sharing of personal data

between

Southampton City Council

and

**Southampton Voluntary Services**

**Grant applications for assessment**

Date:

## DATED:

## Parties

- (1) **SOUTHAMPTON CITY COUNCIL** of Civic Centre, Southampton, SO14 7LY  
("the Council")
- (2) **SOUTHAMPTON VOLUNTARY SERVICES** of Kingsland Square, Southampton,  
SO14 1NW ("the Recipient")

## Contact details

### Integrated Commissioning Unit

Southampton City Council

Civic Centre

Southampton

SO14 7LY

Tel: 023 8083 4067

Email: [grants@southampton.gov.uk](mailto:grants@southampton.gov.uk)

### Southampton Voluntary Services

Kingsland Square

Southampton

SO14 1NW

Jo Ash

Tel: 023 8022 8291

Email: [j.ash@southamptonvs.org.uk](mailto:j.ash@southamptonvs.org.uk)



## 1. Shared Information

- 1.1. This agreement provides the basis for facilitating the exchange of information between the parties concerned where it is necessary or expedient under the terms of any legislation in order to provide services in the most effective and appropriate way.
- 1.2. The information shared will be **grant applications, which may contain personal contact details such as name, address, phone number and email address** (“the Shared Information”).
- 1.3. The Recipient requires the Shared Information **to enable them to fully assess the grant application and advise the council on whether or not to grant fund the applicant.** (“the Objective”)
- 1.4. The Shared Information **does not contain sensitive information.**
- 1.5. **The Shared Information is held electronically on an encrypted memory stick.**
- 1.6. For the purposes of this agreement and avoidance of doubt, the Council is the Data Controller, as defined by the Data Protection Act 1998. Once the Shared Information has been disclosed to the Recipient, the Recipient becomes the data controller for the copy held by them.

## 2. The Process for Sharing

- 2.1. The processing of the Shared Information is considered fair and lawful because, **under Schedule 2 of the Data Protection Act 1998, 2, the processing is necessary –**
  - (a) **for the performance of a contract to which the data subject is a party, or**
  - (b) **for the taking of steps at the request of the data subject with a view to entering into a contract.**
- 2.2. The legal power that allows parties to disclose and receive the Shared Information is **Section 2 of the Local Government Act 2000.**
- 2.3. The parties confirm that they will comply with all relevant legislation (including secondary legislation) currently in force, or subsequently enacted. In fulfilling this obligation, the parties will take into account such official supportive guidance as is issued at any time. Where applicable to the shared information, the parties confirm that they will adhere to the Caldicott principles and the common law duty of confidentiality.
- 2.4. The procedure for sharing information under this agreement can be found in Schedule 1.

- 2.5. The Shared Information will be used to contribute to the functions and objectives of the Council and the Recipient by **enabling the Council to make informed funding decisions**, and is therefore considered proportional.
- 2.6. The Recipient confirms that once they have received the Shared Information, it will only be used for achieving the Objective, and not be further disclosed to another party.

### **3. Compatibility**

- 3.1. The Council confirms that the disclosure of the Shared Information is compatible with the purpose for which it is processed.

### **4. Adequacy**

- 4.1. The Council and the Recipient confirm that the level of detail of the Shared Information is necessary to achieve the Objective.
- 4.2. The Council and the Recipient confirm that the Objective could not be achieved with anonymised or limited data.

### **5. Accuracy**

- 5.1. The Council and the Recipient confirm that all reasonable steps will be taken to ensure that the Shared Information is accurate.
- 5.2. The Recipient shall notify the Council promptly once any inaccuracies have been identified so that the integrity of the Shared Information is maintained.

### **6. Retention**

- 6.1. Once the Objective has been achieved, the Recipient shall delete or destroy the Shared Information **after the grant panel meeting for that round of funding (approximately six weeks after the application deadline for that funding round)**, in accordance with 6.2.
- 6.2. **The encrypted memory stick will be returned to the Council at the grant panel meeting for that funding round, or as soon as is reasonably practical after that date if the Recipient is unable to attend the grant panel meeting. Any printed copies of the Shared Information will be destroyed immediately after the grant panel meeting for that funding round either in the Recipient's confidential waste or by handing them to the Council for disposal.**

- 6.3. Once the information sharing relationship between the parties detailed in this agreement has ceased, the Recipient shall **return or destroy any remaining Shared Information to the Council in accordance with 6.2.**

## 7. Information Requests

- 7.1. The Recipient shall co-operate and assist the Council in responding to subject access requests made under the Data Protection Act 1998.
- 7.2. If the Council receives a request for information relevant to this agreement under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004, it shall notify the Recipient of this request, and stipulate the time period during which the Recipient needs to respond in order to make representations as to whether an exemption/exception applies. Following the notification, the Recipient shall supply such information as the Council may reasonably request in order to enable the Council to respond to the request.

## 8. Security

- 8.1. The Council and the Recipient shall have appropriate technical and organisational measures in place to protect the confidentiality, integrity, and availability of the Shared Information during all stages of processing.
- 8.2. The Council and the Recipient shall adhere to common standards for information security as set out under '*Code of Practice for Information Security Controls (ISO 27002:2013)*' and '*Information Security Management Systems – Specification with Guidance for Use (BS7799-2:2002)*', and any revised or subsequent versions, **[or demonstrate an equivalent level of compliance in accordance with the Health and Social Information Centre Information Governance Toolkit statement of compliance (relevant to organisational status). As a minimum an organisation sharing information under this agreement should be able to demonstrate a level of information governance compliance that is fully reflective of the legal obligations set out in the Data Protection Act 1998 and other relevant legislation and support the Caldicott Guardian principles within Social Care.]**
- 8.3. The Recipient shall store the Shared Information securely whilst it is in their possession, using appropriate physical security equipment/furniture.
- 8.4. If the Council or the Recipient sends the Shared Information by email, it shall be sent using a secure and encrypted email service.
- 8.5. If the Council or the Recipient sends the Shared Information by postal mail, it shall be sent by recorded delivery, or similar "signed for" service.

- 8.6. The Recipient shall ensure that only people who have a genuine business need to see the Shared Information will have access to it once in their possession.
- 8.7. The Recipient shall make staff aware of the provisions of this agreement, their responsibilities regarding the protection of personal data and the circumstances under which it may lawfully be shared.
- 8.8. The Recipient shall ensure staff are trained appropriately to abide by the information security policies of their own organisation and the procedures for information sharing which have been put in place under the procedure detailed in Schedule 1.

## **9. Transfer**

- 9.1. The Recipient shall not transfer the Shared Information to a country or territory outside of the European Economic Area without the express permission of the Council.

## **10. Complaints**

- 10.1. The Recipient shall direct complaints from individuals or groups subject to the Shared Information to the Council, who will take responsibility in investigating and responding.
- 10.2. The Recipient shall provide co-operation and assistance to the Council, and supply such information as the Council may reasonably request in order to enable them to respond to the complaint.

## **11. Inspection**

- 11.1. The Recipient shall permit the Council from time to time to inspect their arrangements for securing, accessing, and processing the Shared Information.
- 11.2. If such inspection should involve a site visit, it shall be pre-arranged with the Recipient at a date and time convenient for both parties.

## **12. Loss/Unauthorised Release**

- 12.1. The Recipient shall notify the Council immediately upon becoming aware of any breach, or suspected breach, of legislation or other duty, stated or implied, relating to the confidentiality of the Shared Information.
- 12.2. If such a breach described in 12.1 occurs, the Recipient shall conduct an investigation, and provide the Council with a report detailing how the breach occurred and any remedial steps that will be taken.

- 12.3. The Council shall provide co-operation and assistance to the Recipient as part of any investigation conducted under 12.2.

### **13. Indemnity**

- 13.1. The Recipient agrees to indemnify the Council from and against all losses, damages, costs or expenses and other liabilities (including legal fees) incurred by, awarded against or agreed to be paid by the Council arising out of or in connection with any breach of this agreement and any breach of the provisions of the Data Protection Act 1998 and relevant data protection legislation occurring in connection with the Shared Information.
- 13.2. The indemnity shall not apply where the liability arises from incomplete or incorrect information supplied and the error or omission was due to wilful wrongdoing or negligence of the Council.

### **14. Review**

- 14.1. The agreement will be reviewed at least every [time period].
- 14.2. Any amendments must be agreed by the Council and the Recipient, and formally documented before coming into force.

## Signatories

**Southampton City Council**

**Southampton Voluntary Services**

Name:

Name:

Position:

Position:

Signature:

Signature:

(On behalf of Southampton City Council)

(On behalf of **Southampton Voluntary Services**)

.....

.....

Date:

Date:

## Schedule 1 – Information Sharing Procedure

1. The Recipient will nominate an officer to process the Shared Information.
2. The Shared Information will be provided
  - 2.1. one funding round at a time
  - 2.2. within two weeks of the application deadline of each funding round
3. The full grant application file will be provided for each grant application. This includes the application form and any other documents or emails submitted in support of the application. A spreadsheet summarising all the applications will also be provided.
4. The Shared Information will be transferred via an encrypted memory stick, which will be hand delivered either to the Recipient's main office or directly to the Recipient's nominated officer. The password will be sent directly to the Recipient's nominated officer by email.
5. The Recipient will use the information directly from the encrypted memory stick and will not download electronic copies of the Shared Information to any of their devices.
6. The encrypted memory stick will be returned to the Council at the grant panel meeting for that funding round, or as soon as is reasonably practical after that date if the Recipient's nominated officer is unable to attend the grant panel meeting. The Council will delete the Shared Information from the encrypted memory stick.
7. If the Recipient has made any printed copies of the Shared Information these will be kept in a secure location within the Recipient's main office. Any printed copies will be destroyed immediately after the grant panel meeting for that round of funding either in the Recipient's confidential waste or by handing them to the Council for disposal in the Council's confidential waste.
8. No copies of the Shared Information, either electronic or printed will be kept by the Recipient beyond the grant panel meeting (or as soon as is reasonably practical afterwards) for that funding round.

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