



Data Protection Impact Assessment

1) Basic Information about New / Change of System / Project

Completed by – Title(s):	Information Governance Manager// Data and Individual Learning Record (ILR) Officer
Description of subject of assessment:	The Maytas System is for the collection of learning details associated with apprentices in the organisation and their learning details ie the apprenticeship framework they are on. The Maytas system will enable the Trust to request funding from Health Education Skills Funding Agency.
Asset / System Name:	Maytas System
Executive Sponsor – Title:	Carol Offer – Head of Workforce and Organisation Development
Project Manager – Title:	Data and Individual Learning Record (ILR) Officer
Information Asset Owner – Title:	Head of Workforce and Organisation Development
Information Asset Administrator - Title:	Data and Individual Learning Record (ILR) Officer
Date DPIA Form Completed	12 th April 2019

2) Key Questions

Question		Response	Comment
2.1	Will the system / process / change (now referred to as 'asset') involve the use of personal identifiable data or confidential data?	Yes	The data fields that are going to be stored in the system are personal and special categories : Surname Forename

			Address postcode phone number Job title Gender NI number Employee ID Job title Department Contract of Employment Learning Difficulty Ethnicity Care leaver Employee information Qualification name Awarding body
2.2	State the purpose for the processing of the data.		To achieve funding from the levy associated with apprenticeships.
2.3	Does the asset involve new privacy invasive technology (including but not limited to biometrics, facial recognition decision making algorithms)?	No	
2.4	Does the asset involve collecting new personal data not previously collected?	No	
2.5	Does the asset involve contacting individuals in ways they may feel are unnecessarily intrusive?	No	
2.6	Does the asset involve using existing information in a different way?	Yes If Yes – give details	The Individual Learning Record (paper record) entry system that is currently being used and is submitted to Education and Skills Funding Agency there are lots of changes being made to the system and it is not fit for purpose. The Maytas system is more of a database and will be set up different to the current system which will detail all learners' information and

			this will enable the requesting for funding to be completed efficiently. Health Education England have a 3 rd party processing agreement with Tribal Ltd who host the Maytas System. Health Education England are responsible for administrating the user accounts for the Maytas System.
2.7	Please select personal data items that will be collected:	<input checked="" type="checkbox"/> Personal details (e.g. name, address, contact details, age, gender, race, physical description, NHS no., NI no.)	
		<input type="checkbox"/> Family circumstances (i.e. marital status, housing, travel, leisure activities, membership of charities)	
		<input checked="" type="checkbox"/> Education and training details (i.e. qualifications, skills database, training records)	
		<input type="checkbox"/> Employment details (i.e. career history, recruitment and termination details, attendance records, appraisals, health and safety records, security records)	
		<input type="checkbox"/> Financial details (i.e. income, salary, investments)	
		<input type="checkbox"/> Goods or services provided (i.e. details of services provided, licences issued, contracts, agreements)	
		<input checked="" type="checkbox"/> Racial or ethnic origin	
		<input type="checkbox"/> Political opinions	
		<input type="checkbox"/> Religious & other beliefs	
		<input type="checkbox"/> Trade Union member	
<input checked="" type="checkbox"/> Physical or mental health condition			

		<input type="checkbox"/> Sexual life	
		<input type="checkbox"/> Offences (including alleged)	
		<input type="checkbox"/> Criminal proceedings	
2.8	What steps have been taken to ensure that the collection of confidential and / or sensitive data is relevant and necessary?	Please provide details in comment section.	The data collected is limited to that required for achievement of the levy. An individual learning record is completed at the outset of the apprenticeship which details all necessary information to be collected. The data collected is set by Education & Skills Funding Agency.
2.8a	Will this processing actually help to achieve the stated purpose?	Yes Please provide details in comment section.	The data collected is to achieve the levy payment. The data collection for this information is only used for purposes to receive funding.
2.8b	Is the processing proportionate to that purpose?	Yes Please provide details in comment section.	The data is limited to that required to achieve the levy. The data is proportionate because the data is stored on the system to identify the learner and the program they are on to ensure payments are made appropriately.
2.9c	Can the same purpose be achieved without the processing?	No Please provide details in comment section.	No because the Trust would not receive the funding to pay for the apprentices.
2.9d	Can the same purpose be achieved by processing less data, or by processing the data in another more obvious or less intrusive way?	No Please provide details in comment section.	No because Education and Skills Funding Agency (ESFA) have set the data set that is required, to ensure the Trust receives the funding.
2.9	Will the information collected be passed onto other parties who have not previously received it?	No	The data associated with the collection will be passed to the Education and Skills Funding Agency as part of the levy process. Health Education England will have access to the Maytas system HEE have access to use the export function to extract the IRL file. The data has always been shared with ESF and HEE.
2.10	Are new or changed data collection policies involved that may be intrusive or unclear?	No	

2.11	Is the asset supplied by a 3 rd party? If Yes, are they registered with the Information Commissioner?	Yes Yes If Yes – give their DPA Notification Number:	Maytas is owned by Tribal Education Limited Z5584105 No ICO enforcements or actions taken
2.11a	Does the 3 rd party contract contain the required Information Governance clauses including Data Protection and Freedom of Information?	Yes If Yes – give details in comments section:	Health Education England have a 3 rd party data processing agreement with Tribal Ltd who host the Maytas software. This contract has been reviewed and is GDPR compliant.
2.12	Does the asset comply with Privacy and Electronic Regulations 2003?	Not applicable	
2.13	Who provides information for the asset?	Give details in comments section:	The learners complete an Individual Learner record, which is a paper format. This is then inputted into the system by the Information Asset Administrator the ILRA
2.14	What is the legal basis for processing of personal or sensitive data? <i>(Data protection legislation)</i>	Give details in comments section: Where consent is the legal basis give details of how the consent will be obtained and recorded.	Article 6 (c) Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations). Apprentship skills Children and learning act 2009 (ASCLA) Article 9 (b) Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security protection law.
2.15	Have individuals given consent to data processing and disclosures, where required? <i>(Common Law Duty of Confidentiality)</i>	<input checked="" type="checkbox"/> Yes (explicit) Give details of how the consent has been obtained and recorded. <input type="checkbox"/> Yes (implicit) Give details of how this processing meets the	The learners complete and sign an Individual record learners form

		<p>“reasonable expectations” of a data subject</p> <p><input type="checkbox"/> No</p> <p>If No – give details in comments section of those specifically withdrawn:</p>	
2.16	If data is to be processed without consent, where is this recorded?	<p><input type="checkbox"/> Information Asset Register</p> <p><input type="checkbox"/> Data Flow</p> <p><input type="checkbox"/> Caldicott Approval</p> <p><input type="checkbox"/> Other – give details</p>	
2.17	How will the accuracy and completeness of information in the asset be maintained?	Give details in comments section:	The information is completed by the learner on the ILR paper record and the input of the data is checked with the learner. The IAA then inputs the data into the system a CSV file is sent back with any discrepancies if funding roles are incorrect or data is missing.
2.18	Who will have access to information in the asset, and what security measures will be in place?	Give details in comments section. Include details of audit trail facilities to be included:	Health Education England and Education & Skills Funding Agency designated Learning and Development staff within NWAS. All logins to the system will be administered by a project lead in Health Education & England. All NWAS staff will receive training on how to use the system.
2.19	Can the data subject request access to their data	<p>Yes</p> <p>If Yes – give details on this process in the comments section:</p>	Yes, the data subject can request access to their data this request would be processed by the Individual Rights Administrator.
2.20	Can the data subject request that their data is rectified or forgotten?	<p>Yes</p> <p>If Yes – give details on the process to be followed, and how it is to be communicated, in the comments section :</p>	Yes, this process will be completed by the Individual Rights Administrator details of how to submit a request will be on the Trust Intranet & Internet.

2.21	Does the asset involve changing the medium that publicly available information is distributed?	No If Yes – give details in the comments section.	Not publicly available information.
2.22	Where will information in the asset be stored?	Give details in the comments section:	Rackspace is the 3 rd party company that hosts the data for Maytas Ltd. The Primary data centre is located in Crawley, West Sussex with disaster recovery services if applicable but the datacentre in Slough, Berkshire.
2.23	How will the information in the asset be accessed?	Give details in the comments section:	Secure Logins for Nwas staff in the Learning & Development team to the Maytas system will be set up by HEE project lead.
2.24	What is the data retention period for data in the asset?	Give details in the comments section:	HEE record retention policy for the data that is saved in the system is 30 years.
2.25	How will data in the asset be destroyed at the end of the retention period?	Give details in the comments section:	Tribal Ltd will delete or return the data to HEE.
2.26	Does the asset involve sending information off site?	Yes If Yes – give details of where it is being sent in the comments section: If Yes – give details of the method of transport to be used: If Yes – will any personal or sensitive data be transferred outside the European Economic Area? Give details of what data will be sent, and where:	Secure data centre in London, managed by Tribal Education Ltd Data is transmitted via secure connection using the Maytas system this includes personal and special category data to HEE No data will be transferred outside the UK
2.27	Is the intention for the data controller to seek the views of data subjects (or their representatives) related to the purpose and means of the processing operation?	No If Yes – give details in the comments section on the method of gathering these views. Give details of the views received back from the data subject.	Learners are required to sign an apprenticeship agreement that defines the use of their personal data.

		<p>Give details of the final decision to go ahead with the proposed change, or not, based upon the views received from the data subjects.</p> <p>If No – give reasons in the comments section of the justification for not seeking the views of the data subjects.</p>	
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3) Cloud Service Considerations

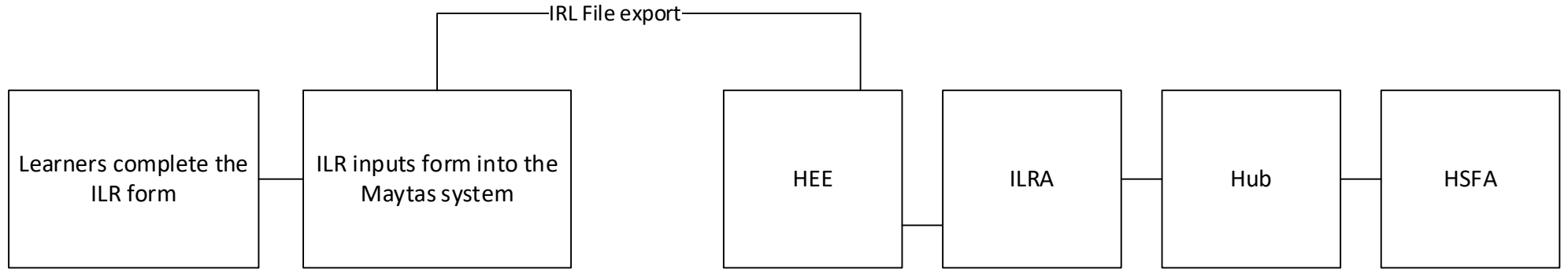
This section requires completing if a ‘Cloud’ based solution is involved.

	Question	Response	Comment
3.1	Why is a cloud based solution being considered over an in-house solution?	Give details in comments section:	N/A data is not stored in the cloud.
3.2	What type of data will be hosted in the cloud?	Give details in comments section:	N/A data is not stored in the cloud.
3.3	Will the cloud service be hosted on the N3 network?	Give details in comments section:	N/A data is not stored in the cloud.
3.4	What measures have been put in place in the event of the service provider ceasing to operate?	Give details in comments section:	N/A data is not stored in the cloud.
3.5	Has an assessment of the cloud service providers financial position and solvency been performed?	Give details in comments section:	N/A data is not stored in the cloud.
3.6	What measures have been put in place to repatriate data from the asset in the cloud service back to the Trust, at the end of the service contract?	Give details in comments section, including any additional infrastructure requirements and associated costs to the Trust:	N/A data is not stored in the cloud.
3.7	Has the legal team been consulted regarding the legal ownership of any data that is uploaded to the asset in the cloud service?	Give details in comments section:	N/A data is not stored in the cloud.
3.8	What security measures are in place for the asset in the cloud service, including protection from cyber	Give details in comments section:	N/A data is not stored in the cloud.

	security attacks, control of user access to the data, secure transfer of data between the cloud service provider and the Trust?		
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Data Flow

This section describes the data owners and processors, and the flow of data between them.



Key

- ILR – Individual learning Record
- HEE – Health Education England
- ILRA – Individual Learning Record Administrator
- Hub – Online services for organisations working with the HSFA
- HSFA – Health Skills Funding Agency

4) Risk Management

An essential element of the DPIA process is the assessment of risks, and identification of actions that will mitigate the risk from occurring, or make the situation acceptable if the risk materialised. Record any new risks identified from performing the DPIA here.

Datix ID	Description	Consequence on the data subject of the risk occurring (1-5)	Likelihood of the risk occurring (1-5)	Score	Is the risk Accepted or Mitigated – give details	Consequence following mitigation (1-5)	Likelihood following mitigation (1-5)	Score
	Accuracy of data being entered into the database not being correct and accurate	3	3	6	Risk is mitigated by HEE using the export function in Maytas to extract the ILR file, which is then ran through FIS and PDSAT for error checking purposes prior to sending to for upload to the Hub. Only HEE has access to this function.	1	1	2

5) References

List any policies, procedures, guidance or legislation referred to within the DPIA here.

6) Record of Approval

Document Status:	
DPIA Status:	Approved
Comments:	This assessment is for the Maytas system, which will improve the requesting for funding for apprentices because the old system is not fit for purpose.

Information Governance Approval:	
Name:	Joanne Moran
Title:	Information Governance Manager
Signature:	Joanne Moran
Date:	12/04/19