

Question	Response/ evidence	Comments
Section A: Identification		
<p>1 What is the purpose of the processing operation?</p>	<ol style="list-style-type: none"> <li>1. To collect data about an individual’s needs (in the areas of housing/ homelessness; physical, emotional and mental health; finances and income; relationships and social networks) in order <b>to develop with the individual a plan/ series of actions that will assist them to identify their priorities and take – with others – steps to improve their wellbeing</b> in the areas of housing, health and wellbeing, financial security and positive support networks</li> <li>2. To collect data to <b>enable us to advocate for the individual</b></li> <li>3. To collect data to <b>enable us to provide accurate and timely advice to the individual</b></li> <li>4. To ensure we are supporting our service users to progress by <b>monitoring the attainment of outcomes individuals identified</b>, and move away from homelessness</li> <li>5. To collect data to help <b>us manage Health &amp; Safety (‘H&amp;S’) by taking informed decisions and actions to keep staff, other clients and the wider public safe –</b> whilst striving to continue to offer support to the individual</li> <li>6. To collect data to help us <b>meet our safeguarding responsibilities to adults at risk of abuse and children</b></li> <li>7. To use data (in a way which does NOT identify the individual) to identify trends in terms of the support</li> </ol>	<p>Could be some overlap with contractual and legal bases.</p>

	<p>needs of people using our services, and the factors that resulted in them becoming homeless; or which act as barriers to them securing accommodation or employment, or accessing wider societal resources, or achieve positive outcomes (as defined with them) in order to (a) <b>improve our own services to current and future beneficiaries;</b> (b) <b>influence policy and decision makers to achieve more effective systems and services to prevent and reduce homelessness</b></p>	
<p>2 Is the processing necessary to meet one or more specific organisational objectives?</p>	<p>Yes</p> <p>Our objectives are:</p> <ol style="list-style-type: none"> <li>1. To deliver services to end the homelessness of people who come to us for services</li> <li>2. To influence policy and decision makers to improve the effectiveness of systems and services to reduce and prevent homelessness</li> <li>3. To improve our services and understand what works most effectively</li> <li>4. To ensure that people with additional barriers and needs secure positive outcomes, as well as people who have fewer barriers to ending their homelessness</li> </ol> <p>We also have organisational responsibilities for H&amp;S and safeguarding</p>	
<p>3 Is the processing necessary to meet one or more specific objectives of any third party?</p>	<p>Potentially</p> <p>Whilst we usually only share data with third parties with the informed consent of the individual, there are conditions – such as immediate and significant harm to the individual or</p>	

	<p>others, including safeguarding risks – where we may share information with the police, social services or other voluntary sector service providers who could come to harm if they were not aware of the risks; or who may be less able to protect the individual or others from harm.</p>	
<p>4 Does GDPR regulation or other legislation specifically identify the processing activity as being a legitimate activity?</p>	<p>The Children Act 1989, Children Act 2004 and Care Act 2014 and Crime and Disorder Act 1998 provide a legal basis that explains why we need to collect and process data in some circumstances.</p>	<p>Our Safeguarding and Confidentiality Policies state we can/ will share information without consent or even against client’s wishes if there is a significant risk of harm to them or others.</p> <p>In terms of legal basis:</p> <p><b>Safeguarding children</b> – the legal basis is set out in the following legislation and statutory guidance:</p> <ul style="list-style-type: none"> <li>• Children Act 1989</li> <li>• Working together to safeguard children 2003 (HM Government)</li> <li>• Children Act 2004 (section 11 sets out the responsibilities of organisations to safeguard children)</li> </ul> <p>Safeguarding applies to all children. It is defined as:</p> <ul style="list-style-type: none"> <li>• Protecting children from maltreatment.</li> <li>• Preventing impairment of children’s health or development.</li> <li>• Ensuring that children grow up in circumstances consistent with the provision of safe and effective care.</li> <li>• Taking action to enable all children to have the best outcomes.</li> </ul>

		<p><b>Safeguarding adults</b> is covered by the Care Act 2014.</p> <p>Safeguarding duties apply to adults who have care and support needs and because of those needs are unable to protect themselves from abuse or neglect (Care Act 2014).</p> <p>Our safeguarding policies recognise the needs of the child are paramount and if in doubt, raise an alert (internally initially – with guidance from managers about reporting onwards to statutory services, unless in an emergency)</p> <p>The Social Care Institute for Excellence provides the additional guidance on legal basis for processing (and sharing) data</p> <p><a href="http://www.scie.org.uk">www.scie.org.uk</a></p> <p><b>The Crime and Disorder Act 1998</b></p> <p>Any person may disclose information to a relevant authority under Section 115 of the Crime and Disorder Act 1998, ‘where disclosure is necessary or expedient for the purposes of the Act (reduction and prevention of crime and disorder)’ ‘Relevant authorities’, broadly, are the police, local authorities, health authorities (clinical commissioning groups) and local probation boards</p> <p><b>Vital interest</b></p> <p>‘Vital interest’ is a term used in the <b>Data Protection Act</b> to permit sharing of information where it is critical to prevent serious harm or distress, or in life-threatening situations. If</p>
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		<p>the only person that would suffer if the information is not shared is the subject of that information, and they have mental capacity to make a decision about it, then sharing it may not be</p> <p><a href="#">The common law duty of confidentiality</a></p> <p>Confidentiality is an important principle that enables people to feel safe in sharing their concerns and to ask for help. However, the right to confidentiality is not absolute. Sharing relevant information with the right people at the right time is vital to good safeguarding practice.</p> <p>All staff and volunteers should be familiar with their internal safeguarding procedures for raising concerns. They can also contact either the police or the local authority safeguarding lead for advice, without necessarily giving an individual's personal details, if they are unsure whether a safeguarding referral would be appropriate.</p> <p>Some basic principles:</p> <ul style="list-style-type: none"><li>• Don't give assurances about absolute confidentiality.</li><li>• Try to gain consent to share information as necessary.</li><li>• Consider the person's mental capacity to consent to information being shared and seek assistance if you are uncertain.</li><li>• Make sure that others are not put at risk by information being kept confidential.</li><li>• Does the public interest served by disclosure of personal information outweigh the public interest served by protecting confidentiality?</li><li>• Could your action prevent a serious crime?</li></ul>
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Section B:		
<p>1 Why is the processing activity important to the Controller?</p>	<p>The collection and processing (safe storage and retrieval and analysis) of the data we collect is fundamental to our ability to:</p> <p>Provide relevant services and advice to the individual  Meet our H&amp;S/ risk management and safeguarding responsibilities  Improve our services, which are used by the individual  Influence policy and decision makers to improve systems and policies for individuals (in these cases, the individual's data is used in a way that does not identify them – unless they explicitly consent to being named and sharing agreed information as a "case study". We always secure their written and informed consent in these cases on an individual basis)</p>	
<p>2 Why is the processing activity important to other parties the data may be disclosed to?</p>	<p>To enable them to take appropriate actions to safeguard adults at risk or children.</p> <p>To enable them to take appropriate actions to keep themselves or others safe from harm</p>	

	To enable them to offer appropriate support to an individual in a timely manner (NB: in anything that would not result in a serious risk of harm, we would only disclose information to third parties with the individual's explicit written informed consent – commensurate with our policies)	
3 Is there another way of achieving the objective?	Not really.	
Section C:		
1 Would the individual expect the processing to take place?	<p>Yes.</p> <p>People contacting Crisis for help and assistance would expect us to record information about what they tell us, including contact details and the issues they wanted our help with.</p> <p>We explain that we will be recording information; why we do so/ what it is used for; and that we keep it safe.</p>	
2 Does the processing add value to a product or service the individual uses?	<p>Yes.</p> <p>Without the information that we collect and store/ review – we would be unable to offer timely information, advice and support to the individual.</p> <p>We would be unable to contact them to arrange appointments, or let them know about services or appointments with other organisations we have arranged</p> <p>We advocate for the client with third parties and need access to the information in order to do this.</p>	

<p>3 Is the processing likely to result in unwarranted harm or distress?</p>	<p>No</p> <p>Our staff are trained in one or more of the following: motivational interviewing, active listening skills, cognitive behavioural informed theories, trauma informed practice, counselling skills, IAG and coaching. They are therefore able to elicit sensitive information from individuals with tact and empathy.</p> <p>If we disclose information with third parties without prior consent it is only where significant risks of harm to the individual or others are identified. Individuals may find this distressing (e.g. if the police call to check on someone's welfare as we believe they may have hurt themselves) but the disclosure is in their (or wider society's) best interests.</p>	
<p>4 Is the processing likely to negatively impact the individual's rights?</p>	<p>No.</p> <p>Disclosures may impact upon the freedom of an individual to act to their or others' detriment, but processing is about enabling individuals to exercise their rights, and not transgress on those of others.</p>	
<p>5 Would there be prejudice to the data controller if the processing did not happen?</p>	<p>Yes</p> <p>We would be unable to guarantee meeting our safeguarding responsibilities (something we and the Charity Commission take very seriously).</p> <p>We could find it difficult to show we had taken all reasonable steps to keep our staff and others safe, which could make us liable to censure from the HSE</p>	



<p>6 Would there be prejudice to a third party if the processing did not happen?</p>	<p>Possibly</p> <p>If we were unable to retain, access and report on the data we might be unable to alert a third party to a risk of serious harm to the individual, themselves or others.</p>	
<p>7 Is the processing in the interests of the individual whose personal data it relates to?</p>	<p>Yes</p> <p>The main reasons for the collection, storing, retrieval, review and analysis of the data is to provide relevant, high quality and timely services, support and advice to the individual.</p>	
<p>8 Are the legitimate interests of the individual aligned with the party looking to rely on legitimate interests for processing?</p>	<p>Partly</p> <p>It is in both Crisis' and the individual's interests for the services, information, advice and guidance offered to be accurate, relevant, timely and continually improving.</p> <p>Some of the data we collect and update relates to individuals' ongoing eligibility to use our services (i.e. are they homeless). If they have had settled accommodation for some time, we may support them to leave our services and try to find alternatives. This may not be in the direct interests of the individual...</p>	
<p>9 What is the connection between the individual and the organisation?</p>	<p>The individuals are users of our services.</p> <p>Some people may access several different services and work with us for a number of years</p> <p>Others may have less intensive and contact of relatively brief durations.</p>	

	<p>None of our services are mandated – so individuals freely choose whether or not to work with us, and whether or not to continue to work with us.</p>	
<p>10 What is the nature of the data to be processed – are there any special protections under GDPR?</p>	<p>It is personal data relating to people’s housing status, emotional, physical and mental wellbeing, finances and social networks and relationships.</p>	
<p>11 Is there a 2-way relationship between the individual and the organisation? If so, how close is this?</p>	<p>Yes</p> <p>Over 50% of our members access one to one support from a worker. We are changing our ways of working to try to increase this percentage and introduce a case management approach so that there is a named lead worker for all clients.</p> <p>We seek feedback from members on:</p> <ol style="list-style-type: none"> <li>1. How our services are directly benefiting them (using things like the outcome star)</li> <li>2. Their views on the quality of our learning services, classes and activities</li> <li>3. Their satisfaction with our services generally</li> </ol> <p>We have Member Forums where individuals can offer their views and identify things we should be doing; and which we use to consult individuals on our plans</p> <p>There is a complaints procedure for members that was developed with their input</p>	

<p>12 Would processing undermine or limit the rights of the individual?</p>	<p>No</p> <p>Disclosures may impact upon the freedom of an individual to act to their or other's detriment, but processing is about enabling individuals to exercise their rights, and not transgress on those of others.</p> <p>If we noted that a member was no longer eligible to use our services, this might result in them having to find alternative services (such as art classes and activities) with our support</p>	
<p>13 Has the personal information been obtained directly from the individual or indirectly from another source?</p>	<p>Directly from the individual in the very great majority of cases.</p> <p>There may be information that we receive from third parties (police, social services, probation/ CRCs, health services) BUT this is either provided to enable us to manage risks of harm, and/ or with the individual's informed consent.</p>	
<p>14 Is there any imbalance in who holds the power between the organisation and the individual?</p>	<p>Yes</p> <p>A member choses (with no mandate or compulsion) whether to use our services or not and can decide not to.</p> <p>However, we do require the provision of basic information and the ability to process it in order to provide the services to the individual. If they decline to provide information, we may decide we cannot offer a service safely or effectively.</p> <p>The organisation probably has less to lose than the individual in this situation, so there is a power imbalance in favour of the organisation.</p>	

<p>15 Is it likely that the individual may expect their information to be used for this purpose?</p>	<p>Yes – mostly.</p> <p>Most people who use services that provide assistance with housing, employment, health and social and inter-personal skills expect their information will be kept on file in order that staff can reference it and provide timely and relevant information, advice, guidance and advocacy with third parties.</p> <p>Not everyone will be aware we use their (anonymised) data for influencing work</p> <p>They may not always understand how we use it to inform our service development, improvement, investment and disinvestment decisions.</p>	
<p>16 Could the processing be considered intrusive or inappropriate?</p>	<p>No/ unlikely</p> <p>Our staff are trained in one or more of the following: motivational interviewing, active listening skills, cognitive behavioural informed theories, trauma informed practice, counselling skills, IAG and coaching. They are therefore able to elicit sensitive information from individuals with tact and empathy.</p> <p>If we disclose information with third parties without prior consent it is only where significant risks of harm to the individual or others are identified. Individuals may find this distressing (e.g. if the police call to check on someone's welfare as we believe they may have hurt themselves) but the disclosure is in their (or wider society's) best interests.</p>	

<p>17 Is a fair processing notice provided to the individual? If so, how? Are the sufficiently clear up front regarding the purposes of processing</p>		<p>In development on the website and in our new CMS and related paperwork.</p>
<p>18 Can the individual whose data is being processed control the processing or object easily?</p>	<p>They cannot control the processing (although they can control how much and how accurate the information they provide is).</p> <p>Nothing that identifies the individual will be used to do so without their prior informed consent.</p> <p>Unless it is to prevent risk of harm to the individual or others, nothing will be disclosed to third parties that identifies them without their informed consent</p> <p>Clients can ask for access to the information held about them (our case note/ management standards explicitly reference this and require staff to ensure nothing is recorded that is not factual, justified and evidence based)</p> <p>Clients can ask that we remove their data and records from the Client Data Base/ case management system.</p>	
<p>19 Can the scope of the processing be modified to reduce or mitigate any underlying privacy risks or harms?</p>	<p>We have reviewed our First Contact Forms with some members and people with lived experience of homelessness. This has identified a more structured/ phased approach to gathering information – and we are also undertaking an audit of the data we currently collect to ensure that it is still relevant and needed/ used.</p> <p>We are working toward reducing paper form and notes, and recording information directly onto secure web based</p>	

	<p>systems – to better mitigate and reduce underlying privacy risks.</p> <p>We utilise situational/ working practice risk assessments which set out the measures needed to deliver a specific activity in a specific location as safely as possible. These measures (delivery in a setting with a secondary means of escape; panic buttons/ alarms; two people available at all times; in settings where there are other people available for support etc.) have been used to enable us to include people about whom we have little information in low risk group activities, such as creative writing classes. For greater risks, and anything requiring lone 121 working, more information about the individual will be required.</p> <p>Our new case management system is being built with privacy by design principles embedded.</p> <p>Any analysis and processing for influencing work or informing service/ organisational-wide improvement, investment or disinvestment decisions will use data that is anonymised and cannot be directly related to any individual.</p> <p>We hold identifiable data only for as long as we need it – we have used a 3 year cut off point based on our experience of members returning for assistance after absences up to this period.</p>	