

# DPIA Humberside OPCC Independent Domestic Abuse Scrutiny Panel



This template is an example of how you can record your DPIA process and outcome. It follows the process set out in our DPIA guidance, and should be read alongside that guidance and the [Criteria for an acceptable DPIA](#) set out in European guidelines on DPIAs.

You should start to fill out the template at the start of any major project involving the use of personal data, or if you are making a significant change to an existing process. The final outcomes should be integrated back into your project plan.

## Step 1: Identify the need for a DPIA

Explain broadly what project aims to achieve and what type of processing it involves. You may find it helpful to refer or link to other documents, such as a project proposal. Summarise why you identified the need for a DPIA.

The Independent Domestic Abuse Scrutiny Panel was formed as part of a regional initiative which aims to review the methods used by police forces when investigating domestic abuse cases. The initiative focusses on domestic abuse cases involving victims who repeatedly receive Outcome 16 (Evidential difficulties: victim does not support, or has withdrawn support from police action) after reporting domestic abuse offences to the police.

Strategic level personnel were invited to join the panel as representatives from independent agencies and organisations who work closely with victims of domestic abuse. It is hoped that their expertise may provide greater insight into the reasons why some victims do not receive a positive outcome. These key personnel are also in a position to influence changes within their organization, which may be key to improving the experience of domestic abuse victims and the quality of support they receive.

Representatives from Humberside Police PVP Unit also attend each panel to assist the panel with any questions in relation to criminal procedure and case management. Representatives may include a Detective Constable and a lead from the Protecting Vulnerable People Unit. The DC will bring a laptop to each panel in order to provide answers to any questions which may arise in relation to the case being reviewed or in relation to police practice and legislation.

## Step 2: Describe the processing

**Describe the nature of the processing:** how will you collect, use, store and delete data? What is the source of the data? Will you be sharing data with anyone? You might find it useful to refer to a flow diagram or other way of describing data flows. What types of processing identified as likely high risk are involved?

Prior to each panel meeting, case files will be selected by Humberside Police and will be scanned and sent to the OPCC panel administrator.

The panel administrator will then print paper copies of the case documents and places them in a numbered file for each panel meeting attendee.

On the morning of the panel meeting the files are collected from the OPCC and taken by the panel administrator to the meeting venue. A numbered file is put at each place setting. As each attendee arrives and takes a seat, they are required to sign a register against the number of their file. This enables each file to be tracked.

Attendees conduct a read-through of the case, after which the panel holds a discussion of their findings.

Generally, between one and three cases may be scrutinized at each panel, depending on the size of the case file/s selected.

At the end of each panel meeting the panel administrator collects each numbered file and checks against the register that all files have been left in the meeting room. The files are immediately returned to the OPCC office and are placed in the secure waste bins. One file may be retained by the panel administrator for the purpose of writing up notes and collating findings and this copy is stored in a filing cabinet in the Data storage room at the OPCC. Notes from the panel are shared with the Panel Chair and Vice Chair. These notes do not contain any names or personal information of parties in the case. Parties in the case are referred to as "victim", "offender", etc.

Each file contains an information sharing reminder notice and each Panel member's organization has been provided with a data sharing agreement.

Each panel member has been provided with a copy of the terms of reference for the project.

The names of the parties of the case and a summary of the history of domestic abuse are forwarded to the panel members in advance of the meetings. The purpose of providing advance notification of the case is to allow panel members whose organisation may have provided support to the victim or perpetrator, to bring information to the panel and contribute to the panel discussion.

**Describe the scope of the processing:** what is the nature of the data, and does it include special category or criminal offence data? How much data will you be collecting and using? How often? How long will you keep it? How many individuals are affected? What geographical area does it cover?

The data used by the panel consists of un-redacted domestic abuse case files which show the history of incidents logged by Humberside Police and their management of the case.

Case files may contain some or all of the documents detailed below:

- Incident logs
- Crime report print
- MG11 Witness statement
- Copy of officer notebook entries
- Injury photographs/mapping forms
- MG3 Report to CPS for charging decision (Decision Log and Action Plan
- DASH Referral Form
- DVPN/O
- Breach of DVPN/O

The above documentation will hold the following details:

- Names of victim/s and perpetrator/s
- Names of family members including children if present/involved at time of incident
- Names of previous perpetrators, for example, the victim's previous partners (perpetrators)
- Details of offences

Case files are selected by Humberside Police and they relate to victims residing in the Humberside Force area which covers Hull, the East Riding of Yorkshire, North Lincolnshire and North East Lincolnshire.

Panel meetings take place for one day on a quarterly basis and each meeting lasts for approximately six hours.

**Describe the context of the processing:** what is the nature of your relationship with the individuals? How much control will they have? Would they expect you to use their data in this way? Do they include children or other vulnerable groups? Are there prior concerns over this type of processing or security flaws? Is it novel in any way? What is the current state of technology in this area? Are there any current issues of public concern that you should factor in? Are you signed up to any approved code of conduct or certification scheme (once any have been approved)?

The data belongs to Humberside Police and they share the data with the OPCC for the purpose of carrying out an independent scrutiny of the response to domestic abuse incidents by the police and other agencies. The data subjects, whose details are contained within the data (victims/perpetrators and family members), are not made aware of their data being shared for the purpose of a scrutiny panel. However, data subjects will be aware that personal information is recorded by the police and shared with relevant agencies in order to progress an investigation and process their case through the criminal justice system.

Consultation has taken place between Humberside Police and the Office of the Police and Crime Commissioner and it has been deemed of significant value to scrutinise the management of domestic abuse offence reports and the response by the police and other agencies, in order to learn and thereby improve the support provided for victims and perpetrators.

**Describe the purposes of the processing:** what do you want to achieve? What is the intended effect on individuals? What are the benefits of the processing - for you, and more broadly?

The purpose of the domestic abuse scrutiny panel is for personnel from the police and partner agencies to collaborate and review case management. Findings of the panel and case reviews will be discussed and recommendations will be shared with the police and partner agencies with a view to improving practice. Whilst parties in the cases selected for scrutiny may not directly benefit from the panel's recommendations, future victims and perpetrators will benefit from any improvements in the management of domestic abuse cases.

Recommendations will be shared with the local police teams, partner agencies and other police forces.

## Step 3: Consultation process

**Consider how to consult with relevant stakeholders:** describe when and how you will seek individuals' views – or justify why it's not appropriate to do so. Who else do you need to involve within your organisation? Do you need to ask your processors to assist? Do you plan to consult information security experts, or any other experts?

The Office of the Police and Crime Commissioner has consulted with Chief Officers of Humberside Police, along with the Force Compliance Unit and PVP Lead and team members.

Consultation has taken place on a regional level under the Whole System Approach Project.

The benefit of strategic level personnel from partner agencies being involved in the panel, is that this allows continued consultation with those organisations and regular discussion takes place in relation to data security and the need and value of continued scrutiny of case files.

## Step 4: Assess necessity and proportionality

**Describe compliance and proportionality measures, in particular:** what is your lawful basis for processing? Does the processing actually achieve your purpose? Is there another way to achieve the same outcome? How will you prevent function creep? How will you ensure data quality and data minimisation? What information will you give individuals? How will you help to support their rights? What measures do you take to ensure processors comply? How do you safeguard any international transfers?

The lawful basis for holding independent domestic abuse scrutiny panels is that they provide some independent oversight of the practice police and partner agencies when dealing with repeat domestic abuse victims, thereby enabling recommendations for improvement.

The logistics team of the OPCC will regularly review the need for continued scrutiny of case files.

Panel members will also be regularly consulted on their views of the purpose and direction of the panel.

## Step 5: Identify and assess risks

| <b>Describe source of risk and nature of potential impact on individuals.</b> Include associated compliance and corporate risks as necessary.  | <b>Likelihood of harm</b><br>Remote, possible or probable | <b>Severity of harm</b><br>Minimal, significant or severe | <b>Overall risk</b><br>Low, medium or high |
|--|---|---|--|
| <p>Loss of data –victims or suspects in DA cases would be identified, together with details of incidents if documents were lost or stolen.</p>   | Possible  | Significant   | Medium                                     |
| <p>Data being disclosed to non-members, verbally or by sharing documents. Mitigated by the fact that all panel members are vetted members of criminal justice agencies, bound by existing rules and laws with regard to the data that they handle.</p> | Remote  | Significant   | Low  |

## Step 6: Identify measures to reduce risk

| <b>Identify additional measures you could take to reduce or eliminate risks identified as medium or high risk in step 5</b> |  |                                   |                       |                         |
|---|--|-----------------------------------|-----------------------|-------------------------|
| <b>Risk</b>   | <b>Options to reduce or eliminate risk</b>       | <b>Effect on risk</b>             | <b>Residual risk</b>  | <b>Measure approved</b> |
| Loss of data  |  | Eliminated<br>reduced<br>accepted | Low<br>medium<br>high | Yes/no                  |
|   | Redact files                                     | Reduced                           | Low                   | No                      |
|   | Conduct entire process within police buildings   | Reduced                           | Low                   | No                      |
|   | Use electronic documents instead of paper        | Reduced                           | Low                   | No                      |
|   | Do not notify members of cases in advance        | Reduced                           | Low                   | No                      |
|   | Secure transportation arrangements for documents | Reduced                           | Medium                | Yes                     |
|   | Secure storage of documents prior to meeting     | Reduced                           | Medium                | Yes                     |
|   | Sign in/out documents during meeting             | Reduced                           | Medium                | Yes                     |
|   | Secure disposal of documents after meeting       | Reduced                           | Medium                | Yes                     |

## Step 7: Sign off and record outcomes

| Item  | Name/date                           | Notes   |
|---|-------------------------------------|---|
| Measures approved by:   | Paul Wainwright/Robbie Walker-Brown | Integrate actions back into project plan, with date and responsibility for completion |
| Residual risks approved by:   | N/A                                 | If accepting any residual high risk, consult the ICO before going ahead               |
| DPO advice provided:  | Mike Richmond                       | DPO should advise on compliance, step 6 measures and whether processing can proceed   |
| <p>Summary of DPO advice: It is not possible to eliminate data protection risks in this process without either ceasing it completely or fundamentally changing the nature of the work – to the extent that the office could no longer fulfil this statutory duty. Therefore, I have worked with key colleagues to identify the data protection risks in the process, record the rationale for working the way we do, and a number of potential future process changes will be reviewed each year, as technology develops.</p> |                                     |   |
| DPO advice accepted or overruled by:  | Rachel Cook                         | If overruled, you must explain your reasons   |
| <p>Comments: I accept the recommendations and mitigations that have been put into place. An annual review is to take place of working practices to ensure risks are minimized.</p>  |                                     |   |
| Consultation responses reviewed by:   | N/A                                 | If your decision departs from individuals' views, you must explain your reasons       |
| <p>Comments: N/A</p>  |                                     |   |
| This DPIA will kept under review by:  | Jo Nicholls                         | The DPO should also review ongoing compliance with DPIA                               |

