

# Decision Note – Hate Crime Service and Antisocial Behaviour & Mediation Service



**STAFFORDSHIRE COMMISSIONER**  
Police | Fire and Rescue | Crime

## REQUEST FOR DECISION BY THE STAFFORDSHIRE COMMISSIONER

	Policing:	Crime:	Fire & Rescue:
This decision relates to:		X	

### APPROVAL (for completion by Staffordshire Commissioner only)

Rationale for approval

**STAFFORDSHIRE COMMISSIONER**

Signature

A handwritten signature in black ink, appearing to be 'S. [unclear]', written over a horizontal line.

Date 01.11.2021

Date decision required by: as soon as possible.

If an urgent approval is required, please state reasons:

**For completion by Staffordshire Commissioner's Office only:-**

Decision Number: **SCP10/202122/006**

Date Received: **21 December 2021**

	Yes	No
Has the required decision been considered under the guidance of the Staffordshire Commissioner's Decision Making Policy?	X	
Has the required decision been deemed to be a Key Decision as defined within the Staffordshire Commissioner's Decision Making Policy?	X	
Who is empowered to make the required decision? <b>Staffordshire Commissioner</b>		

Title	<b>Contract Award – Hate Crime Service and ASB &amp; Mediation Service</b>
<p><b>Summary:</b></p> <p>To obtain approval for the award of the Hate Crime Service' and the Antisocial Behaviour (ASB) &amp; Mediation Service following a successful tender exercise.</p> <p>The tailored, confidential services will act in the interest of victims at all times. The services delivered will form part of an integrated system of effective guidance and support for victims, from when they report the crime or incident or recognise that they need support, through to the victim exiting the service.</p> <p>Both services, covering Staffordshire and Stoke-on-Trent, will commence 1<sup>st</sup> October 2021 for a period of 3 years with relevant clauses allowing for an agreed extension of up to a further 2 years.</p> <p>The total contract value for the Hate Crime Service is £850,000 over the life of the contract including a non-recurrent mobilisation cost of £8,300.</p> <p>The total contract value for the ASB and Mediation Service is £999,341.47 over the life of the contract including a non-recurrent mobilisation cost of £10,000.</p> <p>Community Safety Partnerships (CSPs) across Staffordshire and Stoke-on-Trent are contributing to both services through their Local Delivery Fund.</p>	
<p><b>Recommendation:</b></p> <p>To award the Hate Crime Service to Citizens Advice Bureau and the ASB &amp; Mediation Service to Victim Support.</p>	

**Chief Executive**

I hereby approve the recommendation for consideration.

Signature



Date 12/10/2021

**REPORT AND ADVICE TO THE STAFFORDSHIRE COMMISSIONER****1. Introduction and background**

Following the Victim and Witness Needs Assessment in 2018, which examines the extent to which Staffordshire and Stoke-on-Trent is currently meeting the needs of victims and witnesses, the Hate Crime Service and the ASB & Mediation Service were developed to provide a free, personalised and tailored service across Staffordshire and Stoke-on-Trent, which will help victims cope and recover from the impact of the crime / incident and the harm they have experienced. The Assessment findings provide an up to date picture of related needs and where, as partners, we need to focus our resources in the future ensuring that service users receive timely, needs led, good quality provision.

For a number of years there have been two hate crime services operating in the County; Challenge North Staffs covering North Staffordshire, delivered by CAB and funded by the PFCC and Stoke-on-Trent CSP and CACH covering the south of the County funded by a number of CSPs. A small ASB service has operated in 3 local authority areas, delivered by Victim Support and funded by the three CSPs.

The tender exercise for both services commenced late 2020 with support from key partners. The exercise included a market and options appraisal, a locally designed service specification and a clear and transparent competitive process as well as ensuring that quality and financial requirements had been met. A panel made up of key representatives from the OPFCC, Stoke-on-Trent City Council, Staffordshire County Council, Procurement and the Police directed and maintained oversight of the procurement process. Specialist Staff for hate crime and ASB, along with a CSP Manager also supported the process. 3 bids were received for each service.

Both services will be accessible in a variety of ways, acting in the interest of the victim at all times, provided without discrimination and available irrespective of residence status, citizenship, or nationality. There will also be other service elements, in total offering:-

- A specialist support service, including tailored advice, guidance, information, practical and emotional support;
- Targeted awareness and education sessions within education settings and communities;
- Training and awareness sessions for professionals to improve their knowledge and understanding;
- Annual communication campaigns to improve access to each service.
- A mediation service providing confidential, impartial mediation between both or multiple parties (ASB only).

A guide bid price for each service was included in the tender of £200,000 per annum for ASB and £170,000 per annum for Hate Crime across the 5 years of the contract.

All nine CSPs are making a combined financial contribution of £116,500 per annum from their Local Delivery Fund over the life of the contract.

**2. Issues for consideration**

There are no other issues for consideration.

**3. What other options have been considered?**

There are no other options to be considered.

**4. Consultation and Engagement undertaken**

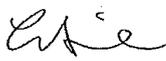
A Victim and Witness Needs Assessment was undertaken in 2018, which comprehensively identified the victim and witness population across Staffordshire and Stoke-on-Trent. A refresh of the Needs Assessment will be completed by the end of October 21.

A market engagement event took place inviting prospective bidders.

**Report Implications**

**5. Monitoring Officer comments:**

The commissioning and procurement process for these services followed a best practice approach. The award is to the highest scoring tenderer based on a quality / value for money-based approach.

Signature  Date 12/10/2021

**6. Section 151 Officer comments:**

Signature  Date 04/11/2021

	Yes	No
Has legal advice (outside of that provided by the Monitoring Officer) been sought on the content of this report?		X

**7. Legal Comments:**

Not applicable.

**8. Equality Comments – please attach the completed EIA**

Please see EIA. The services are available to victims regardless of their, disability, race, religion or belief, sex, sexual orientation and transgender.

Both service providers will undertake campaigns to engage and raise awareness of hard to reach groups, including improving self-referral pathways; making the service more accessible.

**9. Background/supporting paper**

Victim and Witness Needs Assessment 2018.

Service Specification.

**10. Public access to information**

Not outside of this report. Commercially confidential information will not be shared.

**11. Data Protection Impact Assessment - please attach the completed DPIA**

A DPIA has been completed for both services.

**12. Is the publication of this form to be deferred?**

No

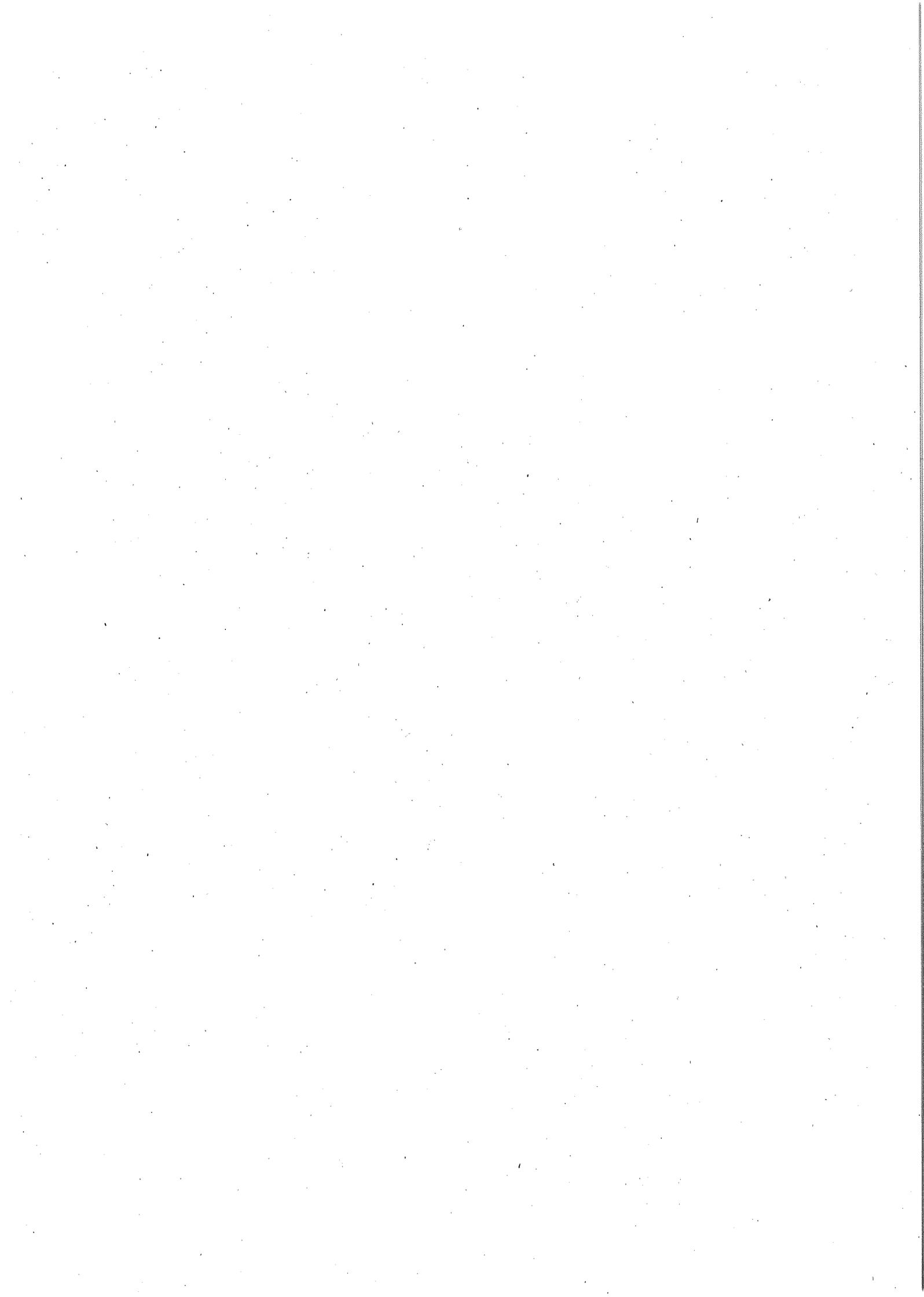
**13. If the report is for publication, is redaction required?**

No

	Yes	No
Of the Decision Note?		x
Of the Appendix?	n/a	n/a

**ORIGINATING OFFICER DECLARATION:**

<b>Author</b>	Nicky Jolley
<b>Signed</b>	
<b>Date</b>	12.10.21





**STAFFORDSHIRE COMMISSIONER**  
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# Data Protection Impact Assessment for Uniting Staffordshire Against Hate

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*A Data Protection Impact Assessment (DPIA) is required under the General Data Protection Regulations (GDPR) when there is likely to result in a high risk to individuals. Publication improves transparency and can increase the public's understanding of how their information is used. (Articles 35 and 36 GDPR)*

The DPIA guidance should be read in conjunction with the completion of this DPIA.

Upon completion of the DPIA template the Project Manager and IAO will review, sign off and send a copy to the Data Protection Officer for advice. The DPIA will then be considered and signed off by the Senior Information Risk Officer (SIRO). The SIRO may at this point ask that additional work is carried out or may decline the proposal and not accept any risks identified.

If the DPIA identifies a high risk and measures cannot be undertaken to reduce the risk then there is a requirement for the Data Protection Officer to consult with the Information Commissioner's Office (ICO).

This DPIA should be filled out at the beginning of any major project involving the use of personal data, or if you are making a significant change to an existing process. The final outcomes should be integrated back into the project plan.

Should you have any queries in relation to the Data Protection Impact Assessment Process then please contact the Data Protection Officer.

**DOCUMENT CONTROL**

<b>System Owner</b>	<b>Business Lead</b>	<b>Information Asset Owner</b>	<b>Project Manager</b>
	Nicky Jolley		Paula Hammond

<b>Author</b>	<b>Role</b>	<b>Department</b>
Simon Harris	CEO	CAB

<b>Version</b>	<b>Version date</b>	<b>Requester of change</b>	<b>Summary of change(s)</b>
1	December 2021		

## Screening Questionnaire

The following questions are intended to help you decide whether a DPIA is necessary. The DPIA guidance document will assist you during the project lifecycle. Answering 'yes' to any of the following screening questions is an indication that a DPIA is required.

You can expand on your answers as the project develops.

**If there is no personal data involved then go to Section 8 – Conclusions.**

*"Personal data" means any information relating to an identified or identifiable living individual - Section 3(2) of the Data Protection Act 2018.*

Does the intended processing of personal information involve any of the following?

	<b>Intended processing</b>	<b>Yes</b>	<b>No</b>
1.	Systematic and extensive profiling with significant effects?		✓
2.	Large scale use of sensitive data?		✓
3.	Public monitoring?		✓
4.	New technologies (processing involving the use of new technologies, or the novel application of existing technologies (including AI)?		✓
5.	Denial of service: decisions about an individual's access to a product, service, opportunity or benefit which is based to any extent on automated decision-making (including profiling) or involves the processing of special category data?		✓
6.	Large-scale profiling: any profiling of individuals on a large scale?		✓
7.	Biometrics: any processing of biometric data?		✓
8.	Genetic data: any processing of genetic data?		✓
9.	Data matching: combining, comparing or matching personal data obtained from multiple sources.		✓
10.	Invisible processing: processing of personal data that has not been obtained direct from the data subject in circumstances where the data controller considers that compliance with Article 14 of the GDPR would prove impossible or involve disproportionate effort.		✓
11.	Tracking: processing which involves tracking an individual's geolocation or behaviour, including but not limited to the online environment.		✓
12.	Targeting of children or other vulnerable individuals: the use of the personal data of children or other vulnerable individuals for marketing purposes, profiling or other automated decision-making, or if there is an intention to offer online services directly to children.		✓
13.	Risk of physical harm: where the processing is of such a nature that a personal data breach could jeopardise the physical health or safety of individuals.		✓
14.	Any other processing which is large scale involves profiling or monitoring, decides on access to services or opportunities or involves sensitive data or vulnerable individuals.		✓

## Step 1 – Identify the need for a DPIA

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

The DPIA has been requested by the Commissioner as it forms part of the tendering exercise. The aim of Uniting Staffordshire Against Hate (USAH) is to offer support and advice to victims of hate crime and incidents in Staffordshire to enable them to cope with and recover from the harm arising from their experience. Further details of how this will be done and the specific activities involved can be found in the service specification and the response to the tender submitted by SNSCAB. Victims of a hate crime or incident will be directly referred from the Force system to the Victim Gateway case management system. The Gateway will store the data on their CMS and use it to contact victims of hate crime / incidents to offer practical and emotional support. The data will be retained as per CABs Data Protection Policy.

## Step 2 – Describe the processing

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

Data will be received from several sources:

- The existing daily data feed from Staffordshire Police
- Victims self-referring into the service via various channels – telephone, email, messaging
- Third party organisations (statutory and voluntary) referring victims to us.

Data will be entered into the SVG case management system and analysed by the system to identify enhanced or standard cases using data provided by the referrer. This analysis determines the method used to contact the victim to make the offer of support. The distinction is based on the Victims Code criteria. The case management system is stored on separate, locally hosted servers and is only accessible by staff with the correct permissions. Permissions are only granted to staff with a need to access the data who have passed police vetting.

Data about the victim is retained in the system to ensure we can continue to provide advice and support, record it accurately and collect the information required to comply with reporting requirements.

Data for support cases will be transferred to a workbook, which is also stored securely in SNSCAB's system and only accessible by staff with the necessary permissions. This data is retained to enable

support to be provided effectively and to support the overarching aims of enabling the victim to cope and recover.

Date is deleted securely if victims do not respond to the offer of support, decline an offer of support after an initial contact or when their support has finished and the case has been closed. The timings vary depending on the data collected and the requirements of our professional indemnity insurance.

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

The following data is received via the police data feed:

Name

Date of birth

Address

Contact details (telephone and sometimes email)

Name of safe person to contact if not the IP

Ethnicity

Domestic or racial indicator

Crime description (MO)

Aggravating factors

Perpetrators relationship to IP

Crime reference

Crime SN

HO class

Crime type

Police Station

Police Officer (sometimes, however can often be response officer not OIC of the case)

Date of report

Date received by CAB

Vulnerabilities

3<sup>rd</sup> party agencies

This data (or as much as is relevant in each individual case) will be collected from self-referrals and third party referrals as well.

To this we will add, once we have made contact with the IP and been able to assess their need more detail about the offence and their reaction to it and an assessment of their support needs. As hate crimes involve a crime motivated by the IP's protected characteristic(s) much of the crime-specific data falls within the definition of sensitive personal data. This data is collected to enable us to assess their needs and make an appropriate offer of support.

Where IPs request support beyond the initial assessment, advice and information, further data is added in the form of case notes. These will contain a wide range of data, usually in narrative form

and retained to record the support that is given so there is a record of the actions discussed and taken, the responses received from third parties. We also collect and retain explicit consent to record and store data and share data with specific, relevant third parties.

Data is collected for each IP as often as the IP has contact with us which will vary from case to case. It is difficult to forecast the numbers of data subjects as much of the available data refers to crimes and not IPs (it is common for IPs to experience multiple incidents/crimes) and historically hate crime has been under reported and we are seeking to increase reporting rates.

Data will be collected for victim's resident in or whose crime has taken place within Staffordshire and Stoke-on-Trent.

Police data is not shared with other agencies. When referrals are made personal data is included such as name d.o.b, address with victim's consent.

Data is stored for 6 months if not used and for 7 years if the case is triaged and consent to store is given by the victim as per CAB's data retention policy.

Automatic disposal set on the CMS system for 6 months or 7 years depending on activity as above from the day data is received.

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

The relationship is created through the Gateway making contact with a victim soon after they have become subjected to a hate crime / incident in order to provide a service which will help them to cope and recover from the impact and the harm they have experienced.

Once contact is made then consent is sought before any services or information is provided and so control is exercised by the victim at the point of contact. Consent can be withdrawn at any time. This continued act will comply with ICO guidance and replace the previous arrangement where implicit consent was assumed BEFORE contact. At this point an explanation is provided to the victim on how their information will be used.

IPs retain control over the data processed by SNSCAB and can request their rights under the DPA. Data that is jointly controlled by SNSCAB and Staffordshire Police is subject to different sections of the DPA and any requests to exercise DPA rights will be cleared with Staffordshire Police.

Service users include vulnerable people and children and from within other sensitive categories, including; disability, ethnicity, gender etc. Provisions are tailored to suit different crimes and victims

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

As stated the purpose is to facilitate the transfer of data from Staffordshire Police to the Gateway to enable our staff to contact victims to provide support through giving tailored information and advice which will help victims cope and recover from the impact of crime and the harm they have experienced.

To record and retain data provided by third party organisations making referrals to support this process. To retain and process data for anonymised reporting to commissioners.

The further benefits include; assisting service users to traverse the criminal justice system which would lead to greater engagement and, thereby, increased conviction rates, prevention of re-victimisation and, more broadly, to reduce crime.

### Step 3: Consultation process

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

We will consult with the main stakeholders as and when required. As this is essentially an extension of the previous arrangements operated by the Gateway there are no immediate needs to undertake additional consultation.

### Step 4 – Assess necessity and proportionality

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

SNSCAB's lawful basis for processing will be 'legitimate interest' until such time as we have made contact with the IP and they have agreed to have their needs assessed or they have requested support. The 'legitimate interest' is fulfilling the aims of the Gateway in making an offer of support to IPs in line with the Victims' Code.

Once we have made contact with the IP or they have requested support, then our lawful basis for processing will be 'explicit consent', which will be obtained and recorded at the initial assessment and reviewed at regular interviews. IPs are at liberty to withdraw their consent at any time.

The processing does achieve our purpose and there is no other way of doing this.

The Gateway and USAH's functions are defined by their agreements with the OPCC and these contracts prevent function creep.

Data quality will be assured by regular case note checking by Supervisors, which will also ensure excessive data is not being processed.

IPs will be informed of SBSCAB's privacy notice, which is available on our main website and will be included on the new SVG website when complete. IPs can exercise their DPA rights (detailed within the privacy notice) over any data for which SNSCAB is the sole processor and, in more limited circumstances over data for which we are joint processors with Staffordshire Police, with their permission.

Case note checking is the principal measure for ensuring compliant processing.

There will be no international transfers. All data is and will continue to be stored on servers located within the UK.

## Step 5: Identify and assess risks

<b>Describe the source of risk and nature of potential impact on individuals.</b> Include associated compliance and corporate risks as necessary.	<b>Likelihood of harm</b> Remote, possible or probable	<b>Severity of harm</b> Minimal, significant or severe	<b>Overall risk</b> Low, medium or high
1) Risk of contacting perpetrator instead of victim due to data being inaccurate. Potential individual injury / death – loss of public confidence and reputational damage.	Possible	Significant	Medium
2) Incorrect address – could disclose the name of the victim and the fact that they have experienced crime to neighbour etc, especially if the neighbour is the perpetrator.	Possible	Significant	Low
3) Delays due to inaccurate and incomplete data could lead to victims not receiving advice that could prevent re victimisation and recovery from the effects of crime	Possible	Significant	Medium

4) Failure to comply with contractual / retention policy / GDPR / DPA requirements.	Remote	Significant	Low
5) Failure to conduct suitable security checks	Remote	Significant	Low
6) Third party/data processor misuses the data	Remote	Significant	Low
7) Gateway system is hacked	Remote	Significant	Low
8) Incorrect data fields shared	Remote	Significant	Low
9) Email containing details sent to incorrect email address or intercepted during transit	Remote	Significant	Low
10) Gateway use data for purpose other than specified in the contract	Remote	Significant	Low
11) Gateway use the data without the consent of the data subject	Remote	Significant	Low
12) Gateway allow un-vetted staff to access the data	Remote	Significant	Low

### Step 6: Identify measures to reduce risk

<b>Identify additional measures you could take to reduce or eliminate risks identified as medium or high risk in step 5</b>				
<b>Risk</b>	<b>Options to reduce or eliminate risk</b>	<b>Effect on risk</b> Eliminated, reduced or accepted	<b>Residual risk</b> Low, medium or high	<b>Measure approved</b> Yes/no
1)	Definitive clarification in written format to data processor.	Eliminated	Low	
3)	Liaise with Police to ensure quality of data	Reduced	Medium	

**Step 7: Sign off and record outcomes**

<b>Item</b>	<b>Name/date</b>	<b>Notes</b>
<b>Measures approved by:</b>		Integrate actions back into project plan, with date and responsibility for completion
<b>Residual risks approved by:</b>		If accepting any residual high risk, consult the ICO before going ahead
<b>DPO advice provided:</b>	<b>David Morris (PFCC DPO)</b>	HIA should advise on compliance, step 6 measures and whether processing can proceed
<p><b>Summary of DPO advice:</b>  The DPIA is clear that data is primarily sourced from Staffordshire Police and I am aware that the relevant sharing agreement and DPIAs have been completed in relation to that processing and ownership of the data. I am reassured that the relevant safeguards are in place and that CAB has a pro-safety culture and carefully and securely stores and processes the relevant information. On the basis of the information contained within this DPIA I am not convinced that there is high risk leading to a data breach and satisfied therefore with the ongoing management of data.</p>		
<b>DPO advice accepted or overruled by:</b>		If overruled, you must explain your reasons
<b>Comments:</b>		
<b>Consultation responses reviewed by:</b>		If your decision departs from individuals' views, you must explain your reasons
<b>Comments:</b>		
<b>This DPIA will be kept under review by:</b>		The DPO should also review ongoing compliance with DPIA

**Step 8 - Conclusions**

***Please provide a summary of the conclusions that have been reached in relation to this projects overall compliance with the DPA. If screening did not require a DPIA please state the reason below and attach a copy of this form to project/contract documentation.***

This DPIA has been undertaken with the assistance of key representatives to obtain an understanding of what data is processed together with how, where, when and why. A number of risks have been identified together with suggestions on how they may be reduced or eliminated.

<b>Sign-Off Authority</b>	<b>Role</b>	<b>Date</b>	<b>Signature</b>
	<b>Project Manager</b>	<b>20.12.21</b>	<b>N. Jolley</b>
	<b>Information Asset Owner</b>		
	<b>Data Protection Officer</b>	<b>05/01/2022</b>	<b>D Morris</b>
	<b>Senior Information Risk Owner (SIRO)</b>		



**STAFFORDSHIRE COMMISSIONER**  
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# Data Protection Impact Assessment for Harmony ASB & Mediation Service

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The DPIA guidance should be read in conjunction with the completion of this DPIA.

Upon completion of the DPIA template the Project Manager and IAO will review, sign off and send a copy to the Data Protection Officer for advice. The DPIA will then be considered and signed off by the Senior Information Risk Officer (SIRO). The SIRO may at this point ask that additional work is carried out or may decline the proposal and not accept any risks identified.

If the DPIA identifies a high risk and measures cannot be undertaken to reduce the risk then there is a requirement for the Data Protection Officer to consult with the Information Commissioner's Office (ICO).

This DPIA should be filled out at the beginning of any major project involving the use of personal data, or if you are making a significant change to an existing process. The final outcomes should be integrated back into the project plan.

Should you have any queries in relation to the Data Protection Impact Assessment Process then please contact the Data Protection Officer.

**DOCUMENT CONTROL**

<b>System Owner</b>	<b>Business Lead</b>	<b>Information Asset Owner</b>	<b>Project Manager</b>
	Nicky Jolley		Paula Hammond

<b>Author</b>	<b>Role</b>	<b>Department</b>
M Hancox	Area Manager	Victim Support

<b>Version</b>	<b>Version date</b>	<b>Requester of change</b>	<b>Summary of change(s)</b>
0.1	02.11.2021		

## Screening Questionnaire

The following questions are intended to help you decide whether a DPIA is necessary. The DPIA guidance document will assist you during the project lifecycle. Answering 'yes' to any of the following screening questions is an indication that a DPIA is required.

You can expand on your answers as the project develops.

**If there is no personal data involved then go to Section 8 – Conclusions.**

*"Personal data" means any information relating to an identified or identifiable living individual - Section 3(2) of the Data Protection Act 2018.*

Does the intended processing of personal information involve any of the following?

	<b>Intended processing</b>	<b>Yes</b>	<b>No</b>
1.	Systematic and extensive profiling with significant effects?		X
2.	Large scale use of sensitive data?		X
3.	Public monitoring?		X
4.	New technologies (processing involving the use of new technologies, or the novel application of existing technologies (including AI)?		X
5.	Denial of service: decisions about an individual's access to a product, service, opportunity or benefit which is based to any extent on automated decision-making (including profiling) or involves the processing of special category data?		X
6.	Large-scale profiling: any profiling of individuals on a large scale?		X
7.	Biometrics: any processing of biometric data?		X
8.	Genetic data: any processing of genetic data?		X
9.	Data matching: combining, comparing or matching personal data obtained from multiple sources.		X
10.	Invisible processing: processing of personal data that has not been obtained direct form the data subject in circumstances where the data controller considers that compliance with Article 14 of the GDPR would prove impossible or involve disproportionate effort.		X
11.	Tracking: processing which involves tracking an individual's geolocation or behaviour, including but not limited to the online environment.		X
12.	Targeting of children or other vulnerable individuals: the use of the personal data of children or other vulnerable individuals for marketing purposes, profiling or other automated decision-making, or if there is an intention to offer online services directly to children.		X
13.	Risk of physical harm: where the processing is of such a nature that a personal data breach could jeopardise the physical health or safety of individuals.		X
14.	Any other processing which is large scale involves profiling or monitoring, decides on access to services or opportunities or involves sensitive data or vulnerable individuals.		X

## Step 1 – Identify the need for a DPIA

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

Asked to complete DPIA by Commissioner. Data transferring from Data Controller (police) to Data Controller (VS) via referral process via secure CJSM email. VS to process data as controller as data supplied under GDPR Consent basis.

VS to store data on in house secure CMS and use data to contact victims of ASB to offer full remit of service.

Data to be retained as per VS Information Security Policy.

## Step 2 – Describe the processing

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

We are not processing – we are the Controller as based on consent to refer.

Collect via CJSM referral forms attached

Store on CMS – approved security accreditation

Data will only be onward shared with explicit consent of victim – unless exemption e.g.

Safeguarding

No identified high-risk processing

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

Nature of data – personal details (name, address, contact details), special category as may contact EDI information/demographics, notes in regard to personal characteristics.

How much data unknown – as dependant on police processes in referring to Harmony

Daily referrals expected

Data will be retained for 6 years – deleted by subjects request (VS process followed) or deleted if no contact made and case not active on system.

Data from data subjects across Staffordshire and Stoke on Trent.

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

Data subjects will be aware their data is being shared with VS (Harmony ASB service),  
Data subjects can ask for a SAR but will not be able to directly access their data.  
Data may include children if the young person has been referred to us or if the details of the children are included within the referral made.  
No prior concerns  
Not novel – this process followed in many PFAs  
Technology fine – CJSM exchange and VS CMS of secure status – no additional paper records for example will be held  
No public concern

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

To contact victims of ASB to offer support and mediation services  
Effect – to alleviate the impact of ASB, reduce demand on statutory services and find resolution to the situation  
Benefits – information re. history, interventions to date and named OIC working on the case for point of liaison

### Step 3: Consultation process

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

No need – consent based sharing of data  
We have VS Risk Management lead who is aware of this DPIA

### Step 4 – Assess necessity and proportionality

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

Consent  
 Purpose achieved – as able to contact and understand needs/risks for Victim Support  
 No other way to achieve as cannot access force systems  
 Function creep will not happen as limited by consent referrals  
 Referral form created to ensure data quality and minimisation  
 No outside service transfer without data subject consent

### Step 5: Identify and assess risks

Describe the source of risk and nature of potential impact on individuals. Include associated compliance and corporate risks as necessary.	Likelihood of harm	Severity of harm	Overall risk
Risk data not sent via CJSM Risk data sent without victim consent Risk data lost / mishandles by VS employee	Remote, possible or probable  Remote Possible Remote	Minimal, significant or severe  Minimal Minimal Minimal	Low, medium or high  Low Low Low

### Step 6: Identify measures to reduce risk

Identify additional measures you could take to reduce or eliminate risks identified as medium or high risk in step 5				
Risk	Options to reduce or eliminate risk	Effect on risk	Residual risk	Measure approved

Risk data not sent via CJSM	Only option provided	Eliminated, reduced or accepted	Low, medium or high	Yes/no
Risk data sent without victim consent	Referral rejected if not clear consent provided and data returned	Eliminated	Low	
Risk data lost / mishandles by VS employee	Training Misconduct processes	Reduced	Low	

### Step 7: Sign off and record outcomes

Item	Name/date	Notes
<b>Measures approved by:</b>		Integrate actions back into project plan; with date and responsibility for completion
<b>Residual risks approved by:</b>		If accepting any residual high risk, consult the ICO before going ahead
<b>DPO advice provided:</b>		HIA should advise on compliance, step 6 measures and whether processing can proceed
<b>Summary of DPO advice:</b> Based on the details provided within this document there does not appear to be any change, modification, or new data being processed, the rights of the data subjects appear to be protected and actively reinforced through consent. Based upon those facts no further actions are necessary.		
<b>DPO advice accepted or overruled by:</b>		If overruled, you must explain your reasons
<b>Comments:</b>		

<b>Consultation responses reviewed by:</b>		If your decision departs from individuals' views, you must explain your reasons
<b>Comments:</b>		
<b>This DPIA will be kept under review by:</b>		The DPO should also review ongoing compliance with DPIA

## Step 8 - Conclusions

*Please provide a summary of the conclusions that have been reached in relation to this projects overall compliance with the DPA. If screening did not require a DPIA please state the reason below and attach a copy of this form to project/contract documentation.*

Sign-Off Authority	Role	Date	Signature
	<b>Project Manager</b>	<b>15.11.21</b>	<b>N Jolley</b>
	<b>Information Asset Owner</b>		
	<b>Data Protection Officer</b>	<b>16/11/21</b>	
	<b>Senior Information Risk Owner (SIRO)</b>		



# Equality Impact Assessment



**STAFFORDSHIRE COMMISSIONER**  
Police | Fire and Rescue | Crime

The purpose of this EIA is to ensure you consider any equality issues as part of your decision making when developing / reviewing your policy / procedure.

Please complete the sections below and send to the Staffordshire Commissioner's Office to be quality assured. New / revised policies cannot be published on the policy database until the EIA has passed the quality assurance process.

<b>Title of policy/procedure:</b>	Contract Award - Hate Crime Service and ASB & Mediation Service
<b>Department:</b>	Commissioning and Partnerships
<b>Date:</b>	9 <sup>th</sup> December 2021

## 1. Identify the aims and purpose of the policy

The Hate Crime Service and the ASB & Mediation Service will enable a high quality, personalised and tailored provision across Staffordshire and Stoke-on-Trent, which will help victims recover from the impact of the crime / incident and the harm they have experienced irrespective of whether they wish to report the crime / incident to the police or not. Both services will be accessible in a variety of ways, acting in the interest of the victim at all times, provided without discrimination and available irrespective of residence status, citizenship, or nationality.

Both services will provide:

- A specialist support service, including tailored advice, guidance, information, practical and emotional support;
- Targeted awareness and education sessions within education settings and communities;

- Training and awareness sessions for professionals to improve their knowledge and understanding;
- Annual communication campaigns to improve access to each service.
- A mediation service providing confidential, impartial mediation between both or multiple parties (ASB only).

**2. Identify the individuals and organisations who are likely to have an interest in, or be affected by the policy.**

Victims of hate crime / incidents  
 Victims of ASB  
 CAB / Staffordshire Victim Gateway  
 Voluntary Sector  
 Staffordshire County Council  
 Stoke-on-Trent City Council  
 Staffordshire Police  
 Victim Support  
 8 Districts / Boroughs in Staffordshire  
 Housing Providers

**3. Data**

Summarise the findings of any monitoring data / information which you have considered regarding the impact of this policy on people from all or any of the protected groups. This could include national or local data.

**Hate:**

- In 2020/21 police forces (excl. GMP) across England and Wales recorded a total of 114,958 hate crimes. Of those, 85,268 were racially motivated. Staffordshire recorded 1,367 offences for the same period.
- For the period 2019/20 the average age of a Staffordshire female victim of hate crime was 37yrs and for males was 38yrs.
- Victims of hate crime are slightly more likely to live in urban areas than victims overall. Victims of hate crimes are more likely to belong to the Mosaic group 'Transient Renters' than victims overall.

**ASB:**

- In 2019/20 police forces (excl. GMP) across England and Wales recorded a total of 1,309,108 ASB Incidents. Staffordshire recorded 32,088 offences for the same period.
- ASB accounts for 14% of police demand and 44% of residents consider it a local issue.
- Profiled survey responses using Mosaic social and area segmentation data show there is a clear indication that ASB is more likely to be a problem in more urban areas with greater socio-economic challenges.

**3.1 Age**

Both services are available to child victims (0-17yrs or 0-25yrs for SEND) and adult victims 18+.

**3.2 Disability**

Both services will be available to all disabled people.

**3.3 Race**

Both services will be available to any victim regardless of their race.

**3.4 Religion or Belief**

Both services will be available to any victim regardless of their religion or belief.

**3.5 Sex**

Both services will be available to any victim regardless of their sex.

**3.6 Sexual Orientation**

Both services will be available to any victim regardless of their sexual orientation.

**3.7 Transgender**

Both services will be available to any transgender victim.

**4. Research**

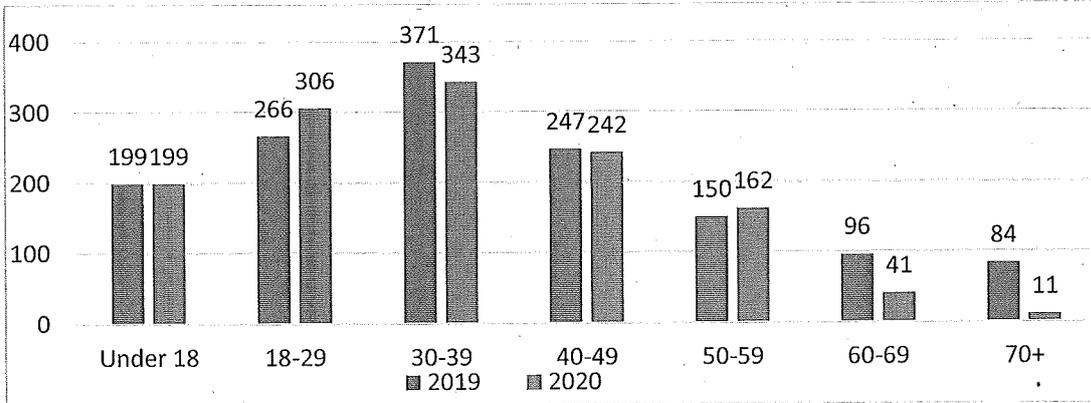
Summarise the findings of any research you have considered regarding this policy for all or any of the protected groups. This could include information you have obtained from other sources e.g. Home Office.

Antisocial Behaviour, Crime and Policing Act 2014 - The Act provides the Police, Local Authorities (LAs) and other agencies with a range of flexible tools and powers that they can use to respond quickly and effectively to ASB e.g. civil injunctions and criminal behaviour orders.

Home Office Action Against Hate - Action against Hate is the UK Government's programme of actions to tackle hate crime. The action plan represents a partnership between the Government, criminal justice agencies and community groups. It focuses on 5 key areas which will tackle hate crime from the beginning to the end; understanding the drivers of hate crime and dealing with its causes to providing improved support to victims. The 5 key areas are: preventing hate crime, responding to hate crime, increasing the reporting of hate crime, improving support and building understanding through improved data.

### 4.1 Age

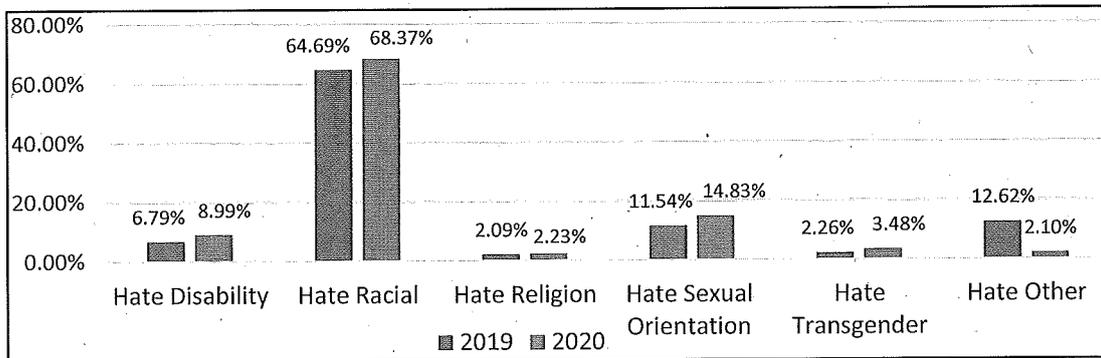
- For the period 2019/20 the average age of a Staffordshire female victim of hate crime was 37yrs and for males it was 38yrs.
- Age profile for victims of hate crime:



There is no ASB data available for this cohort accessing the service. However, this service will be available to any victim regardless of their age.

### 4.2 Disability

- Type of hate crime as a percentage:



There is no ASB data available for this cohort. However, this service will be available to any victim regardless of their disability.

### 4.3 Race

- BME victims are disproportionately represented in hate crime.
- Compared to crime overall, where BME victims make up around 8.1% of the cohort around 50.4% of those experiencing hate crimes are from BME heritages with the majority of these (27.2% of all hate crime victims) self-defining their ethnicity as Asian.
- See chart in section 4.2 re. hate crime.

There is no ASB data available for this cohort. However, this service will be available to any victim regardless of their race.

#### **4.4 Religion or Belief**

- See chart in section 4.2 re. hate crime.

There is no ASB data available for this cohort. However, this service will be available to any victim regardless of their religion or belief.

#### **4.5 Sex**

- Hate-crime victims are slightly more likely to be males than female (59.9% male compared to 40.1% female).

There is no ASB data available for this cohort. However, this service will be available to any victim regardless of their sex.

#### **4.6 Sexual Orientation**

- See chart in section 4.2 re. hate crime.

There is no ASB data available for this cohort. However, this service will be available to any victim regardless of their sexual orientation.

#### **4.7 Transgender**

- See chart in section 4.2 re. hate crime

There is no ASB data available for this cohort. However, this service will be available to any transgender victim.

### **5. Consultation**

Summarise the opinions of any consultation for all or any of the protected groups. Who was consulted and how e.g. survey, discussion, forum. If there was no consultation please justify why.

A Victim and Witness Needs Assessment was completed in 2018 and more recently in 2021. Stage two of the Assessment included interviewing a number of victims of crime; seeking their views on the Police, court process, recovery and the support they had received, communication and the impact on their mental health.

The 2018 Assessment found that Antisocial behaviour was more often raised as an issue by local communities than crime and can be a long term, repeating problem for victims and witnesses.

For the 2021 Assessment, 35 victims of various crime types were interviewed, including victims of hate and ASB. The following key issues were identified:

#### **Hate crime**

Verbal abuse focused on protected characteristics such as race, religion or being gay or lesbian. Interviewees had experienced racial abuse and harassment, homophobic abuse, transphobic abuse and one experienced both racial and

homophobic abuse. Only one case of hate crime was reported as a single incident. In all other cases it had been taking place over a number of years and in all but one instance, was ongoing at the time of the interview.

### **Antisocial Behaviour**

It was evident that victims of anti-social behaviour were frequently subject to multiple forms of aggression, including verbal abuse, intimidation and threats, harassment, bullying, animal nuisance, loud intrusive noise and vandalism. In the majority of all cases the perpetrators were next door neighbours, which intensified the friction and aggression.

#### **5.1 Age**

See above.

#### **5.2 Disability**

See above.

#### **5.3 Race**

See above.

#### **5.4 Religion or Belief**

See above.

#### **5.5 Sex**

See above.

#### **5.6 Sexual Orientation**

See above.

#### **5.7 Transgender**

See above.

### **6. Conclusions**

Taking into account the results of the monitoring, research and consultation, set out how the policy impacts or could impact on people from the following protected groups? (Include positive and/or negative impacts).

Both the Hate Crime Service and the ASB & Mediation Service will not have an adverse impact on any of the equality strands.

It is available to victims of crime / incidents, regardless of whether the crime / incident has been reported to the Police or not. They will be sensitive to diversity; support individuals of all genders, ages, ethnicity and sexual orientation, religion or beliefs, languages or those with a disability and all literacy levels regardless of residence status / citizenship.

**6.1 Age**

See conclusions.

**6.2 Disability**

See conclusions.

**6.3 Race**

See conclusions.

**6.4 Religion or Belief**

See conclusions.

**6.5 Sex**

See conclusions.

**6.6 Sexual Orientation**

See conclusions.

**6.7 Transgender**

See conclusions.

### **7. Decisions**

If the policy will have a negative impact on members of one or more of the protected groups, explain how the policy will change or why it is to continue in the same way.

If no changes are proposed, the policy needs to be objectively justified.

There is no anticipated negative impact expected.

### **8. Monitoring arrangements**

If the policy is new what consideration has been given to piloting the policy?

If monitoring is not already in place what arrangements have been made to monitor the effects of the policy on equality and diversity?

These are newly commissioned services covering a three-year period 1<sup>st</sup> October 2021 to 30<sup>th</sup> September 2024. Services for both hate crime and ASB have previously been delivered on a grant basis and funded by the PCC and the Local Authority CSPs. Piloting the two new services is therefore not required.

Contract management and performance monitoring will continue to be overseen by the Commissioners who report to the Victim and Witness Commissioning and Development Board.

**This equality impact assessment will be published on the SC website.**

EIA Form Dated  
01/08/2018