

Report Title:	Discretionary £150 Council Tax Energy scheme
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Councillor Hilton, Cabinet Member for Asset Management & Commercialisation, Finance & Ascot.
Meeting and Date:	Cabinet – 25 August 2022
Responsible Officer(s):	Adele Taylor, Executive Director of Resources Louise Freeth, Head of Revenues, Benefits, Library & Resident Services.
Wards affected:	All

## REPORT SUMMARY

*The Department for Levelling Up, Housing and Communities (DLHUC) have provided local authorities with funding under the £150 Council Tax Energy Rebate announced earlier in the year. While the majority of funding, £4.5m, was provided for the Mandatory Scheme for those whose main home is in Council Tax Band A-D, a small amount of funding, £294k, has been provided for a Discretionary Scheme.*

*Local authorities are required to design a Discretionary Scheme and distribute the funding provided by 30 November 2022. The purpose of this report is to approve the proposed Discretionary Scheme criteria.*

## 1. DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That Cabinet notes the report and:

- i) Approves the proposed scheme criteria for the Discretionary Council Tax Energy Rebate scheme.**
- ii) Delegates authority for minor changes to the Head of Revenues, Benefits, Library and Resident Services in consultation with the Cabinet Member for Asset Management & Commercialisation, Finance & Ascot.**

## 2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

### Options

**Table 1: Options arising from this report**

<b>Option</b>	<b>Comments</b>
Cabinet approves the proposed criteria for the Discretionary Energy Rebate scheme. <b>This is the recommended option</b>	This will allow the scheme administration to commence immediately to ensure funds are distributed prior to the deadline.

Option	Comments
Cabinet suggests alternative criteria for the Discretionary Energy Rebate Scheme. <b>This is not the recommended option.</b>	Careful consideration has been given to records available to the staff distributing this funding which will easily identify those who may be considered financially vulnerable. It is felt that the Council Tax Reduction records permit funding to be directed most efficiently.
Cabinet does not approve the proposed criteria for the Discretionary Energy Rebate Scheme. <b>This is not the recommended option.</b>	Funding provided would need to be returned to Government.

2.1 Each local authority is required to design and implement a Discretionary Council Tax Energy Rebate scheme for those in council tax band E-H, who are identified as financially vulnerable, and not entitled to the Mandatory Scheme for those in Band A-D. The discretionary funding may also be used to provide additional support to those in Band A-D identified as financially vulnerable.

2.2 Although DLHUC require authorities to design their own Discretionary Scheme they have provided guidance which sets out some basic criteria which must be adhered to, some of which mirror those set for the Mandatory scheme. These include:

- That the property must be occupied as the individual's main home
- That the property is not in exemption class "O" i.e. a Ministry of Defence property since the MOD is looking to provide cost of living support itself.
- Allocations must be distributed, or returned to government, by 30 November 2022.
- That pre-payment checks have been undertaken where the person receiving payment is not a "live" direct debit payer.

2.3 Consideration has been given to how best to identify those who may be considered financially vulnerable, and therefore suffering hardship because of the rising cost of living, within the Royal Borough balancing this against the requirement to distribute the funding as quickly and efficiently as possible.

2.4 Council Tax Reduction (CTR) is a means tested benefit which the Royal Borough already assesses resident's entitlement to. Being in receipt of this financial assistance therefore means that the resident is on a low income. It is therefore proposed that these records are utilised to distribute funding to residents by awarding those who have already received the £150 Mandatory payments, by virtue of being in Band A-D, a top up of £50 and awarding those in Bands E-H, on CTR in April 2022, a one-off payment of £200. Based on modelled figures, this would utilise all but £50 of the funding available.

2.5As with the Mandatory scheme the proposal is to make an automatic BACS payment to those whose bank details have already been verified e.g. either because they make their Council Tax payments by Direct Debit or because they have already applied for and received the £150 Mandatory Award if in Band A-D. For anyone else, in order to comply with the DLHUC pre-payment checks required, an application would be invited. If this does not elicit a response, the eligible party's Council Tax account will be credited with the award, as the deadline approaches.

### 3. KEY IMPLICATIONS

3.1 DLHUC require that the Royal Borough designs and implements a Discretionary Scheme to distribute funding by 30 November 2022. If this is not successful, funds will have to be returned to DLHUC rather than being utilised to assist those residents in the Borough who are considered financially vulnerable.

3.2 The proposed criteria efficiently identifies those residents we are already aware of being on a low income and makes almost full use of the funding available to assist them.

**Table 2: Key Implications**

<b>Outcome</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date of delivery</b>
Discretionary Funding Scheme agreed by Cabinet	Discretionary Funding scheme not agreed by 25 August 2022 Cabinet	Funds distributed by 30 November 2022	Funds distributed earlier	N/A	30 November 2022

### 4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 The Royal Borough has been provided with £294,150 by DLHUC with which to create a Discretionary Council Tax Energy Rebate scheme. Any funds not distributed by 30 November 2022 would need to be returned to government. The proposals outlined utilise £294,100 of funding based upon the April figures of CTR recipients.

4.2 Utilising this Government funding to assist those already known to be on a low income would not have any financial impact on the council's own budget since the scheme is 100% funded.

### 5. LEGAL IMPLICATIONS

5.1 The recommendations contained within this report meet the guidance set out in the Support for Energy Bills – The Council Tax Rebate 2022-23: Billing Authority Guidance, issued by DLHUC and subsequently updated on 16 March 2022.

5.2 The Guidance confirmed that local authorities can choose how to distribute discretionary funding to those households who are not eligible under the mandatory scheme and to top up those most vulnerable households in band A-D. This can include support for households on income related benefits but excludes those in

properties attracting an “O” exemption. Allocations must be distributed by 30 November 2022 with any unpaid sums repaid to Government.

5.3 For those individuals who are eligible but who do not have a direct debt in place, appropriate pre-payment checks must be undertaken. This can include a requirement for an application and self-certification to confirm that the individual meets any eligibility criteria and is applying on behalf of the household. The council must satisfy itself that the applicant is entitled to the payment, retain a record of all evidence supplied and all pre-payment checks undertaken.

## 6. RISK MANAGEMENT

6.1 The proposals submitted have been based upon the records held of CTR recipients as at April 2022. If anyone subsequently entitled to CTR were to be permitted to apply, there could be financial implications if the numbers of those in receipt of CTR were to increase from April to November 2022. At present, there is no indication of this with 4,388 residents receiving CTR in April 2022 and 4,381 in June 2022 but it is not possible to predict future changes. Utilising the April 2022 data maximises those eligible and also aligns the Discretionary Scheme with the Mandatory Scheme criteria, which was only available to those liable for Council Tax as at 01 April 2022.

6.2 There is a risk that those identified as eligible may not submit an application, required to undertake the pre-payment checks, but this can be mitigated by providing a deadline for applications with the alternative of a credit being placed upon the Council Tax account.

**Table 3: Impact of risk and mitigation**

<b>Risk</b>	<b>Level of uncontrolled risk</b>	<b>Controls</b>	<b>Level of controlled risk</b>
<b>CTR recipient numbers start to increase</b>	<b>Medium</b>	<b>Utilising existing data from April 2022</b>	<b>Low</b>
<b>Eligible applicants do not submit applications</b>	<b>Medium</b>	<b>Advise of a deadline and credit the CTAX account if an application is not forthcoming</b>	<b>Low</b>

## 7. POTENTIAL IMPACTS

7.1 Equalities. See EQIA at Appendix A.

7.2 Climate change/sustainability. There are no direct impacts.

7.3 Data Protection/GDPR. A Data Protection Impact Assessment has already been completed and is available at Appendix B. The Council is legally obliged to undertake this processing. It is a fair, legal, and expected use of the data based on government communications. This is one-off rather than routine processing.

## 8. CONSULTATION

8.1 None

## 9. TIMETABLE FOR IMPLEMENTATION

9.1 Implementation date if not called in: Immediately. The full implementation stages are set out in table 4.

**Table 4: Implementation timetable**

<b>Date</b>	<b>Details</b>
06 September 2022	Commence administration of the scheme by initiating “top up” £50 awards to those in Band A-D who have already received £150 under the Mandatory scheme.
Week commencing 12 September 2022	Identify those in Band E-H on CTR and Direct Debit and initiate payments. Open an on-line application process for those not on DD.
Week commencing 19 September 2022	Invite those eligible to apply by e-mail, where possible, or hard copy letter. Advise will allow 1 month to apply.
Week commencing 24 October 2022	Close application process and commence auto awards to council tax account where no application made.

## 10. APPENDICES

10.1 This report is supported by 2 appendices:

- Appendix A – Equality Impact Assessment
- Appendix B – Data Protection Impact Assessment

## 11. BACKGROUND DOCUMENTS

11.1 This report is supported by 1 background document:

[Support for energy bills - the council tax rebate 2022-23: billing authority guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/support-for-energy-bills-the-council-tax-rebate-2022-23-billing-authority-guidance)

## 12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory: Statutory Officers (or deputies)</i>			
Adele Taylor	Executive Director of Resources/S151 Officer	12.07.22	28.07.22
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	12.07.22	
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	12.07.22	
Elaine Browne	Head of Law (Deputy Monitoring Officer)	12.07.22	13.07.22
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	12.07.22	13.07.22
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive	12.07.22	13.07.22

Confirmation relevant Cabinet Member(s) consulted	Cabinet Member for Asset Management & Commercialisation, Finance & Ascot.	Yes : 12.07.22
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## REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Key decision. First entered into the Cabinet Forward Plan: 01.07.22	No	No

Report Author: Louise Freeth. Head of Revenues, Benefits, Library and Resident Services. 01628 685664
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EQUALITY IMPACT ASSESSMENT

EqIA : Discretionary CTAX Energy Rebate

Essential information

Items to be assessed: (please mark 'x')

Strategy		Policy	x	Plan		Project		Service/Procedure	
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Responsible officer	Louise Freeth	Service area	Revenues, Benefits, Library & Resident Services	Directorate	Resources
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Stage 1: EqIA Screening (mandatory)	Date created: 11.07.22	Stage 2 : Full assessment (if applicable)	Date created : 11.07.22
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Approved by Head of Service / Overseeing group/body / Project Sponsor:

*"I am satisfied that an equality impact has been undertaken adequately."*

Signed by (print): Louise Freeth

Dated: 11.07.22

### EQUALITY IMPACT ASSESSMENT

#### EqIA : Discretionary CTAX Energy Rebate

##### **Guidance notes**

##### **What is an EqIA and why do we need to do it?**

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with 'protected characteristics' and those without them.
- Fostering good relations between those with 'protected characteristics' and those without them.

EqIAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups. All completed EqIA Screenings are required to be publicly available on the council's website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

##### **What are the "protected characteristics" under the law?**

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

##### **What's the process for conducting an EqIA?**

The process for conducting an EqIA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

##### **Openness and transparency**

RBWM has a 'Specific Duty' to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

##### **Enforcement**

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.



EQUALITY IMPACT ASSESSMENT

EqIA : Discretionary CTAX Energy Rebate

Stage 1 : Screening (Mandatory)

**1.1 What is the overall aim of your proposed strategy/policy/project etc and what are its key objectives?**

To create a Discretionary CTAX Energy Rebate scheme as required by the Department of Levelling Up, Housing and Communities which is designed to assist those identified as financially vulnerable.

**1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics? Consider each of the protected characteristics in turn and identify whether your proposal is Relevant or Not Relevant to that characteristic. If Relevant, please assess the level of impact as either High / Medium / Low and whether the impact is Positive (i.e. contributes to promoting equality or improving relations within an equality group) or Negative (i.e. could disadvantage them). Please document your evidence for each assessment you make, including a justification of why you may have identified the proposal as “Not Relevant”.**

## EQUALITY IMPACT ASSESSMENT

## EqIA : Discretionary CTAX Energy Rebate

Protected characteristics	Relevance	Level	Positive/negative	Evidence
<b>Age</b>	Not relevant			<i>Key data: The estimated median age of the local population is 42.6yrs [Source: <a href="#">ONS mid-year estimates 2020</a>]. An estimated 20.2% of the local population are aged 0-15, and estimated 61% of the local population are aged 16-64yrs and an estimated 18.9% of the local population are aged 65+yrs. [Source: <a href="#">ONS mid-year estimates 2020</a>, taken from <a href="#">Berkshire Observatory</a>]</i>
<b>Disability</b>	Not relevant			
<b>Gender re-assignment</b>	Not relevant			
<b>Marriage/civil partnership</b>	Not relevant			
<b>Pregnancy and maternity</b>	Not relevant			
<b>Race</b>	Not relevant			<i>Key data: The 2011 Census indicates that 86.1% of the local population is White and 13.9% of the local population is BAME. The borough has a higher Asian/Asian British population (9.6%) than the South East (5.2%) and England (7.8%). The forthcoming 2021 Census data is expected to show a rise in the BAME population. [Source: 2011 Census, taken from <a href="#">Berkshire Observatory</a>]</i>
<b>Religion and belief</b>	Not relevant			<i>Key data: The 2011 Census indicates that 62.3% of the local population is Christian, 21.7% no religion, 3.9% Muslim, 2% Sikh, 1.8% Hindu, 0.5% Buddhist, 0.4% other religion, and 0.3% Jewish. [Source: 2011 Census, taken from <a href="#">Berkshire Observatory</a>]</i>
<b>Sex</b>	Not relevant			<i>Key data: In 2020 an estimated 49.6% of the local population is male and 50.4% female. [Source: <a href="#">ONS mid-year estimates 2020</a>, taken from <a href="#">Berkshire Observatory</a>]</i>
<b>Sexual orientation</b>	Not relevant			

**EQUALITY IMPACT ASSESSMENT**

**EqIA : Discretionary CTAX Energy Rebate**

**Outcome, action and public reporting**

<b>Screening Assessment Outcome</b>	<b>Yes / No / Not at this stage</b>	<b>Further Action Required / Action to be taken</b>	<b>Responsible Officer and / or Lead Strategic Group</b>	<b>Timescale for Resolution of negative impact / Delivery of positive impact</b>
<b>Was a significant level of negative impact identified?</b>	No			
<b>Does the strategy, policy, plan etc require amendment to have a positive impact?</b>	No			

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered “No” or “Not at this Stage” to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

EQUALITY IMPACT ASSESSMENT

EqIA : Discretionary CTAX Energy Rebate

Stage 2 : Full assessment

2.1 : Scope and define

**2.1.1 Who are the main beneficiaries of the proposed strategy / policy / plan / project / service / procedure? List the groups who the work is targeting/aimed at.**

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**2.1.2 Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? List those groups who the work is targeting/aimed at.**

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EQUALITY IMPACT ASSESSMENT

EqIA : Discretionary CTAX Energy Rebate

2.2 : Information gathering/evidence

**2.2.1 What secondary data have you used in this assessment?** *Common sources of secondary data include: censuses, organisational records.*

**2.2.2 What primary data have you used to inform this assessment?** *Common sources of primary data include: consultation through interviews, focus groups, questionnaires.*

Eliminate discrimination, harassment, victimisation

EQUALITY IMPACT ASSESSMENT

EqIA : Discretionary CTAX Energy Rebate

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

Advance equality of opportunity

EQUALITY IMPACT ASSESSMENT

EqIA : Discretionary CTAX Energy Rebate

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

EQUALITY IMPACT ASSESSMENT

EqlA : Discretionary CTAX Energy Rebate

Foster good relations

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

**2.4 Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts? If so please summarise any updates.**

*These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.*



**Appendix A**

**ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD**

**EQUALITY IMPACT ASSESSMENT**

**EqIA : Discretionary CTAX Energy Rebate**

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Royal Borough  
of Windsor &  
Maidenhead

Royal Borough of Windsor and Maidenhead

Data Protection Impact Assessment

£150 Council tax rebate

Emma Young / Louise Freeth  
DPO / Head of Rev/Bens  
02 March 2022

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## Introduction and guidance

A Data Protection Impact Assessment (DPIA) is a process to help identify and minimise the data protection risks of a project or new purpose for processing personal data.

A properly conducted DPIA will identify privacy issues and protections from the outset negating the requirement to retrofit systems at further expense and protect against a breach of the Data Protection Act 2018 resulting in reputational damage and fines of up to £17,000,000.

A DPIA should be carried out whenever there is a change that is likely to involve a new use or significant change in the way that personal data is handled, for example a redesign of an existing process or service or a new process or information asset being introduced, which is “likely to result in a high risk” to the data subject. The purpose of this assessment is to identify the risks that may arise through the project and propose methods to mitigate against the risks.

The GDPR states that a DPIA must be carried out in the following instances:

- Where it is proposed to use systematic and extensive profiling with significant effects.
- Where it is proposed to process special category or criminal offence data on a large scale; or
- Where it is proposed to systematically monitor publicly accessible places on a large scale.

The Information Commissioner’s Office requires a DPIA to be carried out in following the additional, circumstances:

- Using innovative technology
- Processing personal data in a new way that is not already depicted in a privacy notice.
- Using profiling or special category data to decide on access to services
- Using profiling of individuals on a large scale
- Processing biometric and genetic data
- Matching or combining data sets from different data sources
- Collecting personal data from a source other than the individual without providing them with a privacy notice.
- Tracking individuals’ location or behaviour
- Profiling children or target marketing or online services at them
- Processing data that might endanger an individual’s physical health or safety in the event of a security breach.

Where a DPIA is carried out, it should address the following:

- A description of the proposed processing and the purposes –what personal data will be collected; who will have access; how it will be stored; who it will be disclosed to

- An assessment of the necessity and proportionality of the processing
- An assessment of the risks to the rights of the individuals affected
- The measures envisaged to address the risks and demonstrate compliance with the GDPR.

The Council's Data Protection Officer (DPO) must be consulted at the design phase of any new system or process that includes processing of personal data.

[dpo@rbwm.gov.uk](mailto:dpo@rbwm.gov.uk)

The DPO will record all completed DPIAs in the Record of Processing Activity register. (RoPA)

## Stages of a Data Protection Impact Assessment

### Stage 1: The initial screening questions (Appendix A)

This section is to be completed by the service manager or project lead responsible for delivering the proposed new system or change of purpose for the personal data processing.

The purpose of the screening questions is to ascertain if a DPIA is required.

### Stage 2: Data Protection Impact Assessment (Appendix B)

To be completed by the Project Manager or Project Lead responsible for delivering the new system/proposed change. The completed form will be assessed by the Data Protection Officer who will advise on the next stage. There are four possible outcomes:

1. The DPIA is incomplete and will have to be repeated or further information obtained.
2. The DPIA has highlighted low value risks and includes appropriate actions considered through the project to mitigate these risks.
3. The DPIA has identified medium to high value risks which require an action plan to be put in place to resolve. Consideration of Caldicott Guardian and SIRO involvement required.
4. The DPIA has identified no risks, and no further information needs to be obtained.

### Stage 3: Identified risks, proposed mitigations, and action plan (Appendix C)

Where the initial DPIA identifies further information governance issues, an action plan should be developed on how the risks will be mitigated. This will include:

- identified risks
- proposed solutions

- action assigned
- timescale for resolution

The Council's Data Protection Officer and SIRO should be included at an early stage where high risks to the rights and freedom to data subjects have been identified.

#### **Stage 4: Sign-Off (Appendix D)**

The sign off form must be completed by Heads of Service and returned to RBWM's DPO. [DPO@rbwm.gov.uk](mailto:DPO@rbwm.gov.uk)

## Screening Questions (Appendix A)

These questions are intended to help decide whether a DPIA is necessary. Answering 'Yes' to the screening questions below represents a potential information governance risk that will have to be further analysed to ensure those risks are identified, assessed and fully mitigated.

Q	Category	Screening question	
1.1	Identity	Will the project involve the collection of new information about individuals?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1.2	Identity	Does the project/process include the processing of "Special categories of personal data"?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1.3	Identity	Will the project compel individuals to provide information about themselves?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1.4	Multiple Organisations	Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1.5	Data	Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1.6	Data	Have you introduced new ways of processing/using personal data, even where your reasons for processing the data have not changed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1.7	Data	Does the project involve you using new technology which might be perceived as being privacy intrusive? For example, the use of biometrics or facial recognition.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1.8	Data	Will the project result in you making decisions or taking action against individuals in ways which can have a significant impact on them?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

1.9	Data	Is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? For example, health records, criminal records or other information that people would consider to be particularly private.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1.10	Data	Will the project require you to contact individuals in ways which they may find intrusive?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1.11	Approval	Has this project/process already been started as a pilot without a screening or DPIA being undertaken?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

If you have answered 'Yes' to any of the questions above, please proceed with the DPIA. (Appendix B)

If you have answered 'NO' to all the questions above a DPIA is not required.

### Data Protection Impact Assessment Inception. (Appendix B)

<b>DPIA Reference Number: DPIA_020322</b>
<b>Project Title:</b> £150 Council tax energy rebate (April 2022)
<b>Project Purpose:</b> This project is to administer the £150 Council tax energy rebate (April 2022).
<b>Implementing Organisation:</b> The Royal Borough of Windsor and Maidenhead
<b>Head of Service/Nominated Officer</b> Name: Louise Freeth <a href="#">Head of Revenues, Benefits, Library and Resident Services</a> Contact: louise.freeth@rbwm.gov.uk
Completed by Emma Young - DPO
<b>Implementation Date: April 2022</b>



## Data Protection Impact Assessment Template

2.1	<p><b>Is this a new or changed use of personal information that is already collected?</b></p>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Changed
	<p><b>Purpose of the processing:</b>  <i>Describe (in as much detail) why this personal information is being collected/used? If the information being used is for a different purpose than it was originally collected for, please describe the reasons for the change. If you are processing the same data you have previously used but are using different methods of processing, please explain:</i></p> <p>The information has already been collected for residents to pay their council tax. The government have advised they are giving each household in brackets A-D a £150 refund.</p>	
2.2	<p><b>What personal data will be collected?</b></p> <p> <input checked="" type="checkbox"/> Forename      <input checked="" type="checkbox"/> Surname      <input type="checkbox"/> DOB      <input type="checkbox"/> Sex      <input type="checkbox"/> Email  <input checked="" type="checkbox"/> Address      <input type="checkbox"/> Postcode      <input type="checkbox"/> Age      <input type="checkbox"/> Gender      <input type="checkbox"/>            Telephone  <input checked="" type="checkbox"/> Bank details         </p> <p> <input type="checkbox"/> Other unique identifier (please specify):  <input type="checkbox"/> Other administrative data (please specify): Next of kin/emergency contact, marital status.         </p> <p><b>Special categories of personal data:</b></p> <p> <input type="checkbox"/> Racial or ethnic origin      <input type="checkbox"/> Religious or philosophical beliefs  <input type="checkbox"/> Political opinions      <input type="checkbox"/> Trade union membership  <input type="checkbox"/> Health or sex life      <input type="checkbox"/> Sexual orientation  <input type="checkbox"/> Genetic data      <input type="checkbox"/> Biometric data  <input type="checkbox"/> Financial      <input type="checkbox"/> Commission or alleged commission of an offence  <input type="checkbox"/> NHS Number      <input type="checkbox"/> Proceedings for any offence committed or alleged [DBS Checks]  <input type="checkbox"/> Description of other sensitive data collected: Employees can self-declare for council monitoring statistics however this is not mandatory disclosure.         </p>	
2.3	<p><b>Does the information involve processing children's data?</b></p> <p><b>Does the information involve processing adults' data?</b></p>	<p> <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No         </p> <p> <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No         </p>

2.4	<p><b>What is the lawful basis that the personal information is collected and/or shared?</b></p> <p><input type="checkbox"/> Consent of individual <input checked="" type="checkbox"/> Legislative/Statutory requirement  <input type="checkbox"/> In the performance of a contract</p> <p>Government initiative to refund residents</p>	
2.5	<p><b>How will individuals be informed about the proposed uses of their personal data?</b>  <i>(e.g. Privacy notices (consider if they need updating)) Enforcement notices.</i></p> <p>There is a privacy notice on the RBWM website which has been updated to reflect the change.</p> <p><a href="https://www.rbwm.gov.uk/privacy-notice-revenues-and-controls">Privacy notice : Revenues and controls   Royal Borough of Windsor and Maidenhead (rbwm.gov.uk)</a></p>	
2.6	<p><b>How will you manage service user complaints?</b> Established processes already in use within the organisation.</p>	
2.7	<p><b>Are other organisations involved in processing the personal data?</b>  <i>If yes, please list below</i></p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Ascendant Solutions data management	
	BACS	
2.8	<p><b>Does the proposal include employing external individuals?</b></p> <p><b>If yes, have they signed a 3<sup>rd</sup> party disclosure agreement?</b></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No N/A
2.9	<p><b>Has a data flow mapping exercise been undertaken?</b></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.10	<p><b>How will the personal data be collected?</b></p>	

	Data already being used for Council tax purposes	
2.11	<b>Where will the information be stored?</b> Data already being used within the Council tax system	
2.12	<b>Appropriate access controls</b> Does the system involve accessing personal data held in other systems or locations? Only relevant staff members can access the system	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.13	<b>Retention/disposal schedules</b> Has an appropriate retention period been identified and applied to the information? <i>If no, please get advice from the DPO.</i> <i>Documents are kept for 7 years and are deleted automatically once the retention period has expired. This is in line with statutory guidance.</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2.14	<b>Data quality</b> How will the information be kept up to date and accurate? One off process so not necessary	
2.15	<b>Right to rectification/deletion</b> If you are procuring new software, does it allow you to amend/delete personal data when necessary? N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.16	<b>Please state by which method the information will be transferred?</b> <input type="checkbox"/> Email <input type="checkbox"/> Courier (Internal) <input type="checkbox"/> By Hand <input type="checkbox"/> CD/DVD <input type="checkbox"/> HDD <input type="checkbox"/> Web access storage <input type="checkbox"/> GCSx Email <input type="checkbox"/> Post (External) <input type="checkbox"/> Telephone <input type="checkbox"/> USB <input type="checkbox"/> Wireless Network <input type="checkbox"/> Post <input type="checkbox"/> Fax <input type="checkbox"/> Portable <input type="checkbox"/> Cloud  <b>The information will be transferred as:</b> <input type="checkbox"/> Person-identifiable <input type="checkbox"/> Pseudonymised <input type="checkbox"/> Anonymised	
2.17	<b>Who will have access to the personal information?</b>	

	<p><b>What security and audit measures have been, or will be, implemented to secure access to and limit use of personal identifiable information?</b> Already in place for BAU council tax processing which includes password protection and limited access to systems</p>	
2.18	<p><b>What staff training will be provided?</b> Training take place on the different parts of the system, which will reflect individuals' roles. All staff complete GDPR training on an annual basis and are aware of security breach procedures.</p>	
2.19	<p><b>What disaster recovery and business contingency plans are in place?</b> This is one-off processing</p>	
2.20	<p><b>Subject Access Requests</b> Are arrangements in place for recognising and responding to requests from individuals for a copy of the personal data processed?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
2.21	<p><b>Are there any new or additional reporting requirements for this project?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Who will be responsible for running the reports? <small>Click or tap here to enter text.</small></p> <p>Who will receive the report or where will it be published? <small>Click or tap here to enter text.</small></p> <p>Which format will the reports be in? <input type="checkbox"/> Person-identifiable <input type="checkbox"/> Pseudonymised <input type="checkbox"/> Anonymised</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
2.22	<p><b>Additional comments and notes:</b></p>	
	<p>This is a one off project to give residents money. This is low risk processing.</p>	

## Identified risks, proposed mitigations, and action plan (Appendix C)

A 'privacy risk' is the risk that a proposal will fail to meet individual's reasonable expectations of privacy. Calculating risk is not simply about assessing whether the project will be legally compliant. It's possible to comply with the law and for the behaviour still to affect whether our residents reasonable privacy expectations are met. Risks to an individual will often directly equate to risks to the Council. Consider not only the direct risks from the proposal, but also any knock on effects. A DPIA doesn't set out to identify and eliminate every possible risk to an individual from using their personal information or otherwise impacting on their privacy.

### Identified risks

Risk Ref	Issue	Who is the risk to?	Proposed Solution
Ref.	Money is sent to the wrong bank account	Customer	Bank account is verified and already used to make direct debit payments
Ref.	Incorrect use of data by ASL	Customer	Service delivery plan includes data protection elements
Ref.			
Ref.			

### Solutions to be implemented

Risk Ref	Approved Solution	Result <sup>1</sup>	Approved by
Ref.	Clear service agreement from ASL		<a href="#">Click here.</a>
Ref.	Only approved Bank accounts will be used		<a href="#">Click here.</a>
Ref.			<a href="#">Click here.</a>
Ref.			<a href="#">Click here.</a>

### Agreed actions

Action to be taken	Completion Date	Responsible for action
As detailed above	Date.	<a href="#">Click here.</a>
Click or tap here to enter text.	Date.	<a href="#">Click here.</a>
Click or tap here to enter text.	Date.	<a href="#">Click here.</a>
Click or tap here to enter text.	Date.	<a href="#">Click here.</a>

### Other identified risks

Other risks which have been identified which do not relate to Privacy but need to be escalated, e.g. Business Continuity, Health & Safety.

<b>Risk</b>	<b>Escalated to</b>	<b>Date</b>
N/A	Click here.	Date.
Click or tap here to enter text.	Click here.	Date.
Click or tap here to enter text.	Click here.	Date.
Click or tap here to enter text.	Click here.	Date.

\*Is the risk reduced, eliminated or accepted?

## Sign off Form (Appendix D)

Signatories required once the DPIA has been completed.

Head of Service	
<b>Name:</b>	Click or tap here to enter text.
<b>Signature:</b>	Click or tap here to enter text.
<b>Date:</b>	Click or tap here to enter text.

Data Protection Officer	
<b>Name:</b>	Emma Young
<b>Signature:</b>	E Young
<b>Date:</b>	12/01/22

Senior Information Risk Owner	
<b>Name:</b>	Click or tap here to enter text.
<b>Signature:</b>	Click or tap here to enter text.
<b>Date:</b>	Click or tap here to enter text.

Email completed DPIA to the DPO [DPO@rbwm.gov.uk](mailto:DPO@rbwm.gov.uk)