

Privacy impact assessment (PIA) screening questions

Exclusion Policy

Guidance provided by the Information Commissioner and taken from their website

Will the project involve the collection of new information about individuals?

Yes

Will the project compel individuals to provide information about themselves?

Yes

Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information?

Possibly Information sometimes shared with Durham Constabulary.

Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used?

Yes

Does the project involve you using new technology that might be perceived as being privacy intrusive? For example, the use of biometrics or facial recognition.

No

Will the project result in you making decisions or taking action against individuals in ways that can have a significant impact on them?

Yes, possibly. Exclusion from a Town Council owned facility may result in a report to Committee, if required, and/or redacted Record of Officers Decision being placed on the website.

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 private.

No. If any further action is required it would be undertaken by the Police and any privacy concerns would be covered under the Durham Constabulary policies and procedures.

Will the project require you to contact individuals in ways that they may find intrusive?

No.

Privacy impact assessment Exclusion Policy

Step one: Identify the need for a PIA

The purpose of the project is to update the Exclusion Policy.

The Park Patrol team will need to obtain certain personal details, some of which may be sensitive in order for an incident to be investigated. No unnecessary data will be collected.

The Information obtained will usually involve personal contact information, such as age, name and address. This information is required in order to contact parents and send a copy of any exclusion notice and committee date if required.

Step two: Describe the information flows

Very few exclusions are applied therefore the number of individuals likely to be affected by the policy will be minimal.

This information is usually shared with Durham Constabulary, any documentation is marked Private & Confidential and hand delivered to the appropriate officer.

Documents will be retained securely and deleted or shredded if there is a paper copy. The period of retention will be the same time again as the exclusion applied i.e. 6 months exclusion and then documents retained for a further 6 months.

Consultation requirements

No consultation required.

Staff are aware of the need to protect privacy of individuals and training has been provided.

Step three: Identify the privacy and related risks

Identify the key privacy risks and the associated compliance and corporate risks. Larger-scale PIAs might record this information on a more formal risk register.

Annex three can be used to help you identify the GDPR related compliance risks.

Privacy issue	Risk to individuals	Compliance risk	Associated organisation / corporate risk
Loss of personal/sensitive data	Sensitive information potentially available to public	<p>Electronic information held securely with limited access.</p> <p>Paper copies are marked Private & Confidential and hand delivered to the appropriate Police representative.</p> <p>Managers are aware of GDPR and the need to maintain secure records and confidentiality.</p> <p>Information deleted in line with the exclusion applied.</p>	<p>Loss of reputation</p> <p>No control over information once hand delivered to the appropriate Police representative.</p> <p>Loss of reputation</p>
Unauthorised person accessing personal/sensitive data	Sensitive information potentially available to public	Electronic information held securely with limited access.	<ul style="list-style-type: none"> • Loss of reputation, • complaint to ICO, • hefty fine if found to be in breach of GDPR
Unauthorised sharing of personal/sensitive data	Sensitive information potentially available to public	Electronic information held securely with limited access.	

Step four: Identify privacy solutions

Describe the actions you could take to reduce the risks, and any future steps which would be necessary (eg the production of new guidance or future security testing for systems).

Risk	Solution(s)	Result: is the risk eliminated, reduced, or accepted?	Evaluation: is the final impact on individuals after implementing each solution a justified, compliant and proportionate response to the aims of the project?
<p>No secure storage.</p> <p>Not understanding the importance of confidentiality.</p> <p>Not understanding GDPR.</p> <p>Information shared accidentally.</p> <p>Information shared on purpose.</p>	<p>All Managers have secure storage</p> <p>All Managers and key staff have undertaken GDPR training</p> <p>Investigate what went wrong.</p> <p>Disciplinary action taken.</p>	<p>Eliminated</p> <p>Reduced</p> <p>Reduced and accepted</p> <p>Eliminated</p>	

Step five: Sign off and record the PIA outcomes

Who has approved the privacy risks involved in the project? What solutions need to be implemented?

Risk	Approved solution	Approved by
MEDIUM	As set out above	Review Sub-Committee and ratified by Full Council on 30 October 2019.

Step six: Integrate the PIA outcomes back into the project plan

Who is responsible for integrating the PIA outcomes back into the project plan and updating any project management paperwork? Who is responsible for implementing the solutions that have been approved? Who is the contact for any privacy concerns that may arise in the future?

Action to be taken	Date for completion of actions	Responsibility for action
No further action required		

Contact point for future privacy concerns:

Mr. Andrew Bailey, Town Clerk	01325 300700
Mr Dan Austin, Finance Manager	01325 300700
Mrs Chrissy Walton, Corporate & Policy Officer	01325 300700

EXCLUSION POLICY

Introduction

- 1 Following changes in legislation particularly the 'Openness of Local Government Bodies Regulations 2014, Recording of Decisions Made by Officers of the Council' a number of changes have been included in this policy to ensure compliance.
- 2 For the purpose of this policy, managers and officers making any decisions which affect the rights of the individual in particular should be aware of operational and reporting requirements set out below.
- 3 The Council are responsible for setting acceptable standards of behaviour from people using Council facilities including the Council Offices, **Oakleaf Golf Complex, Pre-School** and the Environmental Centre at Moore Lane.
- ~~4 The Golf Professional is responsible for behaviour management in the Oakleaf Golf Complex. However, as owners of the building the Town Council have overall responsibility and the Golf Professional will adhere to the guidance set out in this policy.~~
Renumbered from this point forward
- 4 As the licensee of the Sports Complex the Leisure Manager is the responsible person for the licensed areas. As owners of the building the Town Council are responsible for all other areas.
- 5 The Sports Complex and council facilities aim to provide a safe and secure environment for people to enjoy sport and recreation activities. It is with this in mind the following exclusions and time limits have been set out.
- 6 The Sports Complex is an active member of Newton Aycliffe Pub and Club watch scheme, any incident occurring in the Bar area of the Sports Complex will be reported at the first Pub and Club watch meeting following the incident, the incident will be discussed with members who will then take a vote on whether or not a ban should be given and how long that ban will be. If the incident is only minor then they could be put on a 'For Information Only' list but if it is a major incident they would be banned for 1 year and it would be reviewed every year as we cannot give anyone a life ban due to human rights. Bans or exclusions resulting from the Pub Watch Scheme do not fall under the Town Council's reporting procedures.
- 7 In the event of facts being unclear the appropriate Manager, or Committee decision is final.

Appeals

- 8 Customers have the right of appeal through the Comments and Complaints Procedure or the General Appeals Sub-Committee.

Exclusions

- 9 ***Any exclusion can be of varying lengths according to the severity of any offences committed and the following details are for guidance only.***

10 ***All incidents will be investigated and it must be stressed that decisions to implement an exclusion period will be made on the facts of each individual incident.***

11 ALL timeframes set out below are just guidelines. It will be the responsibility of the appropriate officers and/or committee to agree a time period for each incident.

- **CAUSING DISTRESS TO A MINOR**

Immediate temporary suspension with follow up letter confirming the incident and exclusion time. 6 weeks to 18 months, reviewed after 12 months if applicable. Anything over 6 weeks to be reported to Recreation Committee.

- **REFUSAL TO LEAVE A BUILDING OR COUNCIL FACILITY**

7 day exclusion, in all instances.

- **DRUNKENESS, WEAPONS OR DRUG RELATED INCIDENTS**

All incidents involving a weapon or drugs will be reported to the Police to investigate. 7 day exclusion applied in all instances. If the same person is caught in a drug or weapon related incident on their next visit then a 6 week exclusion is to be issued confirmed in a follow up letter. If upon return, after this exclusion, the same person continues to be involved in drugs a 12 month exclusion will be recommended to Recreation Committee.

- **VERBAL ABUSE TO STAFF**

Immediate temporary suspension with follow up letter confirming a 6 week exclusion.

Serious verbal abuse – A report to Recreation Committee recommending an exclusion period between 6 to 12 months depending on the severity of the incident.

- **FOUL LANGUAGE**

2 warnings and then asked to leave the premises and informed that they cannot return on the same day. If the same person uses foul language on their next visit then a 6 week exclusion is to be issued confirmed in a follow up letter. If upon return, after this exclusion, the same person continues to use foul language a 12 month exclusion will be recommended to Recreation Committee.

- **THREATS OF VIOLENCE**

Immediate temporary suspension with a report to Recreation Committee recommending an exclusion for 6 months

- **FIGHTING**

Immediate temporary suspension with a report to Recreation Committee recommending an exclusion period between 6 to 18 months depending on the severity of the case. If a 18 month exclusion is considered appropriate this will be reviewed after 12 months.

- **PHYSICAL ASSAULT ON STAFF**

All physical assaults on staff will be reported to the Police to investigate. Staff must complete an incident form and provide a verbal report to the appropriate Manager as soon as possible after the event.

Immediate temporary suspension, with a report to Recreation Committee recommending a minimum 18 month ban from all Town Council facilities. Each incident will be considered individually. However, the time limit will be agreed, depending on the severity of the incident.

- **DAMAGE TO PREMISES**

Immediate temporary suspension with report to Recreation Committee recommending an 18 month exclusion to be reviewed after 12 months. Serious damage costs will lead to legal action being taken to recover the costs.

Exclusion Time Frame	Action	Reporting
6 weeks or less Operational	<ul style="list-style-type: none"> • Immediate verbal temporary suspension with person being informed a meeting will take place and a confirmation letter will be sent to their home address. • Meeting with Corporate & Policy Officer (or other appropriate Senior Manager) • Letter sent to parents or person if over 18 confirming incident, details and right of appeal 	<ul style="list-style-type: none"> • Incident report completed. • Record of Officers decision taken under delegated powers report required. • Redacted version to be given to admin and reported to committee. • Redacted version to be placed onto the Town Council website. • Original to be passed to the Town Clerk to file in a secure location.
Anything over 6 weeks Committee Report required	<ul style="list-style-type: none"> • Immediate verbal temporary suspension with person being informed the incident will be reported at the next Recreation Meeting with a decision being made by the committee. • As an interim measure a meeting will take place with the Corporate & Policy Officer (or other appropriate Senior Manager) and a confirmation of the temporary suspension letter sent to their home address giving details of the next Recreation meeting date. 	<ul style="list-style-type: none"> • Person who gave temporary suspension to complete an incident report with the Corporate & Policy Officer (or other nominated Senior Manager) • Corporate & Policy Officer (or other nominated Senior Manager) to complete a committee report.

EXCLUSION PROCEDURE

If **any** incident occurs where an exclusion may be applied the following procedure must be followed.

1. An immediate verbal temporary suspension should be given and made clear to the suspended person that they may not re-enter the premises until a meeting has been undertaken with the Manager/appropriate Senior Officer. (See guidance table above) Whenever possible obtain the persons name address and a contact telephone number.
2. Ensure the area is safe – including any people and/or equipment.
3. In the event of a serious incident of assault, theft or similar, inform the Police as soon as possible.
4. Investigate the incident and take statements – including any witnesses to the event. (Refer to the Health & Safety Policy for guidance on how to take a statement).
5. Take photos of the incident – including any injuries or causes of accidents.
6. Log the incident in the appropriate register.
7. Complete an accident report if required, including near misses.
8. Ensure a complete discussion of the incident is undertaken with the Manager/appropriate Senior Officer. Any exclusion will follow the guidance in the table above.
9. If an exclusion is to be given, notify the person as soon as possible. Confirm the exclusion in writing if possible. Ensure the person being excluded understands that they must arrange a meeting with the Manager or receive a letter from the Town Council, prior to being allowed back onto Town Council premises.
10. Exclusions of 7 days to 6 weeks must have a 'Record of Officer decision taken under delegated powers' complete and published on the Town Council's website. A copy of redacted forms will be given to the Senior Administration Officer held electronically.
11. Any exclusions over 6 weeks must be subject to a committee decision.
12. A copy all information should be given to the Town Clerk who will file all documents together in an appropriate secure location.