

## Data Protection Impact Assessment Report

### STEP 1 DESCRIBE WHAT YOU ARE TRYING TO ACHIEVE

**Describe the scope of what you are trying to do and include your aims and objectives and what types of processing it involves. It may be beneficial to refer or link to other project documentation, if applicable.**

#### *What the project aims to achieve*

The Non Domestic Renewable Heat Incentive (ND RHI) Scheme, was introduced by the former Department of Enterprise, Trade and Investment (now part of the Department for the Economy (DfE)) in November 2012 by regulations made under section 113 of the Energy Act 2011, to facilitate and encourage renewable generation of heat in Northern Ireland. The legislation under which the Scheme operates is the Renewable Heat Incentive Regulations (Northern Ireland) 2012. The original ND RHI Scheme Regulations (2012) have subsequently been revised, with amendments to the tariffs in 2015, 2017, 2019 and the inclusion of Regulation 23A in February 2016 which gave the Department the power to suspend the ND RHI Scheme to new applicants. The Scheme was suspended to new applicants on 29 February 2016.

The intention of the ND RHI Scheme was to increase the uptake of renewable heating technologies and reduce carbon emissions in NI, by providing ongoing payments to compensate boiler owners for the additional costs of renewable heat compared with the conventional fossil fuel alternative. Compensation under the RHI is delivered via ongoing payments linked to the amount of heat produced in kilowatt hours (kWh), as opposed to an up-front capital grant.

Section 114 of the Energy Act 2011<sup>1</sup> provides that DfE and Gas and Electricity Markets Authority (GEMA) may enter into arrangements for GEMA to act on behalf of DfE for, or in connection with, the carrying out of any functions that may be conferred on DfE under, or for the purposes of, a scheme established in section 113 of the Energy Act 2011. GEMA delivers its function via Ofgem. "Ofgem" is the collective term used in respect of the civil servants employed by GEMA. For ease of reference, the terms "Ofgem" and "GEMA" are generally used interchangeably.

Responsibility for day-to-day administration of the ND RHI Scheme has been delegated by DfE to GEMA since 2012. The specifics of the functions undertaken by GEMA are defined in a joint

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<sup>1</sup> <https://www.legislation.gov.uk/ukpga/2011/16/section/114>

'Arrangements' document, signed by both parties. Details of the Arrangement can be found at the following link below:

[RHI ND Scheme - Arrangements between DfE and GEMA](#)

DfE is responsible for the development and implementation of the Northern Ireland renewable heat incentive policy and legislation, including the design and financing of the RHI Scheme to deliver environmental, sustainability and value for money objectives.

### **What types of processing it involves**

Information will be shared between Ofgem and the following teams within DfE - Scheme Management, Inspection, Compliance, Energy Finance & Analytics and RHI Policy & Legislation. DfE and Ofgem each process data collected by their respective organisation and/or provided through the sharing of data collected (in line with the Data Sharing Agreement).

In addition to sharing of some information within the Department to carry out data analysis, review processes, development and administration as well as prevention of fraud purposes, your personal data is / may be shared with:

- Ofgem for all matters relating to the administration of the non-domestic RHI scheme;
- Our appointed inspectors to undertake site visits of participants on the scheme;
- Police Service of Northern Ireland for the detection and prevention of fraud or crime;
- Northern Ireland Audit Office for audit purposes;
- Northern Ireland Water in relation to compliance with regulatory requirements;
- The Departmental Solicitor's Office and the courts, where necessary, for the recovery of support funding resulting from enforcement proceedings;
- Other authorities for the purposes of them carrying out their statutory functions.

### **Ofgem**

Ofgem process data collected to make decisions in respect of accreditation of installations, compliance with regulations and application of sanctions where appropriate and to administer payments to participants, including periodic support payments.

Ofgem process payments to the RHI scheme participants based on installation and heat use data provided to Ofgem by participants. Ofgem calculate periodic support payments based on eligible heat output for the period determined by reference to meter readings submitted by participants

and application of relevant tariff rates after any adjustment/ pro rata to take account of accreditation anniversaries, change in tariff rates or heat loss adjustments to be applied. Ofgem provide DfE Energy Finance & Analytics with a weekly data report and a payments analysis report following fortnightly payment runs. At the end of each month Ofgem provide a summary of the payments made in the month together with a request for funds for payments forecast to be made in the following month.

On occasion, Ofgem may manage the processing of payments in order to recoup previous over payments through reduction in future periodic payments or make additional payments as required and in line with extant regulations.

### **DfE**

**Inspections** – DfE processes data shared from Ofgem in respect of audit packs. DfE uses the data to complete inspection reports for installations subject to audit by an inspector (contractor) or by DfE staff. Inspectors also collect further data on site to add to the inspection report which is then analysed by DfE to assess compliance with Scheme regulations.

**Data Analytics** – DfE reviews data provided by both the Inspections team (based on Ofgem information) and the Contractors to identify trends or unexplained activity that may require further investigation by Inspections or Compliance Teams in respect of compliance with Scheme regulations.

**Compliance** – DfE reviews inspection reports to identify if there are compliance issues which should be referred to Ofgem for consideration of compliance action including imposition of sanctions or revocation from the Scheme.

**Energy Finance** – DfE uses the data provided by Ofgem in respect of eligible heat output and payments to analyse total eligible heat output trends and to determine accruals and forecast future spend under the Scheme.

**Policy & Legislation** – Standing application data along with eligible heat output and payment data is used to evaluate the effectiveness of existing policy and consider future policy in respect of the Scheme.

**Scheme Management** - Data is routinely transferred between DfE and Ofgem via SFTP with regard to particular participants in order to process requests in respect of: Subject Access Request (SAR) and Environmental Information Regulations (EIR) etc.

## STEP 2 DESCRIBE THE PROCESSING

You should use the following boxes to fully detail the nature of the processing

### Categories of data subject (e.g. staff, students, children, vulnerable adults)

The data subjects are the ND RHI Scheme applicants/participants (there were 2,128 applications to the ND RHI Scheme prior to the Scheme being suspended in February 2016). The information held by both parties (DfE and Ofgem) and being shared between parties relates to the ND RHI Scheme.

### Categories of personal data being collected (for example, contact details, financial data, criminal convictions, special category data, etc.)

The type of personal data being held is contact details and financial data, including heat use data.

### What type personal data is being collected within the category / categories of personal data? (Name, date of birth, home address, etc.)

Listed below are details of the personal data being collected and held by Ofgem/DfE which covers information relating to the individual scheme applicants/participants:

- names of NI ND RHI Scheme applicants/participants;
- addresses (residential or commercial);
- telephone numbers (residential or commercial);
- email addresses;
- date of birth;
- financial data e.g. bank account details and data in respect of bank or other loans, financial accounts, rental agreements;
- photographs of installation sites.

Other information will be collected in relation to the ND RHI Scheme but is not considered personal data.

### Who will provide you with the personal data?

The ND RHI Scheme applicants/participants will provide the personal data to Ofgem who will in turn share it with DfE as required. The contractors will also gather information from participants at the inspection stage and pass to DfE.

### How will the personal data be collected?

The main source of the data will be from the scheme applicants during accreditation stage. Additional information will be gathered through the Inspection process either by the Contractor, Ofgem or the Department during the Inspection and Compliance stages. Also on a yearly basis a

declaration is required from the participant confirming they are compliant with the ND RHI Scheme regulations.

### **How will you store the data?**

DfE Energy Finance maintain the Non-Domestic Reporting System (NDRS) which stores all data in respect of each installation including standing data and periodic heat use and payment data which is updated regularly on receipt of data updates from Ofgem. DfE will also store data on the Department's Content Manager records management system in respect of Inspections, Compliance, Data Analytics, Finance and Policy and Legislation.

### **Who will have access to the data? Internally**

Energy Group RHI staff will have access to the personal data. All staff are made aware of their responsibility to only access information for which they have a legitimate business need.

### **What will you do with the personal data once collected? How will you use it?**

The data will be collected as it is necessary for the administration of the ND RHI Scheme and it will include personal data. The data is required to ensure the participants are compliant to the ND RHI Scheme regulations. The personal data is primarily required to administer payments and facilitate communication under scheme administration.

### **Will you be linking the data to any other data held?**

The data may be linked to data collected by Ofgem or the external contractors during the audit of the boilers.

### **Will you in turn be sharing the data with anyone, for example, another data controller, a data processor, or a third party?**

The data may be shared with Ofgem and vice versa. In line with the Data Sharing Agreement between DfE and Ofgem, neither party shall disclose, or otherwise make available, to any third party data that has been provided to it by the other, unless:

- Such disclosure is made in the exercise by the relevant party of its functions arising in connection with the Scheme;
- The parties, having identified that there is a lawful basis for doing so and that the requirements of the data protection legislation would be met, agree to such disclosure in writing; or
- Either party is subject to or placed under a legal obligation requiring such disclosure.

Data is also shared with third parties who are the contractors engaged in the audit of installations and vice versa. DfE has a data sharing agreement in place for such transfer of information with their subcontractor. GEMA has confirmed that it no longer works with any subcontractors on the NI ND RHI Scheme.

**Will any decisions be made about the data without human intervention? (e.g. through the use of automated algorithms)**

No decisions requiring judgement will be made without human intervention. The determination of payments due to participants are made via automated calculations using standing data and periodic heat use data submitted by participants. The automated calculations are subject to automated checks with set tolerances to alert manual investigation.

**Scope of the processing**

**How long will it take to collect the information and how long will the data be processed (used)?**

The majority of the data was collected at the accreditation stage with a low level of data being collected as required under the administration of the Scheme, including through the Inspections programme. The data will be processed for the lifetime of the Scheme to ensure that the participants are compliant to the ND RHI Scheme regulations. The data will be held and destroyed in line with the Department's retention and disposal schedule.

**How many data subjects are likely to be affected and / or how many records involved? (or an approximation where it is not possible to confirm precise numbers at present)**

There were 2,128 applications to the ND RHI Scheme prior to the Scheme being suspended in February 2016 covering approximately 1200 sites.

**Where will the data be located after collection (e.g. HPRM, locked filing cabinets, storage devices, cloud-hosted services in UK, EU or international)**

Data held by DfE is stored on the Department's Content Manager records management system. The Data Sharing Agreement with Ofgem stipulates that both parties are responsible for ensuring they have organisational and technical measures in place to protect the information. All information and personal data considered sensitive must be held securely by both parties whether in hardcopy or electronically. Only staff within DfE Energy Group RHI and relevant Ofgem staff have access to the personal data. Technology is used to assist in the security of the personal data. The following technology is used: Content Manager Records Management System; Secure File Transfer Protocol; Microsoft Outlook- emails; Database; Excel spreadsheets; Non-Domestic Reporting

System Database; Templates; Zipped files. Access to the services / applications above is controlled by use of user accounts and appropriate permissions. Accounts are linked to named users, who are responsible for their use, and relevant logging is in place for monitoring / investigation, if required.

### Context of the processing

#### **Describe the nature of the relationship between the Department and the data subjects and how the relationship is established.**

The data subjects will be the NI RHI Scheme applicants/participants who applied to join the Scheme and agreed to adhere to the Scheme regulations to ensure compliance with the ND RHI Scheme.

#### **Describe the extent to which the data subjects are aware of and expect their personal data to be used in connection with the proposed processing activities. (e.g. through a Privacy Notice at the time of collection or notification within a reasonable time frame)**

A privacy notice was made available by GEMA to Scheme applicants<sup>2</sup>. That notice states that GEMA may use the information provided by them, or disclose it for various purposes. Those uses and disclosures include the carrying out by GEMA of its administrative functions in relation to the Scheme and in relation to the periodic provision by it of information to DfE.

Additionally, the privacy notice states that GEMA may also be required to disclose to DfE information, including information on installations or participants and other personal information held, upon request by DfE, or to comply with legal obligations relating to the periodic provision of information to DfE. Where such information is provided to DfE in respect of large undertakings, details such as names, aid amount and intensity may also be passed onto the European Commission and published on their website.

A privacy notice was also made available by DfE to Scheme participants<sup>3</sup>. The notice states that personal data will be processed in the exercise of official authority to ensure compliance with ongoing obligations under the ND RHI Scheme, the personal data having been provided by the participant when applying to the Scheme or subsequently through correspondence with the Department and/or GEMA. Information will also have been obtained from inspectors, acting on

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<sup>2</sup> <https://www.ofgem.gov.uk/publications-and-updates/northern-ireland-renewable-heat-incentive-privacy-notice>

<sup>3</sup> <https://www.economy-ni.gov.uk/sites/default/files/publications/economy/Non-Domestic-RHI-Privacy-Notice.pdf>

behalf of DfE, during the audit/inspection process and from other Government organisations. The information DfE has been provided with will be shared with GEMA, its appointed inspectors and other Government organisations (where appropriate). Personal data in respect of the ND RHI Scheme will be kept and destroyed in line with the Department's Retention and Disposal Schedule.

**Does the processing require the development of technology?** (If so, describe the level that current technology is at with regards to the processing being undertaken)

No

**If using new technology or using existing technology in a novel way describe the extent to which the processing activities are involved.**

N/A

**Is the processing likely to raise any matters of public concern?**

No but the NI RHI Scheme is a high profile scheme due to the issues which led to the Public Inquiry.

**Purposes of the processing**

**What do you want to achieve with this processing?** (describe the overall aims of the processing and how you have ensured it is legitimate)

The Scheme was designed to increase the uptake of renewable heating technologies and reduce carbon emissions in NI, by providing ongoing payments to compensate boiler owners for the additional costs of renewable heat compared with the conventional fossil fuel alternative.

The purpose of the processing by DfE/Ofgem is to:

- Ensure legitimate applicants are accredited to the Scheme (Ofgem);
- Enable payments to be administered effectively and in line with Scheme regulations (DfE/Ofgem);
- Ensure ongoing compliance to Scheme regulations by participants (DfE/Ofgem);
- Ensure the necessary budget is in place to continue to operate the Scheme (DfE); and
- Ensure policy remains relevant and in line with Executive priorities (DfE).

The processing of information is in line with Scheme regulations and published privacy notices



**What are the benefits to the data subject?** (describe how the processing benefits the data subjects/individuals either directly or indirectly and how you have ensured this processing is explicitly communicated to them at the time of collection)

The intended effect on an individual is that they have a Non Domestic renewable heat boiler/s which is compliant with the Scheme. If the participant is compliant with the Scheme, ongoing payments are made to them to compensate for the additional costs of renewable heat. Payments are also made to participants as long it is within the DoF approved budget.

Both DfE and Ofgem provide privacy notices to the participants explaining how their personal data will be processed.

**What are the benefits to the Department?** (describe how the processing benefits the organisation either directly or indirectly)

The direct benefit to the Department is the operation of a scheme that delivers on policy intent and confirmation via the audit process that all boilers accredited to the Scheme are compliant with the regulations.

**What are the benefits to third parties?** (describe how the processing benefits any third parties either directly or indirectly)

The Department and Ofgem engage third parties/ subcontractors to undertake inspections of accredited installations. These third parties benefit by completing their work as per the contract with no further benefit to them once the inspection is complete.

### STEP 3 CONSULTATION PROCESS

**You should use the following boxes to fully detail the consultation process including, if appropriate, why consultation is not necessary.**

**Are you using a data processor and if so have you been in consultation with them about requirements?**

The ND RHI Scheme is a DfE Scheme with DfE establishing the Regulations. Ofgem administer the Scheme under Administration Arrangements with DfE, determining what personal data is required to administer the Scheme effectively. Ofgem and DfE have been determined to be joint controllers of the ND RHI Scheme. There is a Data Sharing Agreement in place between DfE and Ofgem setting out their respective responsibilities.

<p><b>If using a data processor, is there a GDPR compliant contract in place?</b></p>
<p>DfE and Ofgem operate under a joint ‘Arrangements’ document, signed by both parties. Further both parties sign up to a Data Sharing Agreement, which includes GDPR responsibilities.</p>
<p><b>Have you consulted all relevant internal stakeholders?</b> Data Protection Officer, ITSO, DSO, other IAOs impacted upon?</p>
<p>DfE have consulted with all relevant internal stakeholders; IMU, IT Security Officer, DSO and all the relevant teams within RHI Taskforce (Policy, Finance and Analytics, Inspections and Compliance).</p>
<p><b>Have you identified a high risk to data subjects that you cannot mitigate?</b> (Article 36(1))</p>
<p>requires consultation with the ICO when a DPIA has indicated that the processing would result in a high risk in the absence of measures taken to mitigate the risk. You cannot begin the processing until you have consulted them.</p>
<p>No</p>
<p><b>Does your intention to process personal data stem from a new policy proposal captured in legislation?</b> Article 36(4) is a provision of GDPR which specifically imposes a requirement on UK Government to consult with the ICO.</p>
<p>The current processing of personal data is under existing policy and legislation. Where any new policy is introduced through legislation which will involve the processing of data already held the Department will consult with ICO as necessary.</p>

<p><b>STEP 4 Assess Necessity and Proportionality</b></p>	
<p><b>You should use the following boxes to fully detail the necessity and proportionality of the processing</b></p>	
<p>To lawfully process personal data you must identify a lawful basis under Article 6 of the GDPR: <a href="#">Lawful bases for processing</a> (identify the most appropriate ground(s) for lawful processing, explaining the rationale).</p>	<p>The lawful bases for processing set out in Article 6 of the GDPR applicable to the ND RHI Scheme is: Public task: the processing is necessary in exercising official authority laid down by law through the scheme regulations and to ensure the Scheme continues to deliver objectives in line with the public interest, e.g. to mitigate against excessive expenditure impacting on the NI Block.</p>

<p>To lawfully process <b>Special Category data</b>, in addition to identifying a lawful basis under Article 6 of the GDPR, you must also identify a separate condition for processing under Article 9 (identify the most appropriate ground(s) for lawful processing, explaining the rationale).</p>	<p>N/A</p>
<p>To process personal data about <b>criminal convictions or offences</b>, in addition to having a lawful basis under Article 6, you must have either legal authority or official authority for the processing under Article 10 (identify the most appropriate ground(s) for lawful processing, explaining the rationale).</p>	<p>N/A</p>
<p>Confirm this asset is recorded on the <b>Divisional Information Asset Register</b> and provide the record number to enable this to be checked.</p>	<p>There is a Divisional Information Asset Register for Heat, Minerals and Operations which is held at EC1/20/0636365. The DSA, DPIA, the Arrangements and privacy notices are included in line 40 of EC1/20/0636365.</p>
<p><b>Necessity of processing</b> (Is there another way to achieve the same outcome? Explain the extent to which the processing is necessary in relation to the purposes of the initiative)</p>	<p>The processing of data outlined in this report is necessary for the effective administration of the ND RHI Scheme. There is no other way to achieve the same outcome.</p>
<p><b>Accuracy</b> (describe the steps taken to ensure data quality in terms of accuracy both initially and on an ongoing basis)</p>	<p>Only necessary data which will include personal data will be requested from the applicants by the relevant teams within RHI Taskforce and Ofgem.</p> <p>Checks for quality/accuracy include:</p> <ul style="list-style-type: none"> <li>• accreditation – template forms/ review by Ofgem/ pre-accreditation inspections</li> <li>• audit – a standard template will be completed for each audit and missing data will be requested in a standard letter to ensure data quality requested is the same for each scheme applicant.</li> </ul>

	<ul style="list-style-type: none"> <li>• periodic heat data – Ofgem checks/ tolerance/ exception reports</li> <li>• Payment and standing data – checked by Ofgem and DfE Finance for exceptions/ changes</li> <li>• Compliance – data will be requested as necessary for each participant to ensure they remain compliant with the Regulations of the ND RHI Scheme.</li> </ul>
<p><b>Data minimisation</b> (How will you prevent function creep? Describe the steps that will be taken to ensure that the amount of personal data is adequate, relevant and limited to what is strictly necessary both initially and on an ongoing basis)</p>	<p>Only necessary data which will include personal data will be requested to enable the administration of the Scheme and to confirm applicants are compliant. This will ensure there is no potential invasion of privacy to the applicants by collecting essential information only.</p>
<p><b>Fairness and transparency</b> (describe the means by which data subjects will be informed about the intended processing, e.g. privacy notices)</p>	<p>Privacy notices will be used to ensure the participants are aware of how their data is being processed. Please see the links below:</p> <p><a href="#">DfE Privacy Notice for ND RHI Scheme</a> <a href="#">Ofgem Privacy Notice for NI ND RHI Scheme</a></p>
<p><b>Data subject rights</b> (describe the steps taken to ensure that data subjects are able to exercise their rights fully and effectively, including the right to rectification in the event that data is inaccurate)</p>	<p>The Department will fulfil all its legal obligations regarding data under the relevant legislation. The rights of data subjects are communicated clearly in the relevant privacy notice.</p>
<p><b>Third party processors</b> (where relevant, describe the steps taken to ensure the reliability of third parties processing the data on the Department’s behalf, and their compliance with data protection law. Is there a GDPR compliant contract in place?)</p>	<p>Ofgem administer the Scheme on behalf of DfE. DfE and Ofgem operate under a joint ‘Arrangements’ document, signed by both parties. Further, both parties sign up to a Data Sharing Agreement, which includes GDPR responsibilities. DfE has third party processors who are the subcontractors engaged to carry out inspections. These subcontractors have data sharing agreements in place. GEMA has</p>

	<p>confirmed that it no longer works with any subcontractors on the NI ND RHI Scheme.</p> <p>Standing Operating procedures (SOP) have been developed in DfE for staff to ensure they are aware of the correct processes and handling of data. The SOPs are reviewed regularly by both DfE and Ofgem.</p>
<p><b>Joint Data Controller</b> (where a joint data controller relationship has been entered into, you have ensured that an appropriate “Agreement” is in place)</p>	<p>DfE and Ofgem have been determined to be joint controllers. DfE and Ofgem operate under a joint ‘Arrangements’ document, signed by both parties.</p>
<p><b>Storage limitation</b> (describe the steps taken to ensure that personal data are not retained longer than necessary in connection with the intended purposes of the processing and this is reflected in the Department’s Retention and Disposal Schedule.)</p>	<p>The data will be kept as per the Department’s retention and disposal schedule, which aligns to the privacy notices provided to applicants/participants, which currently states the following:</p> <ul style="list-style-type: none"> <li>Records will be disposed of 7 years following closure of scheme.</li> </ul> <p>This is in line with the length of time included in the Department’s disposal records and is also stipulated in the privacy notices.</p> <p>On termination of the existing joint Arrangements between DfE and Ofgem, all data held by Ofgem must be returned to the Department with local copies deleted. The Department will ensure all such data is retained/ destroyed in line with its retention and disposal schedule.</p>
<p><b>Security, integrity and confidentiality</b> (describe the steps taken safeguards to prevent the unauthorised and unlawful processing, accidental loss, destruction or damage of the personal data being processed. Steps taken to ensure all staff handling personal data, both within DfE and any organisation the data may be</p>	<p>Only Energy Group RHI staff within DfE and relevant Ofgem staff have access to the personal data. Technology is used to assist in the security of the personal data. The following technology is used: Content Manager Records Management System; Secure File Transfer Protocol; Microsoft Outlook–</p>

<p>shared with, have completed up to date data protection training)</p>	<p>emails; Database; Excel spreadsheets; Non-Domestic Reporting System Database; Templates; Zipped files. All DfE staff will have completed the mandatory data handling courses. Access to the services / applications above is controlled by use of user accounts and appropriate permissions. Accounts are linked to named users, who are responsible for their use, and relevant logging is in place for monitoring / investigation, if required.</p>
<p><b>International transfers</b> (identify any international transfers of personal data, whether or not to a third party processor, and the safeguards implemented in relation to such transfers)</p>	<p>None</p>

## STEP 5 IDENTIFY AND ASSESS RISKS

Ref No	Describe source of risk and potential impact on data subjects (including associated compliance and corporate risks as necessary)	Likelihood of harm (Remote, Possible or Probable)	Severity of harm (Minimal, Significant or Severe)	Overall risk (Low, Medium, High)
1.	Ofgem will inappropriately share the information with someone else without DfE knowledge or consent.	<i>Possible</i>	<i>Minimal</i>	<i>Low</i>
2.	Wrong participant's information is sent to someone in correspondence by email or letter.	<i>Possible</i>	<i>Minimal</i>	<i>Low</i>
3.	Payments are made into the wrong participant's bank account in error.	<i>Possible</i>	<i>Significant</i>	<i>Medium</i>
4.	Contractors will share information incorrectly without participant or DfE consent/knowledge.	<i>Possible</i>	<i>Significant</i>	<i>Medium</i>
5.	DfE will use data not as specified in the Data Protection Act 2018 or GDPR.	<i>Remote</i>	<i>Significant</i>	<i>Low</i>
6.	Data will be held on to longer than necessary and is thought to be excessive.	<i>Remote</i>	<i>Minimal</i>	<i>Low</i>
7.	Data is not stored or destroyed as per the retention and disposal guidance.	<i>Remote</i>	<i>Significant</i>	<i>Low</i>
8.	The data is not handled as per the SOPs.	<i>Possible</i>	<i>Minimal</i>	<i>Low</i>
9.	The same SAR is answered by both DfE and Ofgem but different information is provided.	<i>Possible</i>	<i>Minimal</i>	<i>Low</i>

<b>STEP 6 PROPOSED PRIVACY SOLUTIONS</b>				
<b>Ref No</b>	<b>Measures to reduce or eliminate</b>	<b>Effect on risk (Eliminated, Reduced or Accepted)</b>	<b>Residual risk (Low, Medium or High)</b>	<b>Measure Approved? (Yes/No)</b>
1.	DfE and Ofgem operate under the 'Arrangements' last signed by DfE and Ofgem in November 2018. The Arrangements dictate how the information will be shared and the controls in place e.g. SFTP	<i>Reduced</i>	<i>Low</i>	Yes
2.	DfE SOPs are in place to reduce risk of issuing incorrect information by counter checking procedures.	<i>Reduced</i>	<i>Low</i>	Yes
3.	Ofgem processes payments and has controls in place as stated in the Arrangements.	<i>Reduced</i>	<i>Low</i>	Yes
4.	Data Sharing Agreement in place via the framework document for conducting the inspections.	<i>Accepted</i>	<i>Medium</i>	Yes
5.	DfE has a legal duty under the Data Protection Act 2018 and GDPR to ensure personal data is gathered legally and under strict conditions and obliged to protect it from misuse and exploitation. All staff attend mandatory training at regular intervals.	<i>Reduced</i>	<i>Low</i>	Yes
6.	DfE data retention and disposal schedule is reviewed regularly to ensure adherence. SOPs have been devised ensuring only necessary information is collected and stored.	<i>Reduced</i>	<i>Low</i>	Yes
7.	DfE data retention and disposal schedule is reviewed regularly and internal policies and procedures ensure it is adhered to.	<i>Reduced</i>	<i>Low</i>	Yes
8.	SOPs are in place to ensure the data is handled correctly. The SOPs are regularly reviewed by both DfE and Ofgem to ensure the procedures are correct and all new staff provided and trained as required to handle the data correctly.	<i>Reduced</i>	<i>Low</i>	Yes
9.	Discussions between DfE and Ofgem are essential regarding SARs especially when the same SAR has been issued to both parties. A process for responding to SARs has been agreed and documented in the DSA.	<i>Reduced</i>	<i>Low</i>	Yes