

From: Edinburgh College Freedom of Information
Sent: 23 January 2020 16:02
To: [REDACTED]
Subject: RE: Freedom of Information request - Policies

Dear [REDACTED]

Our Ref: 044/19

As of 1 October 2012, Edinburgh's Telford College, Jewel & Esk College and Stevenson College merged to create a single college called Edinburgh College.

We refer to your request for information dated 20 December 2019. The College has considered your request as a request for information under section 1 of the Freedom of Information (Scotland) Act 2002 ("FOISA").

044/19 (1): please can you send me a copy of the current subject access request acknowledgment AND response letter that you use

Please find attached.

044/19 (2): a copy of the last 5 dpias completed

The College undertakes an initial DPIA screening questionnaire as part of the DPIA process. The screening questionnaire enables our DPO to recommend whether the College is required to undertake a full DPIA under data protection legislation.

Please find attached the documents relating to the last 5 completed DPIA screenings:

- Scholar Screening Questionnaire (did not progress to full DPIA)
- NHS Lothian IPC (full DPIA, forms 1, 2, 3 and 4)
- Hub for Success Screening Questionnaire (did not progress to full DPIA)
- EdenRed Screening Questionnaire (did not progress to full DPIA)
- ECSA Screening Questionnaire (did not progress to full DPIA)

Please note, the documents contain some redactions where the following exemptions apply:

Section 38 (1) (b) of the FOI(S) Act 2002: Individuals could be identified by the redacted information alongside other information that could be available, and this would therefore risk disclosure of individuals' personal data.

Section 30 (c) of the FOI(S) Act 2002: Release of this information would substantially prejudice the effective conduct of the College's business.

044/19 (3): a copy of any internal mandatory information governance training that you give to staff which was written in the last 2 years including presentation slides and videos and any other media

The College uses Cylix's Data Protection Essentials e-learning course:
<https://www.cylix.co.uk/courses/data-protection-essentials>

Staff induction training slides relating to data protection are attached.

044/19 (4): a copy of any instructions given to staff members to reduce data security breaches, for example double checking work which was written in the last 5 years

GDPR Staff Postcard attached.

044/19 (5): a copy of any policies implemented in the last 2 years within the organisation to help reduce the environmental impact that the organisation has?

The College's Environmental Sustainability Strategy 2019-2024 is publicly available:

<http://doc.edinburghcollege.ac.uk/welcome/governance/college%20publications/sustainability%20strategy.pdf>

Edinburgh College is subject to the provisions of the Freedom of Information (Scotland) Act (FOISA) 2002. If you are dissatisfied with this response, you may ask the college to review this decision. To do this, please contact the Head of Communications, Policy and Research at the postal address below or e-mail the Head of Communications, Policy and Research at governance@edinburghcollege.ac.uk describing your original request and explaining your grounds for dissatisfaction. (Please include in your review request, your name and home address for correspondence).

You have 40 working days from receipt of this letter to submit a review request to:

Head of Communications, Policy and Research

4th Floor

Edinburgh College (Milton Road Campus)

24 Milton Road East

Edinburgh

EH15 2PP

When the review process has been completed and if you are still dissatisfied, you may ask the Scottish Information Commissioner to intervene.

The Commissioner's online appeal service is available from their website:

www.itspublicknowledge.info/Appeal

The online appeal service is available 24/7 and offers you real time help and advice about your appeal.

You must appeal to the Commissioner within six months of receiving the review decision.

You also have the right to appeal to the Court of Session on a point of law following a decision of the Commissioner.

Regards

FOI Team

Dear xx xx,

We can confirm receipt of your request for a subject access request (SAR) under data protection law on xx/xx/xxxx.

We will provide you with the requested information by XX XX XX.

Data subject rights and right to complain

If you are dissatisfied with the College's response to your subject access request, please let us know so that we can address any concerns.

Further information on data subjects' rights is available at:
<http://www.edinburghcollege.ac.uk/Welcome/Governance/Privacy>

If you are dissatisfied with the college's response to your subject access request you may also complain to the UK Information Commissioner's Office. Information on how to do this is available at:
<https://ico.org.uk/make-a-complaint/>

Regards

Data Protection Team

Dear xx xx,

We can confirm receipt of your request for a subject access request (SAR) under data protection law on xx/xx/xxxx.

In order to verify your identity, in line with the College's standard SAR process, could you please email a scanned copy of photographic ID (driver's licence, passport etc.) to the Data Protection mailbox: DataProtection@edinburghcollege.ac.uk

Once the college has proof of ID we will begin undertaking the SAR for you.

Data subject rights and right to complain

If you are dissatisfied with the College's response to your subject access request, please let us know so that we can address any concerns.

Further information on data subjects' rights is available at:
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If you are dissatisfied with the college's response to your subject access request you may also complain to the UK Information Commissioner's Office. Information on how to do this is available at:
<https://ico.org.uk/make-a-complaint/>

Regards

Data Protection Team

Dear xx xx,

Thank you for your sending through your photographic ID. We will provide you with the requested information by xx/xx/xx.

Regards,
Data Protection Team.

Dear xx xx,

Please find attached a copy of xxx xxx .

This document is password protected. We will send the password in a separate email.

Data subject's rights and right to complain

If you are dissatisfied with the college's response to your subject access request, please let us know so that we can address any concerns.

Further information on your rights as a Data Subject is available at:
<http://www.edinburghcollege.ac.uk/Welcome/Governance/Privacy>

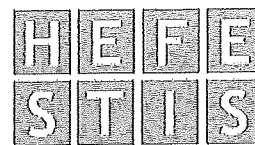
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<https://ico.org.uk/make-a-complaint/>

Regards
Data Protection Team

Dear xx xx,

Password: xxxxxxxx

Regards
Data Protection Team



Data Protection Impact Assessment (DPIA) - Screening Questionnaire template

Form 1: Initial Assessment

Title of project/new process:	Individual staff and student accounts for the online educational resource (SCHOLAR)
Key contact:	
What stage is the project at:	Preliminary stage

Please provide a summary description¹ of the project/new process below, including:

- Categories of personal data to be processed
- Categories of individuals whose personal data will be processed
- The purpose of the new process/project
- Any third parties who will be involved in supporting the project/new process

Staff and students of Edinburgh College. Currently 57 students, 2 lecturers and 1 College administrator. It has the potential for all staff and students to be set up with individual accounts.

Details to be processed are names of individuals, students' Scottish Candidate Numbers and lecturing staff's College email addresses.

The purpose of the process is to allow staff, and their students, individual accounts for the online educational resource, SCHOLAR. SCHOLAR is an online platform that provides online, interactive support material for teachers and students for a ranges of subjects within the SQA curriculum covering National 5, Higher and Advanced Higher courses.

The SCHOLAR team, based at Heriot Watt University, have administrative responsibility for the processing of data and the creation of online accounts.

Question	Yes/No	Provide further detail
1. Does the project/new process involve evaluation or scoring, including profiling and predicting, especially from aspects concerning an individual's performance at work, economic situation, health, personal preferences or interests, reliability or behaviour, location or movements?	Yes	The platform does allow students to repeatedly practice, through activities, quizzes and tests, their knowledge of the topics included in its courses. So, if undertaking formative assessment, such as quizzes and tests, are included

¹ Please read DPIA Form 1 guidance to assist in completing this

		within 'evaluation or scoring' then the answer should be 'Yes'.
2. Does the project/new process involve automated decision making that will have a legal or similar significant effect on individuals?	No	
3. Does the project/new process involve systematic monitoring of individuals in order to observe, monitor or control individuals (e.g. monitoring of an employee's workstation/internet activity)?	No	If students have individual accounts then their assigned lecturer can see their results to quizzes, their answers to questions posed in the online material and their progress through the course. If allowing their assigned lecturer access to this information equates to SCHOLAR monitoring students then, yes, SCHOLAR is monitoring individuals. However, I do not think SCHOLAR would be able to monitor individuals use the resource through the College's generic accounts...but I am not 100% sure of this.
4. Does the project/new process involve the systematic monitoring of a publically accessible area (e.g. CCTV)	No	
5. Does the project/new process involve the processing of special categories of data or of personal data relating to criminal convictions and offences?	No	
6. Does the project/new process involve the processing of personal data on a large scale?	Yes	yes, the platform is open to all College staff and students. Currently though, there are only 57 students and 2 lecturing staff enrolled with individual accounts and there are no current plans to automatically set up every lecturer and student with their own individual accounts. The process is currently being based on a request basis. The College also has access to one student generic account and one staff generic account that all College staff and students have automatic access to (individual accounts need to be set up).
7. Does the project/new process involve the matching or combining of datasets of new purposes and in a way that would not be considered reasonable by an individual?	No	
8. Does the project/new process involve the processing of vulnerable individuals (e.g. individuals with additional support needs)?	Yes	The process is open to all College staff and students

9. Does the project/new process involve the use of a new technology?	No	Online resource but no new technology is involved.
10. Does the project/new process interfere with an individual being able to exercise their rights, access a service or enter a contract?	No	I do not think anything would happen. For example, if a student decided to not use the resource, it would not result in their withdrawal from their chosen College course.
11. Does the project/new process involve contacting individuals in a way in which they might find intrusive?	No	
12. Does the project/new process involve the possible transfer of personal data outside of the UK (including on back up servers)?	Yes	Consent must be given by the College for any data to leave the EEA to a country not deemed by the EC to be able to provide adequate data protection.

Name of Individual completing form	
Date completed	08.10.19
Date sent to the DPO	08.10.19
Date checked by the DPO	8.11.2019
DPO Comments	<p>Further queries as detailed in my comments above. Once further clarity received, I can assess whether full DPIA required.</p> <p>11.11.2019 – further answers and details provided. The data processing agreement does require some answers from SCHOLAR provision regarding use of sub-contractors. However, in general this process does not meet the 'high risk' bar to carry out a full DPIA.</p>
Is a DPIA recommended?	<p>TBC once clarity/answers provided to queries above.</p> <p>11.11.2019 – see comments above, full DPIA not required.</p>

Please send to Data Protection Officer (DPO) at DataProtection@edinburghcollege.ac.uk



Data Protection Impact Assessment (DPIA) - Screening Questionnaire template

Form 1: Initial Assessment

Title of project/new process:	Interpersonal Counselling Training
Key contact:	
What stage is the project at:	Due to begin January

Please provide a summary description of the project/new process below, including:

- Categories of personal data to be processed
- Categories of individuals whose personal data will be processed
- The purpose of the new process/project
- Any third parties who will be involved in supporting the project/new process

The counselling team will be undergoing new training in the IPC model through the NHS. This will involve a two day training session and then ongoing supervision fortnightly for three months and then monthly for another three months. During this time we will be working with students through the counselling service using the new short counselling model and collecting information such as:

- Postcode
- Date of birth
- Gender
- Ethnicity
- Summary sheet (IPC therapy data, anonymised)
- Distress scores (CORE 10, anonymised)
- Functioning scores (Working Social Adjustment Scale, anonymised)
- Audio data of focus groups with clients (anonymised)
- Audio data of focus group with staff (anonymised)
- Attendance details
- Client feedback and evaluation forms

The students who access our counselling service will be the people we collect data from and in line with our current GDPR regulations already in place within the counselling service we will be providing a privacy statement and contracts.

The purpose of the training is to maximise the time of the counsellors and begin to work more efficiently within a short-term counselling model.

The training will be ran externally through the NHS and [REDACTED] who will be delivering the training.

Question	Yes/No	If yes, provide further detail
1. Does the project/new process involve evaluation or scoring, including profiling and predicting, especially from aspects concerning an individual's performance at work, economic situation, health, personal preferences or interests, reliability or behaviour, location or movements?	Yes	Clients are asked to fill out CORE10 monitoring forms at various stages during the counselling
2. Does the project/new process involve automated decision making that will have a legal or similar significant effect on individuals?	No	
3. Does the project/new process involve systematic monitoring of individuals in order to observe, monitor or control individuals (e.g monitoring of an employee's workstation/Internet activity)?	No	
4. Does the project/new process involve the systematic monitoring of a publically accessible area (e.g. CCTV)	No	
5. Does the project/new process involve the processing of special categories of data or of personal data relating to criminal convictions and offences?	No/Yes	The project will be looking at areas in the client's lives where they are experiencing difficulties, such as grief, loss, transitions. We will be working with the clients around their symptoms of these difficulties and how we can help them to alleviate these. We will be focusing on their support circles, so talking about who they have in their lives and who they can go to for support.
6. Does the project/new process involve the processing of personal data on a large scale?	Yes	The personal data collected on each client will be done weekly – a questionnaire will be completed every session, and these will be stored in individual client files. Anonymised notes are kept on all clients, pertaining to topics covered during sessions – also equality and diversity information, personal contact information,
7. Does the project/new process involve the matching or combining of datasets of new purposes and in a way that would not be considered reasonable by an individual?	No	
8. Does the project/new process involve the processing of vulnerable individuals (e.g. Individuals with additional support needs)?	Yes	The counselling service works with a wide range of vulnerable individuals weekly – some with additional support needs

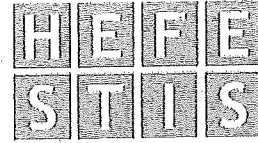
Commented [AW1]: Consider this would actually be yes, if getting counselling then likely health issues (specifically mental health). So provide more information regarding this.

Commented [AW2]: How are they anonymised? Isn't it necessary to have file for each client detailing progress etc which would therefore imply it's not anonymised.

9. Does the project/new process involve the use of a new technology?	No	
10. Does the project/new process interfere with an individual being able to exercise their rights, access a service or enter a contract?	No	
11. Does the project/new process involve contacting individuals in a way in which they might find intrusive?	No	
12. Does the project/new process involve the possible transfer of personal data outside of the UK or European Union (including on back up servers)?	No	

Name of individual completing form	
Date completed	11/12/18
Date sent to the DPO	11/12/18
Date checked by the DPO	14/2/2019
DPO Comments	Due to the nature of the processing, especially as special category (sensitive) data is involved, it is recommended that a full DPIA is carried out to ensure all appropriate controls are in place.
Is a DPIA recommended?	Yes

Please send to Data Protection Officer (DPO) at DataProtection@edinburghcollege.ac.uk



Data Protection Impact Assessment (DPIA)

Proposed data processing activities

Form 2: Description of the envisaged processing operations and the purposes for processing

Title of project/new process:	Interpersonal Counselling IPC
Key Contact:	<div>████████████████████ (NHS Lothian contact)</div> <div>College Contact – ██████████ and ██████████</div>
What stage is the project at:	Staff trained – Beginning to work within the model

Please provide a description of the project/new process below, including the scope of the project, context and purpose:

Interpersonal Counselling (IPC) is a brief version of Interpersonal Psychotherapy (IPT). IPC has been found to be effective in the treatment of mild to moderate depression in a number of international studies with different client groups. IPC is a time limited, brief, person-centred, six session model designed for the management of distress due to common mental health difficulties (such as depression and anxiety). However, it is not directed at the management of any one specific diagnosis, rather it focuses on the interpersonal context of the individual's symptoms of distress. IPC focuses on the 'here and now' problems in the context of the person's interpersonal relationships. The College staff in the Learning Support and Wellbeing team have received training on the IPC model from NHS Lothian and have used this model on students displaying signs of distress. NHS Lothian want to research the effectiveness of the IPC Model and whether this is a more effective treatment approach for individuals with mild to medium depression/anxiety symptoms.

Please identify the categories of personal data that will be processed, the recipients and retention period below:

Personal data categories ¹ (please list separately)	Who will have access to this data within the college?	Who will this data be shared with?	How long will this data be retained?
Postcode	Members of SE staff who are trained to deliver the model (Trained IPC Team). The College is working with NHS Lothian who train SE staff to deliver IPC – initially with a small cohort of about 10 College students identified as likely to benefit from this model of support via self or staff referral.	NHS Lothian	5 years
Sex	Trained IPC Team (7 members)	NHS Lothian	5 years
Age	Trained IPC Team (7 members)	NHS Lothian	5 years
Living situation	Trained IPC Team (7 members)	NHS Lothian	5 years
Marital status	Trained IPC Team (7 members)	NHS Lothian	5 years
Level of education	Trained IPC Team (7 members)	NHS Lothian	5 years
Occupation	Trained IPC Team (7 members)	NHS Lothian	5 years
Medication	Trained IPC Team (7 members)	NHS Lothian	5 years
Ethnicity	Trained IPC Team (7 members)	NHS Lothian	5 years
Date Of Birth	Trained IPC Team (7 members of college staff)	NHS Lothian	5 years

¹ For guidance on personal data categories, please see DPIA Guidance.

Please provide a functional description of the project/new processing operation below:

IPC focuses on 'here and now' problems in the realm of the interpersonal life of the individuals- grief, marital, family and other relational disputes, changes in life as well as loneliness and isolation. It is individual treatment but can be adapted to include family members.

IPC is rooted in understanding the relationship between the patient's symptoms of distress and current social problems. The care provider emphasises that these life situations have meaning to the patient. IPC is a collaborative exercise between patient and care provider.

IPC is time limited. The duration and intensity of IPC sessions will depend upon available resources and settings, IPC is usually delivered in six sessions over 6-8 weeks. College staff members will be trained by NHS Lothian to deliver the model. Students will then self-refer or be referred by staff.

Please identify the assets on which the personal data will rely (including hardware, software, networks, people, hard copy) below:

Data Processing Activity	How will this activity be carried out?	What information systems/assets will be relied upon for this activity?	What other systems/assets will be relied upon for this activity?
<i>Collection of data</i>	By the IPC trained staff member (counsellors/wellbeing advisor/LDTs). Clients will fill out the Patient Health Questionnaire weekly (PHQ-9) There is no separate Privacy Notice for this specific IPC Model and the sharing that occurs. The general Counselling Privacy Notice was provided to any clients who used the service.	Paper copies of everything will be kept	none
<i>Access to data</i>	Only the person working with the student will have direct access to their files	They will be kept locked in a filing cabinet, only they have access to	none

<i>Sharing/ transfer of data</i>	This will be done at our supervision groups (monthly and then bi-weekly), we will give copies of the collected data to the NHS IPC Programme Leader & supervisor (██████████) at the end of the 6 sessions to evaluate the Project.	This will be done manually – paper copies of everything	none
<i>Retention/ storage of data</i>	This will be done manually with the paper copies	Filing cabinets	none
<i>Destruction of data</i>	After 5 years the client files will be shredded	Paper shredder	none

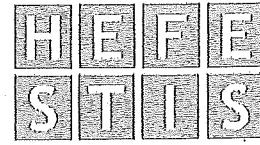
Please identify any relevant codes of conduct for data processing below and describe how the processing will ensure compliance with the codes of conduct:

All the information we collect during the course of the service development will be kept confidential. There are strict laws which safeguard the clients' privacy at every stage. Anonymised client information will be kept for 5 years, adhering to data protection guidelines. We will need access to the clients' mental and physical health records with their consent. Data and questionnaires will be anonymised; and computer files will be password protected. Paper files will be kept in a locked filing cabinet in a locked office. All the information that is collected about the client will be kept confidential within the Service. If we think the clients' safety or the safety of those around the client is at risk, we may need to speak to other professionals during their involvement in the service development. We have in place a system of reporting to the GP, if we think that a patient is at risk of harm (to self or others) or there are child protection issues.

Name of individual completing form	██████████
Date completed	21/2/19
Date sent to DPO	21/2/2019
Date checked by the DPO	25/3/2019
DPO Comments	Please see comments at various points above. 10 year retention is excessive and is not detailed in the privacy notice. Sharing data with 3 rd parties is not detailed in the PN either. Please provide further detail and justification as to why data needs to be shared, and why it has to be held for an excessive amount of time. The personal

	<p>data collected is unlikely anonymised due to the level of detail collected.</p> <p>UPDATE FOLLOWING REVISION BY [REDACTED] AND [REDACTED] (23/8/2019):</p> <p>Further detail provided and agreement over the sharing of data. DSA is in process of being finalised and this DPIA will be attached to the DSA. The sharing will occur a one off instance as currently the Counselling Service at the College is changed due to resources issues. If the College starts running the IPC model again, then the DSA etc will be revised to reflect this.</p>
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Please send completed for to the Data Protection Officer (DPO) at DataProtection@edinburghcollege.ac.uk



Data Protection Impact Assessment (DPIA)

Necessity and proportionality assessment

Form 3: An assessment of the necessity and proportionality of the processing

Title of project/new process:	Interpersonal counselling
Key Contact:	[REDACTED] (NHS Lothian) (College)
What stage is the project at:	Staff trained, beginning to work within model

Please identify how the project/new process will comply with the data protection principles below:

1. Lawfulness, Fairness and Transparency	
a) What is the legal basis ¹ for processing?	<p>Post 16 Education (Scotland) Act 2013 contains the requirement for the duty of care the college has to their students. Therefore, the college was providing a counselling service to students.</p> <p>The Counselling Services Privacy Notice states: The equalities and diversity forms are used for purposes of monitoring equality and diversity and meeting statutory obligations under the Equalities Act 2010. You are under no obligation to complete this form. It's important to note that the information is kept anonymised and used to monitor the counselling services and to meet the statutory duties under the Equalities Act. For this information the condition for processing is – processing is necessary for compliance with a legal obligation to which the controller is subject (Article 6(1)(c) GDPR)</p> <p>The counsellors adhere to the British Association for Counselling and Psychotherapy Ethical Framework. This is available on the BACP website at www.bacp.co.uk</p> <p>Under data protection, the legal basis for processing this personal information is: Schedule 1 Part 2 (17) Counselling under the Data Protection Act (DPA) 2018, http://www.legislation.gov.uk/ukpga/2018/12/schedule/1</p>

¹For more information on legal basis see DPIA Guidance

	For the sharing of the IPC data to NHS Lothian, as this is medical research and meets the DPA Section 19 requirements, the lawful basis for sharing is Schedule 2 Part 6 Research exemption.
b) If you are relying on consent for processing, how will you collect and record this consent? What will you do if the consent is withdrawn?	<p>We will have consent forms the students will sign, if consent is not given or withdrawn we will not continue with the sessions. Students who don't wish to consent to taking up support via the IPC Model will be supported by the College Wellbeing Service rather than within this Project.</p> <p>Consent not applicable in this case as it does not meet Article 7 requirements. So any further processing in this way will need to revise the privacy notice and not provide students with consent forms that will not meet DP requirements</p>
2. Purpose Limitation	
a) What are the specific purposes for processing?	To evaluate how effective IPC is in dealing with distress. NHS IPC Project Lead will evaluate the data collected during the Project, patient profiling and assessing the effectiveness of the model using not just College datasets but the research involves other parties who will share to enable NHS Lothian to assess whether the IPC model is an effective treatment for individuals with mild to moderate depression/anxiety
b) Are the purposes for processing likely to expand/change as the project develops?	No
c) Is it likely that the data will be processed for new purposes in future?	No, we will not allow the data to be used for any new purposes.
3. Data minimisation	
a) How will you ensure that only the data that is necessary for the purposes will be processed and no excessive data will be collected or processed?	We will be sticking to the Prospect Model guidelines and also only filling out the necessary paperwork – e.g. PH9 Questionnaire and WCAS form.
b) How will you ensure that enough data to fulfil the purposes is processed?	As per answer above.

4. Accuracy	
a) Do you consider the data to be reliable, accurate and trusted? Are there any concerns about data quality?	The data comes directly from the clients so we trust in their honesty, and we can only go by what they tell us
b) How will you ensure that the data is kept up-to-date and is accurate?	We will collect data weekly with the PHQ-9 forms, (Patient Health Questionnaire forms) which asks participants about their mood changes on a weekly basis.
c) How will you inform partners when data is to be updated?	We don't share this information weekly. This is a one off share.
5. Storage Limitation	
a) Have you identified what retention periods will apply to the data?	5 years
b) How will you ensure that data is not kept longer than necessary?	We will include it into our procedures that the data is to be shredded once the 5-year date has been reached
6. Integrity and confidentiality	
a) How will you ensure that only those individuals who should have access to the data can access the data?	The data will be kept in lockable cabinets that only we have access to.
b) Do you intend to share the data with any third parties? If yes, who with?	Yes – with NHS Lothian - docs will be transferred in a secure case.
c) Will you be required to transfer the data outside of the UK? If yes, where?	No

Please identify how the project/new process will ensure the rights of data subjects:

7. Information to be provided to the data subject (Individual)	
a) How will you tell individuals about the use of their personal data?	We will explain this to them but also give them a consent form and privacy notice Counselling Service Privacy Notice provided, also provided with document explaining IPC Model and that NHS Lothian want to research effectiveness of the Model
b) Does an exemption apply to this right? If yes, what exemption applies?	No
8. Right of Access	

a) How will you ensure that the data can be accessed and copied on receipt of a data subject access request?	It will be kept in the office and in a specific cabinet where we will have ready access and any SARs recognised and passed to DP Team.
b) Does an exemption apply to this right? If yes, what exemption applies?	No
9. Right to data portability	
a) How will you ensure that the data can be retrieved in a easily reusable format so that it can be transferred to another organisation/service?	All data will be kept in paper form
b) Does an exemption apply to this right? If yes, what exemption applies?	No
10. Right to rectification and erasure	
a) How will you ensure that the data can be amended and/or deleted following a data subject request?	Again all data will be in paper form which could be amended or deleted on request
b) Does an exemption apply to this right? If yes, what exemption applies?	No
11. Right to objection and restriction	
a) How will you ensure that the data can be restricted/not further processed following a request?	Open access policy for clients to refuse their data being stored, and/or destroyed.
b) Does an exemption apply to this right? If yes, what exemption applies?	No

Please identify any third parties that will process personal data on the College's behalf, in relation to this new project/process:

Name of data processor	What personal data will they process?	Where are they based	How have we ensured their reliability and ability to process personal data in compliance with the law?
NHS Lothian (not data processors but data controllers)	PHQ-9 Forms	Edinburgh	NHS has in place Caldicott Guardians and various stringent policies and procedures in relation to personal and special category data to ensure the privacy rights of individuals are met.

Please identify the controls in place to manage any data to be processed outside of the UK:

Data to be processed outside the UK	Which country?	Why is it necessary to process data outside of the UK?	What safeguards are there in place to protect the data?
n/a	n/a	n/a	n/a

Please provide any additional comments below:

Name of individual completing the form	
Date completed	21/2/19
Date sent to DPO	21/2/2019
Date checked by DPO	25/3/2019
DPO Comments	<p>Further details and discussions are needed. Query whether NHS Lothian are processors or controllers. There needs to be discussion on retention as 10 years seems excessive to hold student data that long.</p> <p>FURTHER UPDATE FOLLOWING [REDACTED] REVISIONS (23/08/2019):</p> <p>The DPIA has been revised following further discussions regarding the sharing of data with NHS Lothian. This will be a one off share due to resourcing difficulties at the College. A DSA has been drafted and the completed DPIA will be attached. This is now low (rather than high) risk processing as the sharing only involves [REDACTED] data subjects. If this changes and the IPC model is delivered permanently at the College then this will be reviewed – both DSA and DPIA.</p>

Please send the completed form to the Data Protection Officer (DPO) at DataProtection@edinburghcollege.ac.uk

Data Protection Impact Assessment (DPIA)

Form 4 - Risk Assessment and Mitigation

Title of project/new process:	Interpersonal Skills IPC
Key contact:	(NHS Lothian) & (Edinburgh College)
What stage is the project at:	Project completed

Risk Assessment¹ Summary:

Do you consider there to be a risk of....	When was this risk identified?	What is the source of the risk?	What are the threats that could lead to this risk?	What is the potential impact?	What is the likelihood of the risk?	What is the severity of the risk?	Combined score
unauthorised access	October 2019	Internal – staff who do not need access to the data (access should be on a 'need to know' basis) being provided with access to the services records. External – during sharing of the data with NHS Lothian that	The security controls are not sufficient to prevent unauthorised access to the research data internally. The security controls within NHS Lothian are not sufficient to prevent unauthorised access.	Anyone accessing the forms will have access to some Special Category Personal data of the participants which could cause harm and distress to the individual participants.	2	3	5

¹ Please refer to the risk matrix at the end of this document when calculating risk scores.

...use of personal data for unauthorised purposes	Internal and external – if the data could be used for other purposes unrelated to the college service and NHS research purpose.	Insufficient controls in place to prevent re-use of personal data for unauthorised purposes.	As above, if data is used for unrelated purposes the data subjects were not informed of there could be potential distress caused.	2	3
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Risk Mitigation Plan:

Date	Summary of Risk	Solutions for reducing/mitigating risk	Risk Likelihood after mitigating measures	Risk Severity after mitigating measures	Combined Score	Has the risk been reduced to an acceptable level?	Risk approved by Business Owner
4 October 2019	Unauthorised person accesses research data	Data stored in secure locked cabinet in College premises. This is restricted access to [REDACTED] The sharing is a one off transfer of data between Edinburgh College and NHS Lothian and an appropriate agreement detailing how the transfer occurs securely is detailed within the agreement.	1	1	2	Y	Y
	Unauthorised person makes changes to the data on the forms	Participants allocated an ID number randomly. Participants names and ID and organisation \ID and counsellor name held within password protected documentation NHS Lothian secure network. Therefore making changes to	1	1	2	Y	Y

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DPO comments	<p>Few queries in relation to assessment and mitigation, once clarified then the work can go forward. Further revisions following discussions (23/8/2019) regarding risks. Further revisions of this form provided to DPO 10/10/2019. DPO reviewed further 17/10/2019 to sign off and share with NHS Lothian to put in place the DSA and include the DPIA as an annex in the DSA.</p> <p>It is also worth noting that this is low risk due to the considerable small numbers of data subjects involved (individuals). As comments below, if the IPC Model is used again in the College and further sharing with NHS Lothian is agreed then this DPIA and DSA will need to be thoroughly reviewed.</p>
Is prior consultation with the ICO required? Y/N	No
How often should this aspect of the DPIA be monitored and reviewed?	One off share so the DPIA should only be reviewed if the College starts doing the IPC Model again. If this occurs, then further consideration of the full DPIA should be made to ensure any risks are reduced and controlled. Student Experience Manager () accepts risks and DPO content with current position for this DPIA one off sharing with NHS Lothian.

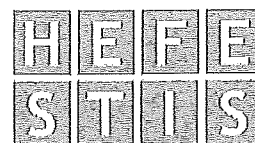
Please forward the completed form to the Data Protection Officer (DPO) at DataProtection@edinburghcollege.ac.uk

Risk matrix:

Risk Likelihood	Risk Severity				
	Rare 1	Low 2	Medium 3	High 4	Very High 5
Very High 5					
High 4					
Medium 3					
Low 2					
Rare 1					

Colour Key	Description
16-25 High Risk	Unacceptable level of risk which requires prior consultation with the ICO When Red, significant concerns over the adequacy/effectiveness of the controls in place and assurances obtained in proportion to the risks. It will be necessary to consult with the regulator, UK Information Commissioner's Office (ICO).

11 – 15 Moderate Risk	Acceptable level of risk exposure subject to regular monitoring and review of the DPIA When <i>Amber</i> , some areas of concern over the adequacy/effectiveness of the controls in place and assurances obtained in proportion to the risks.
0 – 10 Low Risk	Acceptable level of risk exposure subject to occasional monitoring and review of the DPIA When <i>Green</i> , controls and assurances are adequate/effective in proportion to the risks.



Data Protection Impact Assessment (DPIA) - Screening Questionnaire template

Form 1: Initial Assessment

Title of project/new process:	Edinburgh College / Hub for Success Data Sharing
Key contact:	
What stage is the project at:	Planning

Please provide a summary description ¹of the project/new process below, including:

- Categories of personal data to be processed
- Categories of individuals whose personal data will be processed
- The purpose of the new process/project
- Any third parties who will be involved in supporting the project/new process

The Hub for Success has requested that partner institutions provide data on the numbers of care experienced students beginning courses, and proportions progressing/graduating/withdrawing each year. We also request detail on the breakdown of these numbers, by the following categories:

- How many students declared care experience and what are the numbers who declare different types of care?
- What are the numbers of care experienced students from different age bands and genders?
- What number of care experienced students also declared a disability?
- What are the broad subject breakdowns of the numbers of care experienced students?

The purpose of collecting these statistics is to create a larger dataset than each institution can create themselves, to analyse trends and discuss outreach/retention work that could be undertaken by the partnership to address underrepresentation, improve Corporate Parenting practices, and ensure that all care experienced students and potential students can benefit from equal access to educational opportunities.

Question	Yes/No	Provide further detail
1. Does the project/new process involve evaluation or scoring, including profiling and predicting, especially from aspects concerning an individual's performance at work, economic situation, health, personal preferences or	No	

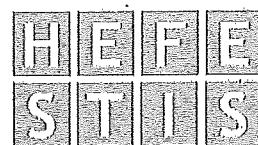
¹ Please read DPIA Form 1 guidance to assist in completing this

interests, reliability or behaviour, location or movements?		
2. Does the project/new process involve automated decision making that will have a legal or similar significant effect on individuals?	No	
3. Does the project/new process involve systematic monitoring of individuals in order to observe, monitor or control individuals (e.g. monitoring of an employee's workstation/internet activity)?	No	
4. Does the project/new process involve the systematic monitoring of a publically accessible area (e.g. CCTV)	No	
5. Does the project/new process involve the processing of special categories of data or of personal data relating to criminal convictions and offences?	Yes	In a strictly limited way: overall numbers of care experienced students who also declare a disability, will be collected and shared.
6. Does the project/new process involve the processing of personal data on a large scale?	No	
7. Does the project/new process involve the matching or combining of datasets of new purposes and in a way that would not be considered reasonable by an individual?	No	
8. Does the project/new process involve the processing of vulnerable individuals (e.g. individuals with additional support needs)?	Yes	The project involves gathering overall numbers of care experienced students at the college, and then providing breakdowns for this data by gender, age, subject area, disability status, and type of care experience. None of this will be linked to any other dataset or gathered alongside names/DOBs/contact details etc.
9. Does the project/new process involve the use of a new technology?	No	
10. Does the project/new process interfere with an individual being able to exercise their rights, access a service or enter a contract?	No	
11. Does the project/new process involve contacting individuals in a way in which they might find intrusive?	No	
12. Does the project/new process involve the possible transfer of personal data outside of the UK (including on back up servers)?	No	

Name of individual completing form	
Date completed	
Date sent to the DPO	

Date checked by the DPO	18/10/2019
DPO Comments	This appears to be statistical information only to be shared for this purpose. Therefore as long as this is the case and no identifiable information will be shared, then there is no need for a full DPIA. If this position changes, then there should be a revision of this document and assessment whether a full DPIA is required.
Is a DPIA recommended?	No

Please send to Data Protection Officer (DPO) at DataProtection@edinburghcollege.ac.uk



Data Protection Impact Assessment (DPIA) - Screening Questionnaire template

Form 1: Initial Assessment

Title of project/new process:	Edenred Portal
Key contact:	
What stage is the project at:	Initiation

Please provide a summary description ¹of the project/new process below, including:

- Categories of personal data to be processed
- Categories of individuals whose personal data will be processed
- The purpose of the new process/project
- Any third parties who will be involved in supporting the project/new process

<ul style="list-style-type: none"> • Categories of personal data: <ul style="list-style-type: none"> - First Name - Last Name - Work Email - Payroll ID • All College Staff • The College is looking to develop an employee benefits portal. Edenred will set up a portal, which will include childcare vouchers, an employee savings package and our current staff benefits so that they are all in one place. • IT department, Payroll department • Edenred – third party supplier

Question	Yes/No	Provide further detail
1. Does the project/new process involve evaluation or scoring, including profiling and predicting, especially from aspects concerning an individual's performance at work, economic situation, health, personal preferences or interests, reliability or behaviour, location or movements?	No	
2. Does the project/new process involve automated decision making that will have a legal or similar significant effect on individuals?	No	
3. Does the project/new process involve systematic monitoring of individuals in order to observe, monitor or control individuals (e.g. monitoring of an employee's workstation/Internet activity)?	No	

¹ Please read DPIA Form 1 guidance to assist in completing this

4. Does the project/new process involve the systematic monitoring of a publicly accessible area (e.g. CCTV)	No	
5. Does the project/new process involve the processing of special categories of data or of personal data relating to criminal convictions and offences?	No	No. There will be no information on health, or racial/ethnic origin
6. Does the project/new process involve the processing of personal data on a large scale?	Yes	It is for all current staff (as of October 2019 the College had 1217 members of staff)
7. Does the project/new process involve the matching or combining of datasets of new purposes and in a way that would not be considered reasonable by an individual?	No	
8. Does the project/new process involve the processing of vulnerable individuals (e.g. individuals with additional support needs)?	No	
9. Does the project/new process involve the use of a new technology?	Yes	Edenred are creating a staff benefits portal for us
10. Does the project/new process interfere with an individual being able to exercise their rights, access a service or enter a contract?	No	
11. Does the project/new process involve contacting individuals in a way in which they might find intrusive?	No	Staff will have the option to opt into a regular newsletter once they have the access to the portal. Staff will always have the choice to be taken off mailing lists.
12. Does the project/new process involve the possible transfer of personal data outside of the UK (including on back up servers)?	No	

Name of individual completing form	
Date completed	23/10/2019
Date sent to the DPO	24 th October 2019
Date checked by the DPO	6 th December 2019/9 th December 2019
DPO Comments	<p>3rd party involvement is also Edenred. This should be reflected in the summary section on page 1. Have added reference to them being 3rd party suppliers.</p> <p>Q5 answer – so no information on health, or racial/ethnic origin etc? So no special category data whatsoever (see guidance note)</p> <p>Q6 answer – how many individuals? 1217 staff</p>
Is a DPIA recommended?	<p>To confirm following answers to above. However, unlikely full DPIA required.</p> <p>Update – not high risk, partly due to purpose etc but also following malware incident, clear that Edenred has appropriate procedures in place to protect client data</p>

Please send to Data Protection Officer (DPO) at DataProtection@edinburghcollege.ac.uk

Data Protection Impact Assessment (DPIA) - Screening Questionnaire template



Form 1: Initial Assessment

Title of project/new process:	ECSC Data Sharing
Key contact:	[REDACTED]
What stage is the project at:	

Please provide a summary description¹ of the project/new process below, including:

- Categories of personal data to be processed
- Categories of individuals whose personal data will be processed
- The purpose of the new process/project
- Any third parties who will be involved in supporting the project/new process

The project involves the automated transfer of student data from the college's [REDACTED] systems to the ECSCA [REDACTED] system. Edinburgh College will provide ECSCA with student personal data to enable it to communicate with and provide services to its members.

This transfer will include personal data (name, contact details, student number), but will not include special category data. Also included will be course information for each student. List of all data is included in answer to question 5.

The aim of the automated transfer is to ensure that data held is accurate and up to date, as well as making the transfer of data more secure by eliminating human factors. No third-parties will be involved in the project, and no data will be transferred outside of college systems.

Question	Yes/No	Provide details if 'Yes'
1. Does the project/new process involve evaluation or scoring, including profiling and predicting, especially from aspects concerning an individual's performance at work, economic situation, health, personal preferences or interests, reliability or behaviour, location or movements?	No	
2. Does the project/new process involve automated decision making that will have a legal or similar significant effect on individuals?	No	
3. Does the project/new process involve systematic monitoring of individuals in order to observe, monitor or control individuals (e.g. monitoring of an employee's workstation/Internet activity)?	No	
4. Does the project/new process involve the systematic monitoring of a publicly accessible area (e.g. CCTV)?	No	

¹ Please read DPIA Form 1 guidance to assist in completing this

5. Does the project/new process involve the processing of special categories of data or of personal data relating to criminal convictions and offences?	No	<p>Mailing list signups for information on equalities groups, i.e. disabled, women, LGBT, and black students, are voluntarily collected from students during registration events, but not information on sexual orientation, race or ethnic origin, or health data in relation to disabilities.</p> <p>For context, the form is here: https://ecsa.scot/welcome</p>
6. Does the project/new process involve the processing of personal data on a large scale?	Yes	<p>Personally identifiable data</p> <ul style="list-style-type: none"> • First name • Last name • Student number • Student email address • Curriculum Information <ul style="list-style-type: none"> ◦ Academic centre ◦ Curriculum area ◦ Campus ◦ Course title ◦ Course code ◦ Qualification type ◦ Mode of attendance • Date of birth • Gender • Home postcode • Date of withdrawal <p>would be transferred en masse, and, if the student has given consent for the College to share:</p> <ul style="list-style-type: none"> • Personal email address • Mobile phone number <p>All enrolled students, so between 10,000 and 23,000 records</p>
7. Does the project/new process involve the matching or combining of datasets of new purposes and in a way that would not be considered reasonable by an individual?	No	
8. Does the project/new process involve the processing of vulnerable individuals (e.g. individuals with additional support needs)?	Yes	While the process is not specific to vulnerable individuals, their data would be part of the transfer
9. Does the project/new process involve the use of a new technology?	No	
10. Does the project/new process interfere with an individual being able to exercise their rights, access a service or enter a contract?	No	

11. Does the project/new process involve contacting individuals in a way in which they might find intrusive?	No	
12. Does the project/new process involve the possible transfer of personal data outside of the UK (including on back up servers)?	No	

Name of individual completing form	
Date completed	18 th June 2019
Date sent to the DPO	18 th June 2019
Date checked by the DPO	31 st October 2019, Further review 4 December 2019
DPO Comments	<p>Require further clarity on data involved. Summary says no special category data collected however answer to question 5 suggests that special category data is collected. Please clarify this.</p> <p>The list of personal data shared is not as detailed as it is in the DSA. The DPIA should list all personal data involved in this process. Please revise accordingly.</p> <p>Also what numbers are involved? How many individuals will have their data shared?</p> <p>Linking with the DSA, has any consideration been made about how to deal with Section 22(2)(c) of the Education Act 1994?</p> <p>4 December 2019: There is a considerable volume of individuals data which will be shared. However, it is clear that this process will actually make the sharing more secure and therefore reduce the risks. It is clear that the issues have been considered and ECSA have worked with college colleagues to put measures in place to improve the sharing of data making it more secure.</p>
Is a DPIA recommended?	<p>TBC once clarity provided on some aspects as detailed above.</p> <p>4 December 2019: See above comments. As this proposal is actually reducing risks. It is considered that a full DPIA will not be necessary</p>

Commented [1]: We offer open signups for mailing lists on equality groups rather than asking students to self-identify, so the form is worded so we don't ask students to disclose specific data on ethnicity, orientation, or disability. For context, the form is here: <https://ecsa.ac.uk/welcome>

Commented [AW2R11]: Thank you for the clarity. Have added link above to answer in question 5

Commented [3]: Updated with full DSA list.

Commented [AW4R3]: Thank you

Commented [5]: Would be for all enrolled students, so between 10,000 and 23,000 records.

Commented [AW6R5]: Thank you. I've updated answer 5 with this additional information.

Commented [7]: An elegant solution would be the addition of a 'withdrawn from ECSA membership' field in the college's student records DB which would exclude those students from data transfer to our CRM. Discussing this with IT/MIS now.

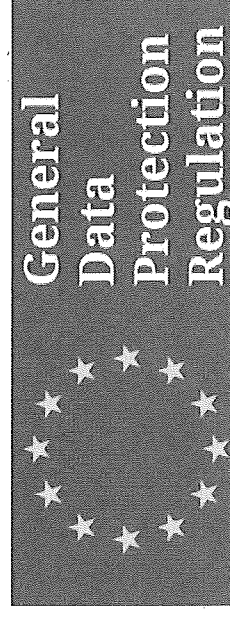
Commented [AW8R7]: Agree, this would be ideal. I assume currently it would have to be manual?

Please send to Data Protection Officer (DPO) at DataProtection@edinburghcollege.ac.uk

What is GDPR?



- EU General Data Protection Regulation which will replace the Data Protection Act 1998 (in the UK)
- Will bring harmonisation across the EU regarding data privacy in organisations
- The GDPR will also apply to **non-EU data controllers and processors** when accessing data belonging to **any EU citizen or customer**
- Introduction of fines of up to €20 million for non compliance



For the future you want

GDPR main principles

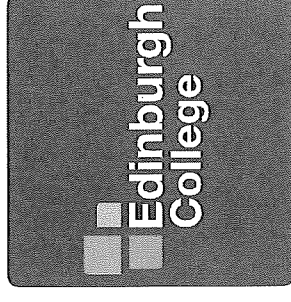


A personal data breach includes permanent loss or theft of data; or sharing it inappropriately

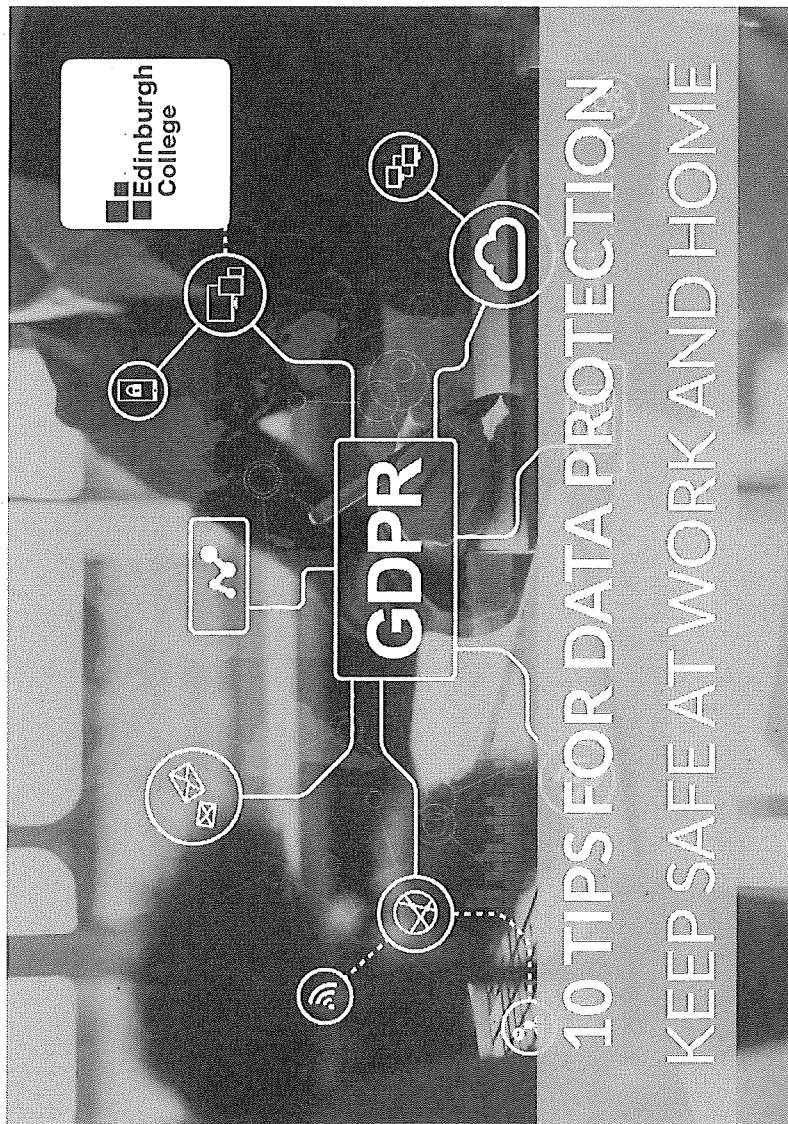
Personal data will...

- be processed lawfully, fairly and in a transparent manner in relation to individuals,
- be processed in a manner that ensures appropriate security of the personal data,
- be collected for specified, explicit and legitimate purposes
- be accurate and kept up to date
- 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

Our duties

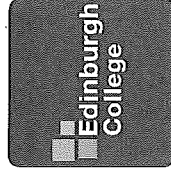


- We are a *Trustworthy* organisation
- All staff have the duty to keep personal data they handle or are exposed to safe and confidential (for example, lock your computer screen each time you leave your office, keep your desk tidy)
- Staff must report personal data breaches immediately to DP@Edinburghcollege.ac.uk
- Data Protection Impact Assessments (DPIA) are a practical tool used in projects and operations to ensure compliance with the GDPR regulation. They are an integral part of college methodology
- Information Management Office has training and information available on GDPR as well as DPIA process (data protection impact assessments)
- Further information on the intranet (under the Leadership section)



THE REAL WORLD:

- Lock away paperwork when not in use
- Keep laptops & memory sticks with you
- Don't leave documents in public areas
- Keep a clear desk



THE DIGITAL WORLD:

- Remember, you are a target
- You need strong passwords
- Careful what you click: if you're not expecting it, reject it
- Think personal data - 'Should I be sharing this?'
- Check you're sending emails to the right address
- Lock your screen when not in use

Any concerns, no matter how small, report to DP@edinburghcollege.ac.uk.

Check the GDPR hub on the intranet for more information.