DATA PROTECTION ASSESSMENT FOR LBO REDACTION SERVICES

As a potential client you may wish to conduct a Data Protection Impact Assessment prior to confirming any arrangements that will require the sharing of personal data with LBo. When completing your assessment, you will be seeking to identify any risk posed to your subjects as a result of entering into a business arrangement with LBo. This document aims to answer any questions you may need to ask to satisfy yourselves when you contract LBo to provide redaction services that the arrangement will be a safe one for your subjects.

Who is LBo?

LBo is the trading name of Laurence Boulter. Laurence is a sole trader-providing consultation and services in the Education Sector. He is registered as a Data Controller with the ICO and his registration number is ZA76578.

Is LBo a Data Processor or a Data Controller?

LBo can act as a data Controller or Processor, depending on the kinds of services you contract LBo to provide. When LBo is contracted to provide redaction services LBo is always acting as a Data Controller. This is because you are asking LBo to make decisions about your data during the process of redaction.

What is LBo's lawful basis for processing your data?

LBo processes your data under the Lawful Basis, "Performance of Contract". The scope and purposes of all data processing will be clearly stated in the agreement made between the two parties.

Your Lawful Basis for sharing your data with LBo is almost certainly to be "Public Task" and the statutory framework that supports this is the Education Act.

What data will LBo process?

When undertaking redaction for clients it is difficult for LBo to predict the scope of the data that will need to be processed. The nature of access requests is such that LBo may be contracted to process any personal data held by the school about its subjects or the third parties about whom the school holds data. For this reason, the scope of the personal data you pass to LBo for redaction should be considered to be unlimited. However, LBo acknowledges that this license is limited to the scope of the data you provide and is non-exclusive, non-transferable and revocable. LBo will work with clients to ensure that the client's wishes are met in these respects.

How will the date be transferred or transported between LBo and LBo's clients?

LBo will only process files that are provided in a digital format and requires that the client provides direct access to the files held on your systems.

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How will LBo process our data?

The details of processing are described in the playlist in the appendices to this document.

Appendix 1 outlines the order of operations that apply to the management of files associated with the case. Each redaction case is tracked against these playlist elements and the date and time of each task recorded.

Appendix 2 lists the rules applied to the redaction. It is the responsibility of the client to confirm with their DPO that these are appropriate before LBo is provided with access to files containing personal data. Any adverse consequences associated with requests by the client to vary the redaction criteria listed in appendix 2 will be the responsibility of the client.

Redaction of documents is undertaken using Adobe Acrobat Pro DC and makes some use of automated search tools. However, every document is read “manually” before the redaction is finalised.

Redaction of CCTV recordings is undertaken using Adobe Premier Pro and makes some use of automated tracking. However, frames containing tracking are inspected and sometimes adjusted “manually” to ensure that the sharing of data is minimised.

How long will LBo retain the data you share?

Files are only retained for as long as they are needed to undertake redaction procedures. Although the playlist in Appendix 1 details how superfluous or source files are deleted during the process of redaction, the finalised documents and original source documents are retained until the client informs LBo that the requestor has confirmed that they have received the response.

Will LBo store your data safely?

When preparing files for redaction, or when undertaking redaction, files will be copied from online storage to which the client provides LBo access, to online storage managed by LBo. Files will be copied to local drives to complete the redaction and will be managed as described in the playlist detailed in Appendix 1 of this document. Clients may request modifications to this playlist if the one presented does not provide the level of security they require.

All files associated with cases are password protected.

When files are stored online by LBo a SharePoint site is created specifically for this purpose and files will be stored in a SharePoint list within that site. Permissions will be set to provide access only to LBo at site, list and document level. These files will be retained as detailed in Appendix 1.

When files are moved to local storage a dedicated removable drive will be provided for this purpose. All files will retain the password protection set earlier. The drive will only be accessible while redaction is being undertaken and will be physically removed from the system at all other times. These files will be disposed of as detailed in appendix 1.

How will LBo dispose of the data?

LBo creates a dedicated SharePoint site on a Microsoft 365 tenancy to mange transfer and preparation of files prior to redactions. Once the requestor has satisfied the request the SharePoint site is deleted. The deleted site is available for restoration for a period of 93 days following the deletion, after which data is removed by Microsoft.

Where files are stored locally all data is deleted as soon as LBo is informed by the client that the request has been satisfied. Drives used to store data locally are reformatted within 24 hours of case closure.

Will your data be stored outside of the UK?

LBo maintains a Microsoft 365 tenancy and creates a SharePoint site for each redaction case within that tenancy for the management and separation of files during the redaction process. LBo's tenancy was created and registered within the "United Kingdom" and SharePoint data is stored within that Geolocation. Typically data will be shared across two centres located at Durham, London or Cardiff. Further information about the location data stored by Microsoft applications can be found on the Microsoft website.

Where data is stored locally to facilitate the process of redaction, drives are located at the LBo office which is in Fobbing, Essex, England.

Does LBO share the data you provide?

There is little to no reason for LBo to share your data with third parties. Laurence Boulter is a sole trader and as such is the only individual to have access to your data. Laurence is also the only user of the tenancy used to store the data you provide.

There are legal contexts that may compel LBo to share the data you provide to law enforcement agencies. Such requests are rare and might be to support a criminal investigation or civil action. In such cases data will only be shared in response to a Court Order and after consultation with the client. LBo will work with the client to identify applicable exemptions if appropriate and will never respond to requests to provide data received directly from complainants, defendants or their representation.

Further information

If the information above does not satisfy all of the questions you might have about the GDPR compliance associated with the redaction of your documentation, please do not hesitate to contact Laurence directly.

Appendix 1 - Playlist

Process Ref	Action	
001	Client ensures that all files are in PDF format	
002	Client places files on school cloud storage	
003	Access to LBo is provisioned by the client	
004	Access links are emailed to LBo	
005	Passwords, where required, are texted to LBo	
006	LBo creates SharePoint site for the case	
007	LBo copies files to LBo SharePoint site	
008	LBo downloads the files to a local drive	
009	LBo groups the local files into binders to ensure portability.	
010	LBo password protects the bound files.	
011	LBo places the bound files on the LBo MS tenancy site	
012	LBO deletes all unbound copies of files from the LBo SharePoint site and from LBo local drives.	
013	LBo Downloads binder from LBo SharePoint site to local drive.	
014	LBo redacts binder	
015	LBO optimises binder	
016	LBo places source binder redacted binder on LBo SharePoint drive	
017	LBo deletes files from LBo local drives	
018	LBo places copy of redacted binder on school storage	
019	Client quality checks final binder	
020	Repeat from 013 until all binders have been processed.	
021	Client feeds back	
022	LBo downloads binders from LBo SharePoint to local drive and amends where necessary	
023	LBo applies version control	

024	LBo uploads amended binders to LBo SharePoint site	
025	LBo deletes files from local drives and reformats the drive	
026	LBo uploads final documents to school cloud storage	
027	Client responds to requestor	
028	Client confirms requestor receipt of response with LBo	
029	LBo deletes files from LBo SharePoint site	
030	LBO deletes case SharePoint site	
031	Client removes LBo access rights to cloud storage	

Appendix 2 – Redaction Schedule

The following lists categories of data that require consideration. It is the responsibility of the client to inform LBo of subjects whose personal data that falls within exempt categories (such as current education workers). Any adverse consequences associated with requests by the client to vary the redaction criteria listed in this appendix will be the responsibility of the client.

	Data Category		Detail
1a	The names of all third parties (ie anyone who is not the subject). This includes all names, shortened names and nicknames as well as instances where the names are initialised.	Redact	All names of any individual that is not the subject but not covered by 1b below.
1b		Do not redact	In an educational context this does not extend to educational workers. That means as a rule you do not redact the names of staff working at your school. Unverified names of education workers such as teachers and staff at previous schools, consultants, Health Workers and Local Authority workers should be redacted.
2a	Personal email addresses	Redact	All personal email addresses including the email addresses of parents and other family members and all education workers described in the exemption 1b above.
2b		Do not redact	Generic email addresses such as **office@school.co.uk** or **sales@company.co.uk**.
3a	Telephone Numbers	Redact	Personal telephone numbers of all individuals.
3b		Do not redact	Institutional telephone numbers but only if you can be sure they are not associated with an individual as used to contact a main switchboard or reception.
4a	Addresses	Redact	All personal addresses.
4b		Do not redact	Institutional addresses
5a	Pronouns	Redact	Pronouns such as “he”, “she”, “him” or “her” where the context will allow you to determine the identity or opinions of the person other than the subject referred to. This extends to use of nouns such as “mum”, “dad”, “sister”, “brother”, “nan” etc that allow the individual’s relationship to the requestor to be revealed.
5b		Do not redact	Pronouns where the context refers to educational workers described in 1b.
6a	Safeguarding	Redact	Disclosure of safeguarding information should be redacted carefully if disclosed at all and any risk the disclosure might present to the subject fully assessed. Any information that is judged to be to the detriment

			of the subject should not be disclosed (see exemptions below) and schools should be prepared to err on the side of caution before finalising their response. Any request for disclosure for safeguarding information must specifically ask for such and should not be included in a generic request for all data. Work with your DPO to determine the extent of the redaction required.
6b		Do not redact	All safeguarding information should be considered for redaction. No assumptions concerning the subject or any other individuals are to be made without considering the context of the information and the risk to the subject assessed.
7a	GDPR Exemptions	Redact	Any data that is considered to fall into the exemption categories. The ICO outlines over 30 exempt scenarios in areas such as References and Exams, Education and Child Abuse, and Journalism and Research. It is important that you ascertain from your DPO whether any of these exemptions apply before you finalise your redaction requirements.
7b		Do not redact	All exempt data must be redacted and the nature of the exemption must be specified. Redaction must be as precise as possible to ensure that the exemption does not result in the non-disclosure of non-exempt data