West Midlands Police

Data Protection Impact Assessment (DPIA) – Stage 1

This form is Stage 1 of the Data Protection Impact Assessment (DPIA) process. You are advised to refer to the guidance material available before completing the form.

Data Protection Impact Assessment (DPIA)		
Please provide as much detail as possible, avoiding technical language and acronyms, explaining the proposal in a way that someone with no prior knowledge could easily understand.		
Section 1 - Governance		
Project Proposal Name:	IOM Model	
Information Asset Owner:		
Information Custodian:		
DPIA Coordinator:	███████████	
Date on which processing will commence:	01/10/2018	
Date submitted to DPO:	DD/MM/YYYY	
Note: DPO will give an **initial response** within 10 working days of receiving the completed form.		
DPO Assessment		
DPO Use Only		
A. DPIA is not mandatory.	☐	
B. DPIA is not required as long as the remedial action listed is carried out. If the remedial action is not carried out, a DPIA will be required.	☐	
C. DPIA is mandatory.	☒	

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Section 2 - Purpose, Scope and Context

In this section you must explain what the processing is, who it will involve, and the intended impact. You must also demonstrate why the processing is necessary and proportionate, providing evidence to support your assessment.

- The processing must be **necessary** for the specific objective of the proposal.
- It must also be **proportionate**, meaning that the advantages resulting from the processing should not be outweighed by the disadvantages to individuals.

2.1 Please briefly explain the specific aim and purpose of the proposal in a way that someone with no prior knowledge could easily understand; avoid technical language and acronyms.

For individuals who come under the WMP Offender Management process a management plan is put in place which can outline processes and programmes to enable these individuals to move away from continued criminal behavior. Potential interventions that an Offender Manager can provide can range from help with finding training, employment or housing, entering into drug rehabilitation programmes through to risk management of certain offenders, setting license conditions with probation, etc. This project aims to enable Offender Managers to better ascertain who could benefit from such actions (as is their current role) out of the potential thousands of candidates. Essentially, this project aims to reduce the level of harm created within the West Midlands Police area through reducing criminal behavior, via providing Offender Managers with the means to better focus their ▇▇▇▇ resources.

▇▇. The Cambridge Crime Harm Index (CCHI) is applied as a measure of harm. The CCHI is based on the recommended guidelines for sentencing for first time offences. ▇▇▇

▇▇

Each of the crimes is then matched to a value from the CCHI. The log to the base 10 is then used in order to reduce the potential for volatility and skewing of the score due to the orders of magnitude differences between the different crimes. This is then summed over each individual following the application of an exponential weight decay to reflect the passage of time (so, for example, a robbery committed 2 years ago scores lower than a robbery committed yesterday). Subject matter experts considered that it would be important to reflect the harm of those who are currently serving custodial sentences without this being reduced due to time effects. For this reason, for those who are currently in prison, the time decay starts from the point at which they entered prison (for the current sentence), ▇▇▇

When consulting with subject matter experts it was also considered that the use of drugs and alcohol were also important considerations in the committing of crime and so in creating harm.

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Whether a crime was related to alcohol or whether a nominal is addicted to alcohol has been taken from the crimes system. Drug usage (and whether an individual has tested positive for a particular substance) has been taken from data arising from the DiP data. These have then formed weights to be applied as part of the RFSDi. These weights have been determined via a statistical methodology so that these are determined based on the data and are not derived subjectively.

subject matter experts also considered it important to include information from the ███ created via the match and merge process (this ensures, as far as is possible that individuals are not duplicated across data from the various different systems and therefore that the data are as accurate as possible). ██

Changes in behaviour are also accounted for in the RFSDi by way of applying weights (ascertained via a similar method as for ████████████████████████) in relation to the trajectory of an individual's behaviour in terms of harm and frequency – if the trajectory is upwards, a positive weight is applied, if downwards, a negative weight.

The different elements are then multiplied to produce the final RFSDi. The RFSDi is then split into 5 groups; low, low medium, high medium, high and super high. It should be noted that whilst end users will see the RFSDi, they will not see the underlying calculation.

The second element is a predictive statistical model that estimates the probability that an individual, based on their criminal behaviour (as well as █████████ will move from the low and medium categories of harm into the high or super high categories. A second statistical model also aims to predict, should an individual be more likely than not to move into the higher harm groups, what type of crime they are likely to commit next ███████████████████████ ███████████ This model uses the same data as the first model.

With the means of filtering on both the estimated probability and (potentially) the next most likely type of crime, taken together with their current risk assessment processes, expertise and knowledge, this project should enable a focusing of Offender Manager resources in reducing crime within the West Midlands Police area; Offender Managers will ultimately make decisions as to the applicability of the offender management process for individuals (as they currently do).

2.2 What categories of personal data will be processed? Provide an overview of the categories of personal data that will be processed, for example: names, DOBs, addresses, health data, criminal records, or any other unique identifiers such as IP addresses, usernames, e-mail addresses.

Only data from West Midlands Police systems are used (Crimes (crimes committed), ████████ ██████████ ICIS (custody), ██████████████████████████), ██████████████████████) and ██

2.3 Will special category data be used in the proposal? (Select all that apply)

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(Update when complete)

☐ Race	☐ Trade union membership
☒ Ethnic origin	☐ Genetic Data
☐ Political opinions	☐ Biometric Data
☐ Sex life	☐ Sexual orientation
☐ Religion	☐ Health
☐ Philosophical beliefs	☑ None

2.4 How will the data be collected? Briefly outline how you will obtain the data, examples include: directly from data subjects, from another data set already in the WMP's possession, from a different force.

Please refer to the General Data Analytics Lab (DAL) DPIA.

2.5 How will the data be used? Briefly describe how the data will be used, recorded, and stored and who it will be shared with.

Please refer to the General DAL DPIA.

For this project, the data are analysed in order to calculate the RFSDi score and undertake the predictive modelling as noted above.

2.6 How many individuals will the processing affect? (Please specify one answer below)

☐ Fewer than 100 data subjects

☐ 100 to 1000 data subjects

☐ 1000 to 5000 data subjects

☒ More than 5000 data subjects

2.7 What categories of data subject are involved? (Please select all applicable categories below)

☐ Persons suspected of having committed or being about to commit a criminal offence

☒ Persons convicted of a criminal offence

☐ Persons who are or may be victims of a criminal offence

☐ Witnesses or other persons with information about offences

☒ Children or vulnerable individuals

☐ WMP staff (current and former)

☐ Other

If other then please provide further details below:

Children and vulnerable individuals data may be processed, but only if they have also committed a crime.

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2.8 Will it involve the collection of new information about individuals? Will WMP collect data that it has not previously collected or had access to?
☐ Yes ☒ No

2.9 Data Sharing Does the processing involve:		Select one option
2.10.1	Data being shared with third parties external to WMP or recipients that have not previously had routine access to the information?	☐ Yes ☒ No
2.10.2	Transferring data outside the UK but within the EU?	☐ Yes ☒ No
2.10.3	Transferring data outside the EU?	☐ Yes ☒ No
2.10.4	Storing data using a cloud service provider?	☒ Yes ☐ No
2.10.5	Is there an ISA, contract, or other sharing agreement in place with all parties with whom data will be shared?	☒ Yes – agreements in place ☐ Not yet – agreements required ☐ No – none required

2.10 Why it is necessary to use personal data to achieve the aim and why can't the aim be achieved by other means? For example, can the aim be achieved by using less data or different types of data? Are all categories of data necessary to achieve the aim?
Please refer to the General DAL DPIA. Individual level data are required as their individual criminal history is required in order to calculate the RFSDi score. These datasets are also needed in order to build the statistical model. Offender Managers both risk assess and work with individuals and therefore, to enable them to use the resultant information it necessarily needs to be provided at the level of the individual. The types of data used are required to be processed as certain features will be needed (for, example, total number of crimes in the last 3 months) that require calculation and we cannot, before building the statistical model, know exactly what will be useful and what won't. No other sources of data or mode of analysis can be used to produce the required outputs. Less data cannot be used as, by definition, all individuals need to be put through the process as it is not known beforehand who could benefit from the Offender Management process.

2.11 Explain how the use of personal data is proportionate to the aim of the proposal. Weigh the advantages of achieving your purpose against disadvantages to data subjects.
As well as managing the risk that may be posed by individuals from a criminal point-of-view, Offender Managers essentially aim to dissuade individuals from further criminal activity and offer them a way forward in order to achieve this (whether training, help finding accommodation, etc.) and thereby prevent crime which is a major purpose of WMP. Of course, any process may identify individuals to which it applies which turn out not to be the case (including the existing Offender Management process), however given that any individuals that go through the Offender Management Process (the part to which this project applies) would be offered help that may be a positive benefit to them, is not aimed at punitive measures and that no data or results will be shared with other agencies, it is considered that the disadvantages

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to individuals should be low.

(Aside from the match and merge process, personally identifiable data are not used in the RFSDi calculation or the predictive models. Offender managers do have access to these data as they needed in order to know which offenders to engage with.)

Section 3 – Lawful Basis
3.1 Lawful Basis To process personal data you must have a lawful basis. Please select the one appropriate lawful basis from the drop down list.
Lawful Basis for **Operational Data** (Personal data processed for law enforcement purposes): Necessary for a law enforcement purpose Lawful Basis for **Administrative Data** (Personal data processed for non-law enforcement purposes, e.g. for HR or Commercial purposes): N/A Choose an item.
3.2 Further Special Category Lawful Basis If processing special category data (section 2.3) you must have identified a further lawful condition: N/A
Operational Data: The processing is strictly necessary (please tick to confirm) ☐ **AND** One of the following conditions applies (select from the list): Choose an item.
Administrative Data It is necessary for one of the following conditions (select from the list): Choose an item. **OR** It is in the substantial public interest (tick to confirm) ☐ **AND** for the following purpose: Choose an item.
Section 4 – Review, Retention and Disposal
4.1 Does the proposal have a review, retention and disposal process that complies with WMP Policy? All records must have an initial retention period set by the owner of the information when first created or received; review and disposal criteria are defined within the WMP IM document suite.
☒ Yes ☐ No

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Section 5 – ICO: Additional Factors		

The Information Commissioner's Office have published a number of factors that present a 'high risk' when processing personal data. Saying yes to one or more of the following may indicate that the processing is high risk and a Stage 2 DPIA is likely to be required.

	Does the processing involve:	**Please check either Yes or No**	**If 'Yes' then please provide further details**
5.1	**Systematic, extensive and large scale profiling and automated decision-making about people?** *"Any systematic and extensive evaluation of personal aspects relating to natural persons which is based on automated processing, including profiling, and on which decisions are based that produce legal effects, or significantly affect the natural person"* Profiling is any form of processing where personal data is used to evaluate certain personal aspects relating to an individual, including the analysis or prediction of an individual's performance. Automated decision-making involves making a decision that affects someone by technological means without human involvement, for example issuing speeding fines solely based on evidence captured from speed cameras.	☒ Yes ☐ No	Individuals who have committed crimes will have a harm score calculated (please see above for details). They will also be processed through a statistical model that estimates the probability that they will move into the high harm groups within the next year (for details please see above). Should they be more likely than not to move into the high harm groups, another statistical model will estimate their next most likely crime type. The RFSDi harm score and the estimated probability will be made available for Offender Managers to enable them to focus their resources where most needed. Please note that this process **WILL NOT** involve automatic decision making as Offender Managers will use their existing processes, expertise and professional experience to make any decisions.
5.2	**Large scale use of special category data or criminal offence data?** *"Processing on a large scale of special categories of data, or personal data relating to criminal convictions and offences referred to in Article 10"*	☒ Yes ☐ No	In order to ascertain an RFSDi score, it is necessary to examine criminal histories.
5.3	**Public monitoring?** *"Systematic monitoring of a publicly accessible area on a large scale"*	☐ Yes ☒ No	Click here to enter text.

5.4	**New technologies or techniques?** *"Processing involving the use of new technologies, or the novel application of existing technologies (including Artificial Intelligence)"*	☒ Yes ☐ No	In producing the RFSDi score and the estimated probabilities of moving into the high harm groups involves the use of statistical modelling techniques which are new to WMP. The model building process includes both testing against a test dataset and a beta testing phase where the model's predictions will be tested against what happens on an on-going basis. It is also worth noting that the model has been built in such a way as to place greater emphasis on correctly identifying those who will **NOT** move into the high harm groups rather than placing the emphasis on those who will (i.e. the model is built so as to maximise the true negative rate (specificity) rather than the true positive rate (sensitivity)). This was done so as to minimise the potential for creating false positives.
5.5	**Profiling, automated decision-making or special category data to help make decisions on someone's access to a service, opportunity or benefit?** *"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"*	☐ Yes ☒ No	Click here to enter text.
5.6	**Biometrics/genetic data?** *"Any processing of biometric data"* **and/or** *"any processing of genetic data other than that processed by an individual GP or health professional, for the provision of health care direct to the data subject"* Biometric data can include Facial Recognition technology, fingerprints and is defined as	☐ Yes ☒ No	Click here to enter text.

5.7	**Data matching?** *"Combining, comparing or matching personal data obtained from multiple sources"*	☒ Yes ☐ No	Please refer to the General DAL DPIA.
5.8	**Invisible processing?** *"Processing of personal data that has not been obtained direct from the data subject in circumstances where providing a Privacy Notice would prove impossible or involve disproportionate effort"* For example, when gathering data, without the knowledge of the data subject, in the course of a Police investigation.	☒ Yes ☐ No	Please refer to the General DPIA.
5.9	**Tracking?** *"Processing which involves tracking an individual's geolocation or behaviour, including but not limited to the online environment"*	☒ Yes ☐ No	Please refer to the General DAL DPIA.
5.10	**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 you intend to offer online services directly to children* For example, the use of personal data relating to children for the purposes of marketing their online safety products.	☒ Yes ☐ No	It is possible that data relating to children and vulnerable individuals would be used **if** they have committed crimes.
5.11	**Risk of physical harm?** *"Processing is of such a nature that a personal data breach could jeopardise the [physical] health or safety of individuals".* For example, if data relating to CSAE, HUMINT or protected persons data was compromised then it could jeopardise the safety of individuals.	☐ Yes ☒ No	Click here to enter text.
5.12	**Evaluation or scoring?** *"Aspects concerning the data subject's performance at work, economic situation, health, personal preferences or interests, reliability or behaviour, location or movements" For example,*	☒ Yes ☐ No	Scoring to be undertaken relating to the harm caused by an individual's criminal activities.

	as part of a recruitment process.		
5.13	**Data processed on a large scale.** *Considerations include:* • *The number of data subjects concerned* • *Volume of data and/or range of data items* • *Duration, or permanence, of the data processing* • *Geographical extent of data processing*	☒ Yes ☐ No	The RFSDi scoring and predictive elements would be undertaken over the entirety of those who are (or have been) of defendant status within the WMP crimes system (subject to the management of police information guidelines). This equates to a number of individuals above 5,000 in number and covers the whole of the WMP area.
5.14	**Preventing data subjects from exercising a right?** *The rights are:* • *The right to be informed* • *The right to access data* • *The right to rectification* • *The right to erasure* • *The right to restrict processing* • *The right to object* • *The right to portability* • *Rights relating to automated processing*	☐ Yes ☒ No	Click here to enter text.

Please forward the completed form the WMP DPO.