

# Data Protection Impact Assessment

DPIA Name: **Managed Learning Environment  
( Apprenticeships)**

Ref No:

**Stage 1: Data Protection Impact Assessment screening questions for proposed changes. Please read the DPIA guidance document before completing this form**

	Screening questions	Yes	No
1	Will the project involve the processing of information about individuals? Please note this does include pseudonymised data*	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Will information about individuals be disclosed or shared with organisations or people who have not previously had routine access to the information?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	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 type="checkbox"/>	<input checked="" type="checkbox"/>
4	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"/>	<input checked="" type="checkbox"/>
5	Does any phase of the project utilise automated decision making based on the information provided/ shared	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6	Will the project require you to contact individuals in ways which they may find intrusive? e.g marketing*		<input checked="" type="checkbox"/>

**If the answer is “yes” to any of the questions above then a DPIA must be carried out.**

**Please ensure that this has been to the following :**

**Information Management & Governance, Subject matter experts including Business Partners, ICT, CYBER.**

# Data Protection Impact Assessment

DPIA Name: **Managed Learning Environment  
( Apprenticeships)**

Ref No:

## Stage 2: Data Protection Impact Assessment

### Version control

Version	Status	Revision Date	Summary of Changes	Author
1	draft			Gemma Haynes
2	draft	09.06.20	IM&G comments	Mandy Dobson
3		21.09.2020	Provider now known - final version	Gemma Haynes
4	final draft	23.09.20	final draft	Mandy Dobson

DPIA Approved by Information Asset Owner	Name: Sue Wynne	Date: 21.09.2020
--	--------------------	---------------------

### Section A: New/Change of System/Project General Details

<b>Name:</b> (of the project or change to be delivered)	Apprenticeship Managed Learning Environment and E-Portfolio
<b>Background/ Objectives:</b> (why is the new system / change required?)	<p>Leeds City Council became a provider of apprenticeships in November 2018. Since then, due to the lack of a formal apprenticeship learner management system, we have had to rely on various different mechanisms to monitor apprentices and staff performance and progression including SharePoint; Excel; MS Outlook and Google Classroom. The impact of this, means an enormous amount of staffing time &amp; resource is required to ensure we remain compatible with the requirements of both Ofsted and the ESFA. We have an ambition to become an outstanding provider, and without a learner management system this is not possible as we cannot strive for such high improvements in quality if we cannot monitor learner and staff performance appropriately.</p> <p>Furthermore, as a result of the Covid-19 pandemic, all face to face learning in Leeds ceased during March 2020 and has been transferred to an on-line platform in order to meet ESFA requirements. This has further exacerbated the need for a reliable online learner management system that is capable of meeting the needs of both ensuring learners can progress with their learning but also meets the funding rule</p>

# Data Protection Impact Assessment

DPIA Name: **Managed Learning Environment  
( Apprenticeships)**

Ref No:

	<p>requirements of the ESFA, particularly around the capturing of digital signatures.</p> <p>Prior to the pandemic, each learner would be required to complete an enrolment form when commencing an apprenticeship. This is the first of many forms required to satisfy the requirements of Ofsted and the ESFA. Continuing a paper based process will add unnecessary burden on staff and apprentices as well as increasing the enrolment timescale as paper forms will need to be emailed out to learners for completion and return prior to checking and entering onto Maytas.</p> <p>An on-line enrolment process will reduce the risk of covid-19 virus transmission as there is no need for documentation to change hands and be effectively quarantined for 72 hours before handling. It will also support a digital upload process directly into Maytas rather than the manual process currently undertaken.</p> <p>In addition to learner enrolments; we have identified a number of areas we wish to improve as part of our revised Quality Assurance processes. An online learner management system would equip the Management team with the tools required to monitor learner progression across the Council as well as performance managing our suite of tutors; ensuring we are able to intervene/monitor and take appropriate actions to support higher quality.</p> <p>An online platform would support the Internal Quality Assurance process by ensuring tutors and managers are able to mark learners assignments promptly and efficiently providing feedback to learners in a timely manner with additional quality assurance checks by the Quality Manager. It would enable learners to upload and save work in relation to their apprentices portfolio to evidence their development over time and better prepare them for end point assessment; leading to better results.</p>
<p><b>Information flow diagram*</b> (please see examples in guidance) see section on data mapping</p>	<p>See attached specification document, prepared in partnership with DIS.</p>

# Data Protection Impact Assessment

DPIA Name: **Managed Learning Environment (Apprenticeships)**

Ref No:

<b>State who is the Data Controller*</b> see glossary	Leeds City Council are the data controller for the information within MLE relating to LCC apprenticeships.
<b>Benefits:</b> (explain what the project aims to achieve, what benefits to the organisation, to individuals and to other parties)	<ul style="list-style-type: none"> <li>• Means we can maximise use of officer time / resources</li> <li>• A faster enrolment process</li> <li>• Compliance with ESFA eligibility requirements</li> <li>• Compliance with Ofsted learner progress and development requirements</li> <li>• Reporting tool functionality for Management</li> <li>• Plagirasim checker to ensure authenticity of learners work</li> <li>• Performance dashboard functionality</li> <li>• Portfolio system for apprentices EPA</li> <li>• Ability to track/record apprentices tripartite review meetings</li> <li>• Ability to manage IQA process</li> <li>• Monitor record all paperwork required by ESFA to ensure funding rule compliance ie RPL; ALS; Commitment statements; apprenticeship agreements; 20% time logging; review meeting logs; progress tracking</li> </ul> <p>The above is just a sample of what the Managed Apprenticeship Learning environment will allow us to do. The benefits to the Council are that we can drive up the quality of the apprenticeship provision as we aim to move towards outstanding. The benefits to the learner will be the creation of a single suite for them to access everything in relation to their apprenticeship; they can monitor their own development; set</p>

# Data Protection Impact Assessment

DPIA Name: **Managed Learning Environment  
( Apprenticeships)**

Ref No:

	<p>their own goals; upload evidence and work collaboratively with their tutor and Manager as they work their way through the apprenticeship programme.</p> <p>As well as our ambitions to drive up quality we also have ambitions to expand what we can offer. As we deliver apprenticeships to LCC staff; in turn, the benefits this brings to the overall learner experience will have a knock on effect on the councils workforce as we are able to retain those staff within the council meaning a higher skilled workforce. Financially, once the system is in place and we have the freed up resource to expand our apprenticeship offer, we can look to secure revenue for the Council through our Employer Provider Model.</p>
<p><b>Consultation:</b> (If required detail here any consultation undertaken with the public, partners, internal or external stakeholders)</p>	<p>The Apprenticeship team will oversee the project and decisions will be made by E&amp;S senior managers.</p>
<p><b>Implementation date:</b> for example the timescales required for completion, implementation date</p>	<p>We would aim to have this in place by November 2020 to allow data migration of existing apprentices and to ensure we can complete learner enrolments for new cohorts commencing this Autumn.</p>
<p><b>Relationships / Partnerships:</b> (e.g. with NHS, or private organisation, stakeholders, please also if possible state whether they are designated as data controllers or data processors)</p>	<p>We will receive information from the University of Leeds, Leeds Beckett University and Dutton Fisher regarding our LCC employees completing apprenticeships which will feed into the Apprenticeship system. This may expand to other providers in the future.</p>
<p><b>Project Manager:</b></p>	<p>Name: Martyn Long</p>
	<p>Job Title: Head of Projects and Programmes</p>
	<p>Service: Employment and Skills</p>
	<p>Telephone: 07712 214341</p>
	<p>Email: Martyn.long@leeds.gov.uk</p>
<p><b>Information Asset Owner(s)</b> All information assets must have an information asset owner (IAO). IAO are usually Heads of Service or Chief Officers.</p>	<p>Name: Sue Wynne</p>
	<p>Job Title: Chief Officer</p>
	<p>Service: Employment and Skills</p>
	<p>Telephone: 07891 272823</p>
	<p>Email: sue.wynne@leeds.gov.uk</p>
<p><b>System Administrator</b> (if applicable)</p>	<p>Name: Paul Best</p>
	<p>Job Title: Business Development Manager</p>
	<p>Service: Smart Apprentices</p>
	<p>Telephone: 07841 017 545</p>
	<p>Email: paul.best@smartapprentices.com</p>

# Data Protection Impact Assessment

DPIA Name: **Managed Learning Environment  
( Apprenticeships)**

Ref No:

## Section B: Data Protection Impact Assessment (please complete all questions as fully as possible)

	Question	Response	Guidance document
<b>Processing</b>			
1	Please state the purpose for the processing of the data / information: (for example, service provision, research, audit, employee administration)	The system will be used to support the apprenticeship programme delivered by the Council and will manage enrolment information; learner progress; IQA activity; learner reviews; portfolios and completion data. The data requirements we aim to capture are laid down in the terms of our contract by ESFA and in line with the requirements of the EIF.	
2	Please tick the data items/ information that will be processed	<input checked="" type="checkbox"/> Name <input checked="" type="checkbox"/> Address/Postcode <input checked="" type="checkbox"/> Date of Birth <input checked="" type="checkbox"/> Telephone no/email <input type="checkbox"/> Next of Kin <input checked="" type="checkbox"/> National Insurance Number <input type="checkbox"/> NHS Number <input checked="" type="checkbox"/> Gender <input type="checkbox"/> GP / Consultant <input type="checkbox"/> Pseudonymised	
2b	Special categories and Criminal data	<input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Political opinions/trade union membership <input type="checkbox"/> Religion <input checked="" type="checkbox"/> Physical health <input checked="" type="checkbox"/> Mental health <input type="checkbox"/> Medical history <input checked="" type="checkbox"/> Ethnic Origin <input type="checkbox"/> Sexual life <input type="checkbox"/> Criminal convictions	

# Data Protection Impact Assessment

DPIA Name: **Managed Learning Environment  
( Apprenticeships)**

Ref No:

		We are reliant on article 9 h when processing special categories of personal data and under the data protection act part 1	
2c	Other (please specify)	In line with Council priorities and to ensure we meet funding criteria, we also ask for additional information: Carer Care leaver/in care Current status eg UK resident, refuge, asylum seeker etc Single parent Children under 16	
3a	What is the legal basis you are relying on for the processing of the data/information. (please see guidance section on processing for all of question 3)	Performance of a public task we are required as one of our functions to provide suitable learning environment and opportunities for apprenticeships. We are required under the terms of our contract to provide evidence that learning has taken place. This requires the statutory capture of individual's data which is returned to ESFA via an ILR in accordance with their contract monitoring timetable.	
3b	If you are relying <b>only</b> on consent, did you consider any other legal basis?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3c	If using consent, how will that consent be obtained and recorded and withdrawn if requested? (please state)	N/A	
4	Will personal data items be collected which have not been collected before?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5	The data of approximately how many individuals will be affected?	<input type="checkbox"/> 1-10 <input type="checkbox"/> 10-100	

# Data Protection Impact Assessment

DPIA Name: **Managed Learning Environment  
( Apprenticeships)**

Ref No:

		<input checked="" type="checkbox"/> 100-1000 <input type="checkbox"/> 1000-10,000 <input type="checkbox"/> 10,000+	
<b>6</b>	How is the personal data obtained?	<input checked="" type="checkbox"/> From Client/Service User <input type="checkbox"/> From partner agencies <input type="checkbox"/> From 3 <sup>rd</sup> Party/ Another Individuals <input type="checkbox"/> For employment purposes <input type="checkbox"/> Internal services <input type="checkbox"/> Other	
<b>7</b>	Have the individuals been informed of this processing?	<input type="checkbox"/> Yes (explicit) <input checked="" type="checkbox"/> Yes (implicit i.e. through Privacy notice, website, leaflet etc) <input type="checkbox"/> No	If no please record as a risk in <a href="#">section C</a>
<b>8</b>	Does the information involve new linkage / matching of personal data with data in other collections, or is there significant changes in data linkages / matching?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes please record as a risk in <a href="#">section C</a>
<b>9</b>	Does this project involve utilising data for the purposes of automated decision making/profiling. If so add details (please see guidance section on processing)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Records Management</b>			
<b>10</b>	Does this project create a new Information Asset?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>10a</b>	How will the information be kept up to date and checked for accuracy and completeness?	The Project Team will enter details and accuracy will be checked by Managers. Some of the data may be imported into Maytas ; to feed into the ILR return to ESFA (ESFA will not have direct access to the MLE or Maytas – this is a doanload file) as part of current data checks all information is	If there are no documented procedures to evidence this answer, please record as a risk in <a href="#">section c</a>



# Data Protection Impact Assessment

DPIA Name: **Managed Learning Environment  
( Apprenticeships)**

Ref No:

		reviewed for accuracy at the outset and on completion of the period of learning.	
<b>10b</b>	What processes are in place for data quality checking?	We have Quality Assurance processes in place which will mean all data will be quality checked regularly by the Project Team.	
<b>11</b>	If this project involves a new system, does it have the ability to quarantine information/restrict processing? (See guidance for details)	It is a statutory requirement for us to retain the data so we do not have the ability to restrict processing.	Please see guidance
<b>11a</b>	Does the system have the ability to amend or add notes to data/information at a single data field level?	Yes.	Please see guidance
<b>12</b>	What checks have been made regarding the adequacy, relevance and necessity for the collection of data?	All data collected is either a statutory requirement from ESFA or a Council Equality and Diversity requirement.	If no checks have been made please record this as a risk in <a href="#">section C</a>
<b>13</b>	Where will the information be stored / accessed? (please see guidance section on Record Management for further information about cloud storage)	<input type="checkbox"/> LCC System/ Application <input type="checkbox"/> Sharepoint <input type="checkbox"/> LCC email system <input type="checkbox"/> Paper filing system <input type="checkbox"/> LCC File-Shares (e.g Network Drives) <input type="checkbox"/> Removable media <input checked="" type="checkbox"/> External to LCC (cloud, web hosted) <input type="checkbox"/> other  Online enrolment and then data feeds into Maytas (either manually or automated depending which system we choose and what the functionality is).	
<b>14</b>	What are the retention periods?	We are required to keep learner information for 7 years from the academic year in	If there are no documented retention periods please record as a risk in <a href="#">section C</a>

# Data Protection Impact Assessment

DPIA Name: **Managed Learning Environment  
( Apprenticeships)**

Ref No:

		which the learning period ended – no change from the current process.	
<b>15</b>	How will the information be destroyed when it is no longer required?	<p>This will be dependant on which system we procure; however all of the ones we are looking at have inbuilt retention processes to ensure data is deleted securely within ESFA recommended retention schedules. This will form part of the tender specification.</p> <p>Data stored in Maytas will also be deleted however we are required to retain learner data for 7 years from the academic year in which learning ended.</p>	
<b>15a</b>	If held electronically, can the destruction be certified?	All equipment is disposed of inline with ISO27001 disposal policy stating any media storage devices are properly erased, and remaining electronic equipment is disposed of in accordance with WEEE regulations	
<b>15b</b>	Can the information be deleted at a singular data field level?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Please see guidance
<b>Security</b>			
<b>16</b>	Who will access the information? (i.e. Services, roles, organisations)	<p>The Apprenticeship Team will all require access (P and P Senior Manager x 2; Apprenticeship Manager; Quality Manager; Quality Officer; Project Officer x 2; Tutors x 4; Project Admin x 1). In addition every apprentice (currently approx. 200 on roll) and their Managers (to access and sign off eportfolio work).</p>	

# Data Protection Impact Assessment

DPIA Name: **Managed Learning Environment  
( Apprenticeships)**

Ref No:

		<p>We hope to expand in the future therefore this number will rise.</p> <p>We may also wish to explore allowing access to the providers we subcontract teaching and learning to on some of our apprenticeship programmes (currently University of Leeds; Leeds Beckett University; Dutton Fisher).</p> <p>Nb. an apprentices will only see their own progress; a Manager will only see the e-portfolio for the person they manage; the tutors will only see their own cohorts of learners; the Apprentice Managers will be able to see everything about all learners/tutors performance to performance manage and produce reports.</p> <p>Adminsitrators will need to see similar level of information including enrolment information .</p>	
<b>17</b>	<p>Is there an Access Control Policy in place? (Please see guidance section on Security for further information)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>The system has capability to assign access based on user role; at the moment we do not have an Access Control Policy, but this is something we will complete as part of the implementation stage of the project. The product is managed by 'Roles based authorisation', the Council will be in controller of which of the users have access to which Roles.</p>	

# Data Protection Impact Assessment

DPIA Name: **Managed Learning Environment  
( Apprenticeships)**

Ref No:

<b>18</b>	Is there an ability to audit access to the information? (Please see guidance section on Security for further information)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  	If no please record as a risk in <a href="#">section C</a> .
<b>19</b>	Detail what security measures have been implemented to secure access and limit the use of personal information?	Each user will have a secure individual log in to the system. We will assign an administrator to oversee this. Data retained is kept encrypted until the end of the contract at which point it and all backups are erased.	
<b>20</b>	Does this project involve privacy invasive technologies? (Please see the guidance)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes please detail;	
<b>21</b>	Is there a business continuity and a disaster recovery plan in place?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If no please record as a risk in <a href="#">section C</a>
<b>22</b>	Where external parties are accessing LCC information has it been identified that they require IG training?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No No external parties accessing the system in the first instance ; should we decide to roll out to external providers then we will ensure the appropriate IG training is in place and an ISA /data access agreement with providers accessing the system.	
<b>Sharing</b>			
<b>23</b>	Will any of the information be shared with other organisations or LCC services?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No We will share information on apprentices progress with internal Managers ; although it is highly likely they will have their own log in to check portfolio personally.  External sharing only commences once data has	If yes please record as a risk in <a href="#">section C</a>

# Data Protection Impact Assessment

DPIA Name: **Managed Learning Environment  
( Apprenticeships)**

Ref No:

		been transferred into Maytas and this is covered by a separate Maytas DPIA.	
<b>23a</b>	Please list all organisations/LCC services involved with sharing	<p>Every LCC Directorate will have access to performance related information on apprentices they line manage for example progress against the apprenticeship standard; progress against the 20% off the job logs; records of review meetings and ability to sign off evidence/witness statements.</p> <p>Performance dashboards will be used to feed into Employment and Skills SLT.</p>	
<b>23b</b>	What is the legal basis for sharing?	consent	Please note that your legal basis for processing may be different from your legal basis for Sharing. Please refer to guidance
<b>24</b>	Will there be signed information sharing agreements in place	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  We have a statement in the application pack which includes privacy notice detailing how information will be used.	If no please record as a risk in <a href="#">section C</a>
<b>25</b>	Which method will be used to transport information if it is going off site?	<input type="checkbox"/> Standard email <input type="checkbox"/> Secure email <input type="checkbox"/> Website <input type="checkbox"/> Via courier <input type="checkbox"/> By hand <input type="checkbox"/> Via external post <input type="checkbox"/> Via telephone <input type="checkbox"/> Removable Media <input type="checkbox"/> Secure file transfer protocol (eg. mail express) <input type="checkbox"/> Other file transferring applications (dropbox) <input type="checkbox"/> Social Media <input type="checkbox"/> Providing access via LCC systems	If no please record as a risk in <a href="#">section C</a>

# Data Protection Impact Assessment

DPIA Name: **Managed Learning Environment  
( Apprenticeships)**

Ref No:

		<input type="checkbox"/> Other (please give details)  Data is being transferred to Maytas	
<b>26</b>	Are you transferring any personal identifiable data/information to a country outside the United Kingdom	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  For Smart Appentice data is hosted/stored in a Tier 4 data security centre within the UK owned by Rackspace Ltd.	If yes please record as a risk in <a href="#">section C</a>

# Data Protection Impact Assessment

DPIA Name: **Managed Learning Environment  
( Apprenticeships)**

Ref No:

## Section C: Identify the Information, Privacy and related risks

Identify the key risks. All risks identified from the questionnaire in section B should be included, plus any others of relevance. Describe the actions you could take to reduce the risks and any future steps which would be necessary (e.g. the production of new procedures or future security elements for systems).

Please note if your project has a large number of risks there is an alternative spreadsheet you can use, (please ask your IG officer) or simply continue onto a separate sheet.

<b>Risk</b>	<b>Solution</b>	<b>Result:</b> is the risk eliminated, reduced, or accepted?	<b>Evaluation:</b> is the final impact on individuals after implementing each solution justified, compliant and proportionate response to the aims of the project?
Unauthorised people accessing the data	Anyone accessing the data will be approved by E&S senior managers, each user will have their own log in and user password, The system will be audited.	reduced	
External organisations with access	Contracts and ISA's and privacy notices will be in place with all external orgs with whom we share if/when we decide to do this.	reduced	
Fair processing	Privacy notices included on all LCC apprenticeship application forms and systems.	reduced	
Ability to audit access to the information	The new learner management system will require an audit function and 2 factor authentication. This will be detailed in the contractual arrangements with the new provider.  Maytas can be audited as sits within LCC server so we can see who had accessed what on a particular date and time.	reduced	

# Data Protection Impact Assessment

**DPIA Name:** Managed Learning Environment  
( Apprenticeships)

**Ref No:**

No information sharing agreements or data processing agreements in place	Where access is granted to other organisations we will need to ensure the appropriate ISA and or DPAs are in place and all privacy noitces are updated accordingly.	reduced	
is information stored securely on site	Data is hosted/stored in a Tier 4 data security centre within the UK	reduced	
information may be transferred outside the UK	This has been checked by colleagues in DIS; data is stored securely on UK servers. For Smart Appentice data is hosted/stored in a Tier 4 data security centre within the UK owned by Rackspace Ltd.	reduced	