

Cabinet

DOCUMENTS FOR THE MEMBERS ROOM

Tuesday, 17th October, 2017
at 4.30 pm

MEMBERS ROOM DOCUMENTS ATTACHED TO THE
LISTED REPORTS

Contacts

Cabinet Administrator

Pat Wood

Tel: 023 8083 2302

Email: pat.wood@southampton.gov.uk

MEMBERS ROOM DOCUMENTS

9 **AUTHORISATION TO MAKE A COMPULSORY PURCHASE ORDER IN RELATION TO THE REDEVELOPMENT OF BARGATE SHOPPING CENTRE AND ADJOINING LAND** (Pages 1 - 20)

- Equality and Safety Impact Assessment
- Privacy Impact Assessment

10 **REDESIGN OF OLDER PERSONS DAY CARE SERVICES (AS PART OF THE DEVELOPMENT OF A NEW OFFER OF SUPPORT AND ACTIVITIES FOR SOUTHAMPTON CITY RESIDENTS)** □ (Pages 21 - 42)

- Equality and Safety Impact Assessment
- Privacy Impact Assessment

Monday, 9 October 2017

SERVICE DIRECTOR, LEGAL AND GOVERNANCE



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>Name or Brief Description of Proposal</p>	<p>The proposal seeks authority to make a compulsory purchase order (“CPO”) to assist with the site assembly required to facilitate the implementation proposal for the redevelopment of the Bargate Shopping Centre and surrounding area. The development proposal is for the demolition of existing buildings (Bargate Shopping Centre and multi-storey car park; 77- 101 Queensway; 25 East Street; 30-32 Hanover Buildings; 1-16 East Bargate; and 1-4 High Street, excluding the frontage); refurbishment of basements and mixed use development comprising 152 flats (63 x one bedroom and 89 x two bedroom) (Use Class C3); 185 units of student residential accommodation (451 bedrooms); retail use (Class A1); flexible retail, office or food and drink use (Classes A1-A3); in new buildings ranging in height from 4-storeys to 9-storeys; with associated parking and servicing, landscaping and public realm.</p>
<p>Brief Service Profile (including number of customers)</p>	<p>The decision to make a CPO does not relate to a service provided by the Council. It is closely associated with the grant of planning permission by the Council and the regeneration proposals by Bargate Property Limited to redevelop the Bargate Shopping Centre and surrounding area. Accordingly, officers consider it reasonable to consider the impacts, benefits and disbenefits arising from the development proposals, the delivery of which will be achieved with the CPO.</p>

Version 3 (05.10.17)

]

<p>Summary of Impact and Issues</p>	<p>The future regeneration benefits of this proposal are significant. The potential direct impact of the decision to seek authority to make a CPO will be on the current businesses – their owners/occupiers and customers.</p> <p>There are up to four leasehold properties that may be subject of the CPO. Two properties are owned by limited companies: one is a national charity of considerable renown whilst the other is a local logistics company.</p> <p>Other land that may be subject of the CPO comprises electrical sub-stations and unregistered highway land and the CPO is not consider to have any adverse equality impacts as a result of the CPO of this land.</p> <p>For customers:</p> <p>The businesses potentially affected by the CPO, are a logistics company, a wedding dress shop, an Italian restaurant and a charity furniture and clothing shop. No adverse impacts for customers have been identified for any equality group.</p> <p>There may be a poverty impact relating to the closure of the charity shop, with a potential adverse impact on customers on low income. This may be mitigated by the availability of access to other charity and commercial shops who sell similar goods in reasonably close proximity and several more across the city. There are also potentially alternative premises in the city centre which the shop could be relocated to.</p> <p>For Business Owners/occupiers,</p> <p>There is a statutory framework for dealing with compensation under a CPO and this is applied to all affected parties. Each owner will be dealt with on an individual basis. The basic premise of the CPO process is that persons should be appropriately compensated.</p> <p>In some cases business owners could be expected to face an extinguishment of their business on grounds of their age. This is set out in the CPO compensation code although it would only happen if the business owner decided not to continue their business or found themselves in a position where they were unable to continue their business. Efforts are being made to identify business opportunities for those businesses displaced</p>
--	--

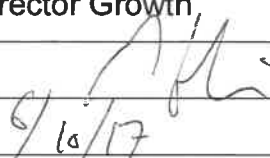
	by the regeneration project.
<p>Potential Positive Impacts</p>	<p>The regeneration benefits of this proposal are considerable especially in the current economic circumstances. A number of employment generating uses are proposed, mainly in the retail sector, the scheme will also require on-site management and security in addition to the creation of jobs to support the student housing. The developer predicts that the proposal could generate up to 280 jobs. The inclusion of an Employment and Training Management Plan, as part of the Section 106 agreement, will help to include opportunities for unemployed local people during both the construction and operational phases. The creation of a high quality public realm, and the opening up of the Town Walls thereby creating a unique retail destination, would have wider benefits to the city centre. According to the Council's Local Transport Plan (LTP) Implementation Plan and Streets and Spaces Framework it is anticipated that the city generates £5 of private inward investment for every £1 spent on its public realm. The applicant's high design aspirations for the scheme, and associated public realm.</p> <p>In order to establish the benefits of the student accommodation, in terms of additional local expenditure, the Environmental Statement (ES) (provided as part of the planning application) provides figures supplied by the National Union of Students (NUS) in September 2013, which stated that across the UK students spend on average £9,204 per annum on items and services such as personal items, household goods, food, travel and leisure. Assuming that the uptake of the 451 student bedrooms is 100% (as predicted) the ES suggests that this could mean an additional £4 million (excluding rents and tuition fees) of spending in Southampton per annum for the life of the project.</p> <p>The key benefits of the Development are:</p> <ul style="list-style-type: none"> • Substantial investment in Southampton City Centre; • The development of a largely vacant, under-utilised site to form a mixed-use development that will contribute to the economic vitality of the city centre; • The delivery of employment accommodation in the form

Version 3 (05.10.17)

]

	<p>of retail and restaurant space which will provide employment opportunities (forecast to provide 280 new jobs);</p> <ul style="list-style-type: none"> • The delivery of 152 residential units on a brownfield site in a sustainable location helping to meet the Council's housing targets; • The creation of 185 purpose-built student accommodation units, helping to accommodate the growth in the student population helping alleviate the reliance of students on houses of multiple occupation which in turn makes these properties available for families, etc.; • The delivery of a significant amount of new public realm and the opening up of the historic Town Walls to the public so the Grade I listed building and scheduled ancient monuments can be enjoyed and their setting vastly improved this includes a Section 106 obligation to secure the provision of or contribution towards works along the line of the missing Town Walls between Bargate and the First Tower and from Polymond Tower within the site; • The creation of a new public link connecting the pedestrianised high street with Queensway, better incorporating both the development and the adjacent Debenhams department store as part of the prime retail area; • The new residential and student units will result in additional economic activity in the city centre, with the occupants of these properties expected to contribute over £5m of additional spending per annum. • The promotion of a night time economy in keeping with the designation of the area as an Evening Zone through the introduction of suitable food and drink uses either side of the entrance to the High Street and kiosks along the Town Wall. • The creation of an enhanced retail offer and new modern retail space which is in keeping with the Council's policy requirements to maintain and enhance Southampton's role as a regional shopping destination, focusing on new major retail within its area. • Measures to enhance arrival and movement to and from the site including the creation of a permitted route for pedestrians and cyclists between Bargate and Queensway; • Various new highway improvements to improve movement of pedestrians and vehicles around the site;
--	---

Responsible	Mark Bradbury
Service Manager	Head of Capital Assets
Date	

Approved by	Mike Harris
Senior Manager	Service Director Growth
Signature	
Date	9/15/17

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	No identified negative impacts It creates an additional safe, convenient and attractive route across the City Centre	N/A
Disability	No identified negative impacts. A positive benefit is that the development creates an additional safe, convenient and attractive route across the City Centre	N/A
Gender Reassignment	No identified negative impacts	N/A
Marriage and Civil Partnership	No identified negative impacts	N/A
Pregnancy and Maternity	No identified negative impacts. . A positive benefit is that the development creates an additional safe, convenient and attractive route across the City Centre	N/A
Race	No identified negative impacts	N/A
Religion or Belief	No identified negative impacts	N/A

Version 3 (05.10.17)

]

Sex	No identified negative impacts	N/A
Sexual Orientation	No identified negative impacts	N/A
Community Safety	No identified negative impacts. A positive benefit is that the development creates an additional safe, convenient and attractive route across the City Centre.	N/A
Poverty	Positive impact as the proposal creates jobs and investment in the longer term	N/A
Other Significant Impacts	No identified negative impacts	N/A



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.

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.

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.

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 (Data Protection Officer) to record and review.

The Senior Legal Assistant (Data Protection Officer) will review the PIA within 14 days of receipt, and a draft PIA report will be issued within 28 days. The report will confirm 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 (Data Protection Officer) on 023 8083 2676 or at information@southampton.gov.uk.

Section 1 - Screening Statements

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, facial recognition, or profiling.

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.

The project involves making changes to the way personal information is obtained, recorded, transmitted, deleted, or held.

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 5**.

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 5**.

Section 2 - Identifying the Need for a PIA

Briefly explain what the project aims to achieve, what the benefits will be to the Council, to individuals, and to other parties.

Section 3 - Describe the Information Flows

The collection, use, sharing, and deletion of personal data should be described here.

Section 4 - Identifying the Privacy Risks

Answering the questions below will help 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.

Principle 1

Personal data shall be processed fairly and lawfully.

What personal data will be collected and/or shared?

With whom will the personal data be shared?

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

Conditions for processing

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.

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.

* 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?

How will individuals be informed at the point of collection about how their personal data will be used?

Will any personal data be published on the Internet or in other media? If yes, please provide details.

Will a third party contractor be processing the personal data on our behalf, or involved at any stage in the data processing process?

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.

Do you envisage using the personal data for any other purpose in the future? If so, please provide details.

Principle 3

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

Are you satisfied that the personal data processed is of good enough quality for the purposes proposed? If not, why not?

Is there any personal data that you could not use, without compromising the needs of the project? If yes, please provide details.

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

Principle 4

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

Are you able to update and amend personal data when necessary, after it has been collected and recorded? Please provide details.

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?

How will you ensure the personal data is deleted in line with your retention periods?

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

Principle 6

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

If an individual requested a copy of the personal data held about them, detail how this would be provided to them.

If the project involves marketing, have you got a procedure for individuals to opt out of their personal data 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? Please provide details.

How will this system provide protection against security risks to the personal data?

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

Will staff ever process the personal data away from the office (e.g. via paper files, on laptops, tablets, or smart phones)? If so, please provide details.

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 personal data outside of the EEA? If yes, please provide details.

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

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

Section 5 - 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:

Estimated date of project completion:

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 Corporate Legal.

Email: information@southampton.gov.uk

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

Document Information

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

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

14/01/16 - Version 2.2 - Reviser: Chris Thornton - Added screening question

27/01/16 - Version 2.3 - Reviser: Chris Thornton - Added project completion date to S7

24/01/16 - Version 2.4 - Reviser: Chris Thornton - Added service level for issuing reports

29/04/16 - Version 2.5 - Reviser: Chris Thornton - Removed sections 5 and 6, and revised questions



Equality and Safety Impact Assessment Draft v2

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>Name or Brief Description of Proposal</p>	<p><u>Redesign of Older Person's Day Care Services</u> (as part of the development of a new offer of support and activities for older people in Southampton City)</p> <p>The proposals set out a new model of support and day time activities for older people and will transform over time the traditional model of day centres for older people that currently exists for the city. The new model will focus on giving people more choice and control over the support and services they are able to access, utilising personal budgets to offer more personalised forms of care and will promote the ethos of early intervention and prevention by developing the market to support more people and maximising the use of community assets.</p> <p>The proposals have been developed within the context of a range of other developments aimed at supporting older people to maintain their health, wellbeing and independence. The community wellbeing centres described in the proposals will particularly align with developments related to Advice, Information and Guidance (recently tendered), Southampton Healthy Living Behaviour Change Service (a new service which went live April 2017), Community Navigation (currently out to tender) and Housing Related Support to form a new offer of support and activities for older people.</p> <p>The proposal includes the development of</p> <ul style="list-style-type: none"> • A stronger focus on personalisation and choice, through the use of personal budgets, enabled by a new third party budget management option. • Moving away from the traditional day centre model and establishing a number of community wellbeing centres across the city which will provide information, advice and guidance and activities that promote health and wellbeing as well as day care • The development of a greater range of activities in local communities as well as within the community wellbeing
---	---

	centres
<p>Brief Service Profile (including number of customers)</p>	<p>The Council currently commissions Southampton Care in Action (SCA) and Age UK Southampton to provide five day centres across the city, which are based in the following locations:</p> <ul style="list-style-type: none"> • Padwell Road in central Southampton • Freemantle Community Centre on west of city • Brook Centre on east of city • Oaklodge on east of the city • Holy Family Church on west of city <p>As well as providing these day services under contract to the Council, Age UK and SCA also offer their services to self funders.</p> <p>The care offered is a traditional basic range of activities and personal care. 110 (73%) of people using day care services have a “personal budget”. (The term personal budget refers to the service user budget either being directly managed by adult social care, a third party or by a direct payment to the service user.) However, only 6 (4%) of current day service users have a “direct payment”.</p> <p>151 older people (over the age of 65) are provided with a service by the Council through the SCA and Age UK day care contracts. Approximately a further 60-70 people access the services as self funders. Data on the Council funded day service users shows that:</p> <ul style="list-style-type: none"> • there were 151 older people (+65 years old) funded by adult social care using day care services as at 30 September 2016. • 32% of these users were aged 65-74, 33% were aged 75-84 and 34% were aged 85 and over. • the majority of day care users live alone and this reflects the need for tackling people’s social isolation as a central element of any future provision. • 40% of service users were having day care on one day of the week and 28% on two days a week. <p>SCA provide transport for SCC clients to all the centres, under the Council’s contract with SCA.</p> <p>Access to the existing day care services is dictated by eligibility under the Care Act, or the ability to pay for the service as a self funder. To try to understand how the current numbers of service users compares to potential levels of need, a comparison with the numbers of people known to have long term conditions in the over 65 population was undertaken. This showed that 50% of the over 65 population (17,584) had up to 2 long term conditions and might therefore be classified as having low level needs, 11,443 (32.5%) had 3-5 long term conditions and might therefore be classified as having medium level needs and 6,149 (17.5%) had 6 to 8 long term conditions and might therefore be classified as having high level needs. This is a relatively crude way of looking at demand, but highlights the significant difference between the 151 known day service users and the wider population who might benefit from</p>

	support in maintaining their wellbeing and independence.
Summary of Impact and Issues	<p>The numbers of older people in Southampton are increasing, with a predicted increase in the over 65 population of 15% between 2015 and 2021 and over 20% for people over 85 years for the same period. As people get older they are more likely to have health problems that limit their day to day activities and impact on their independence. Given the changing demographics and increasing demand, it is important that the health and care system in and around Southampton adapts to meet the changing and growing needs of the population and has a focus on promoting healthy ageing. While it is important that the care and health needs of people who have the greatest needs in Southampton are met, there is an opportunity to develop the market to support more people to maintain their independence and wellbeing for longer and thus reduce demand on services.</p> <p>The aims of this proposal are therefore to develop an offer of activities and support to more older people across a broader continuum of need that will:</p> <ul style="list-style-type: none"> • promote wellbeing and independence • reach a greater number of Southampton residents • increase access • be more closely linked to local communities • increase the range of activities available, promoting greater choice.:
Potential Positive Impacts	<p>The benefits that the proposals are aiming to realise will be felt by older people themselves and by the Council. For the older people these include:</p> <ul style="list-style-type: none"> • Maintaining their independence for as long as possible. • Reducing loneliness and isolation - social contact is one of the key factors contributing to a sense of well-being in later life and can contribute to reducing depression. • Improved access to advice services and support. • Increased access to leisure, cultural activities, exercise, good nutrition and healthy living opportunities which promote physical and mental health and wellbeing. • Personal development – being more physically active through both physical and mental stimulation, which in turn reduces the risk of falling, which in itself is one of the main reasons for deterioration and loss of independence. Also enabling more individuals to be active members of their local community (e.g. volunteering, Timebank members), fostering a sense of positive self-esteem. • Support for carers. <p>For the Council the benefits include:</p> <ul style="list-style-type: none"> • Offering the opportunity to identify changes in the physical, social and psychological state of the wider population in

	<p>order to target early prevention interventions.</p> <ul style="list-style-type: none"> • Promoting independence thereby delaying the need for residential and nursing care for as long as possible. • To support the take up of personal budgets and the establishment of a vibrant market that is driven by person centred outcomes
Responsible Service Manager	Adrian Littlemore
Date	19 September 2017

Approved by Senior Manager	Donna Chapman
Signature	
Date	20 September 2017

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	<p>The proposals are aimed at meeting the needs of older people with a wide range of needs. They are designed to have a positive impact in increasing access to a wider range of activities, including leisure, exercise, good nutrition and other healthy living opportunities as well as building social networks which promote physical and mental health and wellbeing. They are also designed to increase choice and control over those services a person can access to meet their needs (through greater use of personal budgets).</p> <p>The proposals intend to reach and benefit more people in the general population, supporting people with lower level needs to maintain their independence and wellbeing as well as continuing to support those with higher level needs who may be eligible for Council funded care and support.</p> <p>Key to the proposals is to ensure that the whole continuum of need is appropriately met from those with very low level needs who might just want information about what is on offer in their local community and</p>	<p>In order to ensure that the proposed services are accessible to all older people and all levels of need, the service specification will include a requirement for the provider to develop a diverse range of activities and there will be key requirements to evidence improved outcomes for particular groups (e.g. people with dementia and their carers, people with mobility problems.)</p> <p>The promotion of personal budgets within the proposals (supported by a third party managed budget function) also supports the concept of personalisation – co-producing a support plan with an individual and helping them identify the activities and support they feel is most suitable to deliver the outcomes most important to them.</p> <p>The development of the community wellbeing centres is closely linked to the new Community Navigation Service which goes live April 2018. The role of community navigators is to get alongside people, to work with</p>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	<p>an opportunity to socialise through to those with high level needs who need personal care and support to access activities and provide their carers with a break.</p>	<p>them to help them identify their needs and pull together a plan and support them in accessing the services available in their local communities. Community navigators will play an important role in supporting people access services that meet their needs.</p>
<p>Disability</p>	<p>Older people with a wide range of disabilities will be key beneficiaries of the proposed services.</p> <p>It will be important to ensure good access for them to the community wellbeing centres with the right level of care and support to enable them to engage in the activities.</p>	<p>To ensure that the needs of people with disabilities are met through the proposals, a number of steps are being taken:</p> <ul style="list-style-type: none"> • the Specification will include criteria in relation to accessibility. For example it will be expected that the community wellbeing centres will be accessible for people with mobility problems. • For people with adult social care (ASC) funding the community wellbeing centre provider would be enabled to assist people to manage an ASC personal budget. • Support from carers and volunteers would be provided within the centres for both ASC funded and privately funded customers • accessible transport will be provided as part of the service contracted so that people with physical and/or mental health support needs are enabled to attend. • the service specification will include specific requirements to evidence improved outcomes for particular groups (e.g. people with dementia and their carers, people with mobility problems.) • The development of the community wellbeing centres is closely linked to the new Community Navigation Service which goes live April 2018. The role of community navigators is to get alongside people, to work with them to

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
		<p>help them identify their needs and pull together a plan and support them in accessing the services available in their local communities. Community navigators will play an important role in supporting people to break down barriers and access services that meet their needs.</p>
Gender Reassignment	None specific to this category	
Marriage and Civil Partnership	None specific to this category	
Pregnancy and Maternity	None	
Race	<p>Engagement with BME communities has historically been challenging (as recognised in the recent Combating Loneliness Scrutiny Inquiry undertaken by the Council) and specific attention needs to be given to ensuring that these communities' views and needs are taken into account in the commissioning of the model.</p> <p>The proposals do not disadvantage people from different ethnic communities. However, there are opportunities to further improve access for different ethnic groups by developing neighbourhood and community of interest activities and venues to ensure the needs of BME communities are met.</p>	<p>The Service Specification will make specific reference to meeting the needs of BME communities and will include performance measures specifically related to BME groups in terms of both uptake and outcomes. Providers will be required to take into account different languages and cultures in making their services accessible to all, working with local communities, including faith groups, to design and deliver services.</p>
Religion or Belief	It will be important to make sure people do not feel excluded if their religious needs are not met or the building is associated with a particular faith.	<p>The Service Specification will make specific reference to making services accessible to all faiths and beliefs.</p> <p>All staff supporting the Centres will be expected to receive training in diversity.</p>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Sex	None specific to this category	
Sexual Orientation	None specific to this category	
Community Safety	Whilst the proposals do not impact on community safety in a negative way, there is still a risk that older people could be excluded from some activities due to fear of being out after dark, in the evenings or in areas they are not familiar with.	<p>To address this, it will be expected that transport and other volunteer support is accessible to people.</p> <p>Timing of events and activities will also reflect the needs of older people where possible.</p> <p>The development of the community wellbeing centres is closely linked to the new Community Navigation Service which goes live April 2018. The role of community navigators is to get alongside people, to work with them to help them identify their needs and pull together a plan and support them in accessing the services available in their local communities. Community navigators will play an important role in supporting people to break down barriers and access services that meet their needs.</p>
Poverty	There is a risk that people on low income could be excluded from the proposed resources if the cost of activities, meals or transport is too high.	<p>The Provider will be required to ensure that transport and activity costs are kept as affordable as possible through good transport planning and coordination.</p> <p>Providers of activities and meals will be required to price them to attract customers from all financial circumstances.</p>
Other Significant Impacts	People could be excluded from accessing services or support due to lack of suitable transport	<p>A key aim of the proposals is to develop community wellbeing centres within local communities across the city which are easily accessible via public transport to shorten journey times and therefore potentially costs.</p> <p>The use of peer and volunteer support will be able to assist with developing local transport</p>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
		options/solutions. e.g. shared transport.



What is a Privacy Impact Assessment?

A Data Protection Impact Assessment (“DPIA”) 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 DPIA 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 DPIA should benefit the Council by producing better policies and systems, and improving the relationship with individuals.

Why should I carry out a DPIA?

Carrying out an effective DPIA 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 data protection legislation.

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

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

When should I carry out a DPIA?

The core principles of DPIA 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 DPIA 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 DPIA?

Responsibility for conducting a DPIA should be placed at senior manager level. A DPIA has strategic significance and direct responsibility for the DPIA 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 DPIA 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 DPIA.

How do I carry out a DPIA?

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

The requirement for a DPIA 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 Data Protection Impact Assessment Statement in **Section 7** should be completed in all cases, and a copy of this document should be sent to the Information Lawyer (Data Protection Officer) to record and review.

The Information Lawyer (Data Protection Officer) will review the DPIA within 14 days of receipt, and a draft DPIA report will be issued within 28 days. The report will confirm 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 Information Lawyer (Data Protection Officer) on 023 8083 2676 or at information@southampton.gov.uk.

Section 1 - Screening Statements

The following statements will help you decide whether a DPIA 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, facial recognition, or profiling.

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.

The project involves making changes to the way personal information is obtained, recorded, transmitted, deleted, or held.

If any of these statements apply to your project, it is an indication that a DPIA would be a useful exercise, and you should complete the rest of the assessment, including the Data Protection Impact Assessment Statement in **Section 5**.

If none of these statements apply, it is not necessary to carry out a DPIA for your project, but you will still need to complete the Data Protection Impact Assessment Statement in **Section 5**.

Section 2 - Identifying the Need for a DPIA

Briefly explain what the project aims to achieve, what the benefits will be to the Council, to individuals, and to other parties.

Section 3 - Describe the Information Flows

The collection, use, sharing, and deletion of personal data should be described here.

Section 4 - Identifying the Privacy Risks

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

The questions cover the key data protection principles, and whilst all may not be relevant to your project, they may prompt you to consider areas of risk which aren't initially apparent.

Principle 1

Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject.

What personal data will be collected and/or shared?

With whom will the personal data be shared?

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

Conditions for processing

For all data (tick all that apply):

The data subject has given consent to the processing.

The processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.

The processing is necessary for compliance with a legal obligation to which the Council is subject.

The processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council.

Does your project involves the processing of the following?

Tick all that apply:

data revealing racial or ethnic origin

political opinions

religious or philosophical beliefs

trade-union membership

genetic data or biometric data for the purpose of uniquely identifying a natural person

data concerning health

data concerning a natural person's sex life or sexual orientation

If so, which of the following apply?

The data subject has given explicit consent to the processing.

The processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the Council or of the data subject in the field of employment and social security and social protection law.

The processing is necessary for the establishment, exercise, or defence of legal claims, or whenever courts are acting in their judicial capacity.

The processing is necessary for reasons of substantial public interest.

The processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services.

The processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices.

The processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

If you are relying on consent to process personal data, how will this be collected and recorded?

What will you do if consent is withheld or withdrawn? How will this be recorded?

Can an alternative condition for processing (see page 7) be used instead of consent? If yes, please provide details. See conditions on page 6 for options.

How will individuals be informed at the point of collection about how their personal data will be used?

Will any personal data be published on the Internet or in other media? If yes, please provide details.

Will a third party contractor be processing the personal data on our behalf, or involved at any stage in the data processing process?

Principle 2

Personal data shall be collected for specified, explicit, and legitimate purposes, and not further processed in a manner that is incompatible with those purposes.

Do you envisage using the personal data for any other purpose in the future? If so, please provide details.

Principle 3

Personal data shall be adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed.

Are you satisfied that the personal data processed is of good enough quality for the purposes proposed? If not, why not?

Is there any personal data that you could not use, without compromising the needs of the project? If yes, please provide details.

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

Principle 4

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

Are you able to update and amend personal data when necessary, after it has been collected and recorded? Please provide details.

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

Principle 5

Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.

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

How will you ensure the personal data is deleted in line with your retention periods?

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

Principle 6

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

If an individual requested a copy of the personal data held about them, detail how this would be provided to them.

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

Principle 7

Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

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

Will an IT system or application be used to process the personal data? Please provide details.

How will this system provide protection against security risks to the personal data?

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

Will staff ever process the personal data away from the office (e.g. via paper files, on laptops, tablets, or smart phones)? If so, please provide details.

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 personal data outside of the EEA? If yes, please provide details.

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

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

Section 5 - Data Protection Impact Assessment Statement

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

Name:

Position:

Project Summary:

Estimated date of project completion:

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 Data Protection 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 Data Protection 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 Corporate Legal.

Email: information@southampton.gov.uk

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

Document Information

Title: Data Protection Impact Assessment

Author: Chris Thornton, Senior Legal Assistant (Information)

Version: v2.7

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

Agreed by: Information Governance Board on behalf of the Council's Management Team

Effective from: 31st January 2017

Review Date: 31st January 2018

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

14/01/16 - Version 2.2 - Reviser: Chris Thornton - Added screening question

27/01/16 - Version 2.3 - Reviser: Chris Thornton - Added project completion date to S7

24/01/16 - Version 2.4 - Reviser: Chris Thornton - Added service level for issuing reports

29/04/16 - Version 2.5 - Reviser: Chris Thornton - Removed sections 5 and 6, and revised questions

22/02/17 - Version 2.6 - Reviser: Chris Thornton - Changed wording to reflect GDPR

26/05/17 - Version 2.7 - Reviser: Chris Thornton - Changes made to consent to reflect GDPR