Data Protection Impact Assessment

This document identifies all possible impacts of the processing of Offenders' personal data by the Scheme (Warwickshire Retail Crime Initiative (WRCI) on the rights and freedoms of those Offenders.

The need for a Data Protection Impact Assessment

The Scheme processes Offenders' personal data under the lawful bases of recognised legitimate interest (the 'crime' condition in Article 6(1)(ea) and Annex 1, paragraph 5 of the UK GDPR, introduced by the Data (Use and Access) Act 2025) and legitimate interest (Article 6(1)(f) of the UK GDPR). The Scheme's processing involves the systematic sharing of criminal offence data and special category data about individuals amongst Members and is likely to result in a high risk to their rights and freedoms. A Data Protection Impact Assessment is therefore required under Article 35 of the UK GDPR. The Data (Use and Access) Act 2025 has not removed this requirement. A Balance of Interests Assessment is maintained to support the Scheme's reliance on legitimate interest for processing which falls outside the crime condition.

Processing operations and purposes

The nature, scope and context of the Scheme's processing operations and processes are defined in the Scheme's *Record of Processing Activity.*

Consultation process

The Board of Management considers it inappropriate and impractical to consult with Offenders on this *Data Protection Impact Assessment*.

Necessity and Proportionality of processing

The necessity and proportionality of the Scheme's processing is defined in the Scheme's *Legitimate Interest Statement*.

Risk Assessment

Source of risk		**Likelihood of harm** Remote, Possible, Probable	**Severity of harm** Minimal, Significant, Severe	**Overall risk** Low, Medium, High
1	Offender may suffer distress if information about his/her involvement in a relevant incident is shared among his/her community, peer group etc	Possible	Significant	High
2	Offender may suffer distress if information about his/her exclusion is shared among his/her community, peer group etc	Possible	Significant	High

3	Offender may be incorrectly associated with an incident reported by a Member	Possible	Significant	Medium

Measures identified to reduce/mitigate risk

Source of risk See Risk Assessment above	**Option to reduce or eliminate risk**	**Effect on risk** Eliminated, Reduced, Accepted	**Residual risk** Low, Medium, High	**Measure approved**
1	Maximise technical and operational security; ensure Members' compliance with *Rules & Protocols*	Accepted	Low	Yes
2	Reporter submits Offender in compliance with *Rules & Protocols*; Data Controller processes personal data only if confident in Member's compliance	Accepted	Low	Yes
3	Ensure that all offender data is only disclosed exercising proportionality	Reduced	Low	Yes
4	Scheme Administrators to only record a member report if circumstances of offender conduct match scheme criteria.	Reduced	Low	Yes
5	Where processing relies on recognised legitimate interest (crime condition), the Data Controller confirms that the processing is necessary and proportionate for detecting, investigating or preventing crime before data is shared	Reduced	Low	Yes
6	Offenders can obtain a copy of their data (within one month), require correction, object to processing and complain directly to the Scheme; complaints acknowledged within 30 days and investigated without undue delay (Data (Use and Access) Act 2025)	Reduced	Low	Yes

Reviewed: 11 October 2026 – updated to reflect the Data (Use and Access) Act 2025.