



Department for
Business, Energy
& Industrial Strategy

NATIONAL ENERGY EFFICIENCY DATA- FRAMEWORK (NEED)

Privacy Impact Assessment 2019



OGL

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1. Introduction

A Privacy Impact Assessment (PIA), or Data Protection Impact Assessment (DPIA), is a process to identify and mitigate key privacy risks and obligations under legal frameworks such as the Data Protection Act 2018 and the General Data Protection Regulation 2018 (GDPR). It is considered good practice to carry out a privacy impact assessment for major projects that require the processing of personal data. There is also a legal requirement to carry out an assessment where there is likely to be a risk to individuals as a result of processing.

Under the Information Commissioner's Office [guidelines](#) a Privacy Impact Assessment should be carried out for projects involving the use of personal data and matching of data from different sources to ensure the data are treated appropriately and to set out how data controllers are addressing privacy risks. The National Energy Efficiency Data-Framework (NEED) PIA was first carried out in 2013 and was updated in 2015 to address the publication of the anonymised dataset and inclusion of EPC data. The Privacy Impact Assessment has been updated to reflect the updated Data Protection Act and GDPR, and changes to the processing of the data (i.e.: new analyses).

The government takes privacy issues seriously. It evaluates potential privacy issues from projects such as NEED that involve use of personal data. As such, despite there being no legal requirement to publish Privacy Impact Assessments under GDPR, it is an established part of NEED and supports transparency of the government's use of data.

This PIA covers the data requirements and uses of data in the National Energy Efficiency Data-Framework, associated legal obligations to data protection, and measures taken to manage data protection risks.

2. Background to the National Energy Efficiency Data-Framework

2.1 Background and overview

The National Energy Efficiency Data-Framework (NEED) was set up to provide a detailed understanding of energy use and energy efficiency in domestic buildings in Great Britain. The data framework contains information on around 29 million properties in Great Britain and uses an address matching algorithm to link the gas and electricity consumption data collected for the Department of Business Energy and Industrial Strategy's (BEIS) sub-national energy consumption statistics. This is linked to extensive data on property characteristics, household data, energy performance and energy efficiency installations from a range of sources. It also links information on installation of energy efficiency measures under government policies, such as the Energy Company Obligation and Feed-in Tariff scheme.

The NEED dataset's primary function is for statistical research, and acts as the basis for key government analysis on energy consumption and efficiency across Great Britain. It also supports the monitoring and evaluation of various government targets and policies.

2.2 Why is NEED important?

As a comprehensive and unique data source on energy consumption and efficiency at the property level, NEED provides an essential evidence base for developing and monitoring policies supporting BEIS's objectives.

BEIS has five core objectives¹:

- Objective 1: Delivering an ambitious Industrial Strategy
- Objective 2: Maximising investment opportunities and bolstering UK interests
- Objective 3: Promoting competitive markets and responsible business practices
- Objective 4: Ensuring the UK has a reliable, low-cost and clean energy system
- Objective 5: Build a flexible, innovative, collaborative and business-facing department

Objective 4 specifically states the need to 'Deliver affordable energy for households and businesses' and 'Improve energy efficiency in the home, in public buildings, in product design and across businesses, through policies including public sector energy efficiency loans, new Energy Company Obligations and potential new building standards'².

BEIS carries out analysis using NEED in order to support its objectives, including:

¹ <https://www.gov.uk/government/publications/department-for-business-energy-and-industrial-strategy-single-departmental-plan/department-for-business-energy-and-industrial-strategy-single-departmental-plan-june-2019>

² <https://www.gov.uk/government/publications/department-for-business-energy-and-industrial-strategy-single-departmental-plan/department-for-business-energy-and-industrial-strategy-single-departmental-plan-june-2019>

- developing, monitoring and evaluating policies
- developing a greater understanding of the drivers of energy consumption
- gaining a deeper understanding of the impacts of energy efficiency measures

NEED is a key part of BEIS' instruments to implement and work towards these objectives and legal requirements. NEED's core functions of monitoring, tracking and analysing UK energy consumption, energy efficiency and installations are integral to pursuing and assessing progress towards the government's objectives.

A full breakdown of the publications and projects that NEED produces is found in Table 3.2. These include the National Statistics publication on gas and electricity consumption trends and the impact of energy efficiency installation measures, such as cavity wall insulation and solar panels.

2.3 How does NEED work?

The NEED database made through the linking of data at household level by address matching. This results in an address level gas and electricity consumption database for properties in England, Scotland and Wales. Ordnance Survey's AddressBase provides the unique property reference number (UPRN). Address data from each of the datasets used in NEED is used to assign a UPRN to each record within that dataset. The UPRN is then used to link records from one dataset to the corresponding record in each of the other datasets.

3 Data sources and uses of NEED

3.1 Data sources and contracts

As per data protection protocol, all data collection and sourcing are governed by individual Data Sharing Agreement (DSA), Commercial Contract, or by legislation and a Memorandum of Understanding (MoU) with the data controller.

A list of all the data used in NEED and the basis for their acquisition and use can be seen below in Table 3.1. A further table outlining the range of projects and publications conducted using NEED, can be seen in Table 3.2.

While not listed in Table 3.1, open datasets are often linked to NEED. These include [Energy Performance Certificates](#), [fuel poverty statistics](#) and [indices of deprivation](#).

Table 3.1 NEED data sources and contracts

Data	Data Supplier	Description and function	Legal basis
Energy Consumption Data	Electricity data aggregators and Xoserve	<p>Gas and electricity meter consumption data for all domestic and non-domestic meters in the UK, annual data from 2004 and meter profile number for electricity meters. Gas data are received after weather correction has been applied.</p> <p>This data is fundamental to NEED to enable consumption analysis. Data are at meter level. Annual consumption since 2004 and meter profile are used.</p>	<p>Meter data is Acquired using the Statistics for Trade Act (1947)</p> <p>It is also governed by provisions in the Energy Efficiency Directive (2012/27/EU) and the Electricity Act 1989, which legislate for the government to request energy consumption data from distributors and suppliers for the purpose of energy analysis and implementation of energy initiatives.</p>
Property characteristic data	The Valuation Office Agency (VOA)	<p>Domestic property valuation data, including address matching information and property characteristics on all English and Welsh households. The data includes floor area, property type and property age. It is essential for the analysis of how energy consumption varies by different property characteristics and trends over time.</p>	<p>VOA data is provided via an Information Sharing Agreement that is reviewed annually. It is underpinned by the Commissioners for Revenue and Customs Act 2005 (CRCA) which covers the confidentiality of information held by the HMRC/VOA.</p> <p>CRCA section 10(1)(b) and section 10(3) relate specifically to the VOA and allow the provision of valuations and matters connected to a valuation to other public bodies.</p>
Gas Safe register data	Health and Safety Executive (HSE) / Capita Gas	<p>Data on boiler installations at the property level. This data is essential for tracking and analysing the impacts of boiler</p>	<p>Gas Safe data is made available through a Data Access Licence valid from 2013.</p>

	Registration & Ancillary Services Ltd	installation on energy consumption.	
Address Base	Ordnance Survey	This contains geographical and postcode data for use in the address matching process.	The Address Base data is made available via the Public Sector Mapping Agreement.
Energy Company Obligation (ECO)	Ofgem	Information on energy efficiency measures installed through ECO. The ECO data is useful in the short term to monitor the uptake of ECO measures, and useful in NEED analyses to analyse the impact of energy efficiency measures.	ECO data is provided via Data Sharing Agreement with Ofgem. It is underpinned by s.103B of the Utilities Act 2000.
Homes Energy Efficiency Database	Provided by the Energy Saving Trust	Information on energy efficiency measures installed through government schemes (including EEC, CERT and CESP1). As these schemes have now ceased this data source is no longer updated. Combined with the consumption data, these data enable analysis of the impact of energy efficiency measures, and where measures have been installed.	Data were provided via a contract with the Energy Saving Trust (EST).
Feed in Tariff data	Ofgem	Information on measures installed as part of the Feed in Tariff scheme, predominantly solar PV. This is important to the analysis of the impact of measures publications and other analysis projects. As the Feed in Tariff has now	Feed-in tariff data is provided under Data Sharing Agreement and legal provisions under the Feed-in Tariff Order 2012 and s.105 of the Utilities Act 2000. Under Article 34(2) of the Feed-in Tariffs Order 2012 Ofgem “must provide to the

		ceased this data source is no longer updated.	Secretary of State such additional information in relation to the FIT scheme as is requested.”
Household Characteristic Data and Business characteristic data	Experian	<p>This is modelled data on household characteristics such as income and tenure and is purchased for all English and Welsh households.</p> <p>These data are important to understand how a household’s consumption varies based on the characteristics of occupants. Income and tenure are particularly important in order to understand the impact of BEIS policies on low income households.</p>	Experian data are provided via commercial contract.

3.2 Data uses

Table 3.2 gives an overview of products which are routinely published using the NEED data. Other outputs are published on an ad hoc basis where this is deemed to be in the public interest (for example, [the publication of tables](#) breaking down gas and electricity consumption by Energy Performance Certificate).

The department also uses NEED for developing internal modelling, monitoring or policy evaluation within BEIS.

Table 3.2 Published outputs from data

Publication	Frequency	Data	Description and objectives
NEED consumption tables publication	Annual	VOA EPC Experian	National Statistics publication of energy consumption analysis using meter data. Included are summary tables providing information on electricity and gas consumption trends over time across different household and property characteristics. These are essential to the

Publication	Frequency	Data	Description and objectives
		Gas and electricity meter data	BEIS objectives to monitor energy consumption in the UK. Published here .
Impact of Measures Publication	Annual	VOA EPC HEED Experian ECO Feed-in Tariff Gas and electricity meter data	Annual National Statistics publication covering the impact of energy efficiency measures on gas and electricity consumption over time. This provides analysis on the uptake and effectiveness of energy efficiency measures. Published here .
Anonymised dataset Publication	Ad Hoc (Intended to be annual or biennial from December 2019)	VOA EPC HEED EPC Feed-in Tariff Gas and electricity meter data	This publication is an anonymised version of the NEED database, made accessible for public use. The dataset contains approximately 4 million property records and is available through the UK data archive; a second smaller sample of this dataset containing 50,000 selected records deemed representative of national housing stock is accessible through data.gov.uk. Both datasets are made up of samples of domestic properties in England and Wales and contain the region, gas and electricity consumption variables and property variables, including energy efficiency installations. The anonymised dataset is published for the purpose of enabling further research into energy efficiency by outside bodies and researchers. As such, it is an essential part of the government's promotion of household energy efficiency. Published here .

Publication	Frequency	Data	Description and objectives
Additional statistical tables	Annual	VOA EPC HEED Experian ECO Feed-in Tariff Gas and electricity meter data	Various other statistic tables, including the " NEED data explorer ".

3.3 Data sharing and wider projects

In certain cases BEIS contracts third parties to act on its behalf to deliver projects that work towards its objectives. These contractors are given access to select NEED data for specifically approved projects.

Where third parties are contracted in order to process personal information for specific projects, BEIS requires all third parties to respect the privacy of personal information and to treat it in accordance with the law. BEIS does not allow third party processors to use the personal information for their own purposes and only permits them to process the personal information for a specified purpose and in accordance with BEIS' instructions. All projects carried out by BEIS contractors using NEED data are governed by specific commercial contracts for each project. Only the minimum data required to deliver the project outcomes are provided to third parties.

The only instance where a body outside BEIS accesses NEED data for purposes other than assisting BEIS in meeting its functions is the sharing of data with the Scottish Government. This takes place under section 9(1) of the Statistics for Trade Act 1974, which states that data obtained under that Act may be disclosed to other Government departments or to the Scottish Ministers for the purposes of the exercise of any of their functions.

In the case of Scotland, various government functions relating to electricity have been transferred to the Scottish Ministers by the Scotland Acts 1998 and 2016, and Scottish meter data held under NEED is transferred to Scottish Ministers.

Further to this, Part 5, Chapter 5 of Digital Economy Act 2017 allows for the sharing of data between government departments for use in research pertinent to public benefit. As such, BEIS can be compelled to share data or ask to receive data from other departments upon request under this act.

Government Secure Research Service

NEED microdata is available as part of the ONS' Secure Research Service (SRS). Only metered consumption and meter classification are included in the SRS, rather than the full NEED dataset.

The SRS is a government facility that provides secure access to sensitive detailed data to approved researchers working on defined projects which serve the public good. Unlike anonymised datasets, data that is provided through here is not anonymised but is not available for general public use or distribution. While the data provided in the SRS isn't anonymised, it is pseudonymised by removing any identifying fields from the data made available to researchers.

To access data made available on the SRS, researchers must gain approved researcher status. There is a rigorous procedure for gaining approved researcher status and accessing data in the SRS, designed to ensure that researchers and exported results do not disclose sensitive information. SRS data cannot be downloaded, and users can only access this data at their desk if working at a government organisation or must do so in an ONS approved safe setting, located at various ONS office locations. The SRS works within a legal framework and there are penalties for breaking these rules.

All analysis using NEED data in the SRS is subject to the explicit permission of BEIS.

More information on the SRS can be found [here](#).

4 Legal considerations and privacy impacts

This section outlines the possible privacy impacts and the relevant guidance and legislation.

4.1 Identification of privacy impacts

For this Privacy Impact Assessment, several specific areas of potential data impacts have to be considered when examining risk. Alongside compliance with the Data Protection Act and GDPR, the following potential areas of privacy impact are identified:

- **Linking:** Linking data from multiple sources is fundamental to NEED. The NEED database itself is achieved through the address matching and joining of large amounts of household level data. The data risk management measures in place to secure this aspect of data processing is detailed in the below sections. Most precautions involve the security of the dataset which is held in a secure server with controlled permissions, tracked use and access.
- **Quantity:** The NEED dataset contains property level data for all households in Great Britain, nearly 30 million. The potential data risk attributable is therefore increased due to the volume of personal data.
- **Multiple organisations:** The involvement of multiple organisations in the supply and processing of the data is outlined in Table 3.1 and section 3.2. The nature of the data means that it must be collected from multiple data sources, and in some cases, data is shared when deemed to be necessary for research contributing to government objectives. In addition, some data is shared with the Scottish Ministers in accordance with statutory data sharing gateways. The risk of data loss is controlled for through data sharing agreements, commercial contracts and secure data transfer protocols.
- **Retention:** Historic data is retained in NEED for the purposes of research and time series data. This is outlined as a legitimate reason for the retention of data under GDPR however it increases the size and scope of data held in the dataset.
- **Data release:** The publication of NEED reports including outputs for aggregate data and release of an anonymised dataset pose limited data risk. Statistical disclosure control rules are applied to minimise the risk of linking published data to a specific property. Quality assurance procedures are used and continuously refined to ensure accuracy of the publications and correct application of statistical disclosure rules.
- **Physical security:** The security of data when transferred to and held by BEIS is core to the NEED project and infrastructure to secure this is detailed in Table 4.1, consisting primarily of a secure cloud-based server and controlled access permissions.

The following sections lay out legal obligations relative to NEED and measures taken to ensure mitigation of privacy impacts.

4.2 Relevant Legal obligations

The acquisition, processing and sharing of data within the NEED project is governed and facilitated by several key pieces of legislation.

Acquisition

The Statistics of Trade Act 1947

Section 1 of this Act confers a power on the Secretary of State to obtain information from any business about matters such as output, sales and services provided. The information must be obtained for the purpose of discharging the functions of the government department. Section 9 imposes restrictions on the onward disclosure of the information.

The Electricity Act 1989

Section 98 of the Electricity Act 1989 provides a power for the Secretary of State to obtain statistical information relating to the generation, transmission or supply of electricity. The Secretary of State has power to serve a notice on any business holding an electricity licence or any exempt generators, suppliers or interconnectors to provide specified information about that person's business. Information includes "accounts, estimates and returns", but not estimates as to future matters. There are restrictions on the disclosure of information obtained under this section.

Utilities Act 2000

Section 105 of the Utilities Act 2000 imposes general restrictions on the disclosure of information obtained from industry by Ofgem or by the Secretary of State using their powers under energy legislation or licence conditions, including in respect of the carbon emissions reduction target (CERT), community energy saving program CESP, ECO and FiTs

Energy Act 2011

Section 71 inserts a new section 103B into the Utilities Act 2000 which enables the government to require information from gas transporters, gas suppliers, electricity distributors and electricity suppliers to establish and maintain a record ("a measures record") of properties in respect of which measures have been carried out under the ECO scheme and of the type of measure taken in respect of each such property. Information obtained using that power is protected by the restrictions on disclosure in s.105 of the Utilities Act 2000, described above.

Energy Performance of Buildings (England and Wales) Regulation 2012

Regulation 32(2) enables the disclosure of information recorded in the register of energy performance certificates and display energy certificates to the Secretary of State for statistical or research purposes.

Commissioners for Revenue and Customs Act 2005 ("CRCA")

The Commissioners for Revenue and Customs Act 2005("CRCA") covers the confidentiality of information held by the HMRC/VOA. CRCA section 10(1)(b) and section 10(3) relate specifically to the VOA and allow the provision of valuations and matters connected to a valuation to other public bodies.

Data use

GDPR and the Data Protection Act 2018

In relation to NEED, BEIS is the data controller of some of the data sources. BEIS controls the metered consumption data and part of the energy efficiency measure installations data. Each dataset which is supplied to NEED also has a data controller, and they must comply with relevant requirements under data protection legislation when collecting and processing that data, including when sharing it with NEED. None of the data within NEED is Special Category Data or falls within the Law Enforcement Directive. Further detail relating to the GDPR and NEED is covered in table 4.1.

“Personal data” only includes information relating to natural persons who:

can be identified or who are identifiable, directly from the information in question; or

who can be indirectly identified from that information in combination with other information. It has been assumed that “personal data” covers household energy consumption information and that it also covers information on energy efficiency measures installed at a domestic property.

“Processing ” under the GDPR means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Environmental Information Regulations 2004

Regulation 4 requires public authorities to:

(a) progressively make the environmental information that they hold available to the public by electronic means which are easily accessible .

(b) take reasonable steps to organize the information relevant to their functions with a view to the active and systematic dissemination to the public of the information.

This doesn't require the release of information which could be withheld under a Freedom of information request.

Protection of Freedoms Act 2012

Section 102 of this Act amends the Freedom of Information Act 2000 to impose requirements in relation to the release of datasets (or extracts from datasets) for reuse.

Sharing

The Scotland Act 2016

The Scotland Act 2016 is an update to the original act of 1998, that stated that information can be disclosed to Scottish ministries for devolved use. Since 1999 government functions relating to electricity have been transferred to the Scottish Ministers, and Scottish meter data collected by NEED is transferred to Scottish ministries under this act.

Digital Economy Act

Part 5 of the Digital Economy Act 2017, known as the “Digital Government” provisions, give government powers to share personal information across organisational boundaries to improve public services. This includes research that can be seen to have a public benefit. As such there

is potential for BEIS in future to consider sharing NEED data on a case by case basis on request from a government department. The Digital Economy Act may also provide BEIS with a basis for acquiring other data to add to NEED.

4.3 GDPR articles: risks and measures taken

Table 4.1 below outlines the key and relevant articles covered within General Data Protection Regulation (GDPR) as it applies in the UK. It covers the relevant risks and measures BEIS has taken to adhere to them for NEED.

NEED data is primarily used for statistical research, under GDPR this is defined as “any operation of collection and the processing of personal data necessary for statistical surveys or for the production of statistical results”. As a result, there are several exemptions within GDPR that can apply under the principles of subject access, processing and transparency.

Table 4.1 GDPR relevant articles and Risk

GDPR	Description	Measures and Risk
Article 5 'Principles'	Lawful: Is there a legal basis for processing the data?	The legal basis for processing in NEED is Article 6(1)(e) of the GDPR (processing is necessary for the performance of a task carried out in the public interest). The data processing is proportionate to the legitimate aims to meet the government's objectives.
	Specific: What is the business use/purpose for processing the data?	The business use for processing NEED data is for specific projects that work towards BEIS's objectives, to: <ul style="list-style-type: none"> • Develop, monitor and evaluate key policies • Develop a greater understanding of the drivers of energy consumption • Gain a better understanding of the impacts of energy efficiency This specifically informs into BEIS' third and fourth objectives: <ul style="list-style-type: none"> • Promoting competitive markets and responsible business practices (specifically, 'support for vulnerable consumers to deliver value for money') • Ensuring the UK has a reliable, low cost and clean energy system. In line with BEIS privacy policy personal information is only used for the purposes for which it is collected, unless reasonably considered that it is needed to use it for another reason and that reason is compatible with the original purpose.
	Adequate, relevant and limited: What assessment has been made on the adequacy of the data being processed in relation to the purpose?	Data processed in NEED is routinely evaluated for suitability and purpose. This happens as part of analysis process, whereby the most suitable data is taken for each purpose. The sources of data are also evaluated to ensure that the source provides the best and

		<p>most suitable data for the purpose of NEED analysis.</p> <p>Data is only stored and processed when necessary, in line with the principle of data minimisation.</p>
	<p>Limited: Limited to what is necessary.</p>	<p>Only data necessary for the purposes of NEED projects, publications and monitoring is held within NEED. On a per project basis, only the data relevant to that project is processed.</p>
	<p>Accurate:</p> <p>How will the accuracy of the data be checked?</p> <p>How will inaccurate data be corrected?</p> <p>How will it be kept up to date?</p>	<p>In line with the assessment of adequacy, data received in NEED is quality assured for representativeness and consistency and to check for anomalies or outlying results. Source data is also compared to previous year's data to check for consistency and irregular results. All quality assurance, procedures and outcomes are recorded for each data collection and held for official and practical use.</p> <p>Any irregular results are queried and analysed to ensure that changes are not the result of collection or sampling errors.</p> <p>In the case of legitimately occurring atypical data distribution, data correction can be applied.</p> <p>For example, for gas meter information, the data is weather corrected to account for changes in consumption due to atypical weather patterns against a normal five-year average baseline. Within NEED this data can be re-corrected to make the data comparable to previous year baselines, and thus allow for accurate comparative analysis, and ensures that further analysis is not affected or skewed.</p> <p>Within the analysis process within NEED, extensive quality assurance is carried out at all stages of the process, by separate team members. A QA checklist completed for both spreadsheets and written documents and recorded.</p>

		<p>In terms of the 'right to rectification' any such requests would be reviewed, assessed and considered.</p>
	<p>Secure:</p> <ul style="list-style-type: none"> • How will the data be secured and kept safe? • What technical / operational security features and/or policies protect it? 	<p>All data held by BEIS under NEED is held within a secure Cloud Based Analytical System (CBAS). The NEED data in CBAS is only accessible to specified personnel within BEIS who have the requisite security clearance. CBAS tracks all imports and exports of data, recording all transfers. All servers are located within the UK.</p> <p>All users of the NEED data in BEIS must undergo information protection training before access is granted.</p> <p>Where data is held by BEIS contractors for a project the data is subject to specific rules:</p> <ol style="list-style-type: none"> 1. The data must only be accessed by named individuals 2. The contractor must provide technical documentation to assure that the platform has an adequate level of security to store the data 3. The data is destroyed on termination or completion of the contract 4. All data to remain on the system and not be transferred elsewhere without written BEIS consent 5. The Contractor will use the data solely for the purposes specified in the contract or such other 6. purpose as BEIS may agree in writing, and not further process the data. 7. The Contractor will immediately notify BEIS if it suspects or becomes aware of any unauthorised 8. access, copying, use or disclosure in any form of any of the data, of any other data breach.

	<p>Time-Bound:</p> <ul style="list-style-type: none"> • How long will the data be kept? • Is the data covered by an existing retention and deletion schedule? If not, will one be agreed with the Departmental Records Officer? 	<p>Only data necessary for objective-based analysis is held within NEED. The duration of time for which data is held is subject to its use and conditions specified in individual data source sharing agreements and contracts (see table 2.1).</p> <p>Permissions to access NEED data is conditional and time limited to the duration of specific approved projects, with permissions revoked at the end of the project or period specified by contract or sharing agreement.</p> <p>Data is not kept longer than is necessary, however the nature of the NEED database and the requirement for further research of historical to current trends means that there cannot be a specific time limit on how long may be necessary to keep data. Instead it is reviewed on a periodic basis as to whether it is relevant to possible further research. Article 5(1)(e) GDPR allows data to be stored for longer periods for statistical purposes, subject to implementation of the appropriate technical and organisational measures to safeguard the rights and freedoms of the data subject.</p>
Article 7 Consent	<p>Consent:</p> <ul style="list-style-type: none"> • If you will be relying on consent will it be given by a confirmation or action by the individual? • What processes will be in place to manage withdrawal of consent? 	<p>NEED does not rely upon consent from the data subject as data is collected from third parties and their consent is given through the terms of specific Data sharing arrangements. Notice is given through the publication of the PIA and applications to withdraw consent for the use of individual data will be considered in line with verifiable subject access requests that can be shown to be applying to the specific individual.</p>
Article 12,13,14 (Transparency)	<p>Transparent / Duty to Inform:</p> <ul style="list-style-type: none"> • How will data subjects (e.g. customers, staff) be made aware of what is 	<p>The current duty to inform is achieved primarily through the publication of the Privacy Impact Assessment, as this states publicly exactly which data are used and how.</p>

	<p>happening to their data?</p> <ul style="list-style-type: none"> Do individuals have an opportunity and/or right to decline to disclose or share their information? People must be informed of data controller 	<p>Specific notices to individuals about their data are not provided by BEIS as all NEED data is collected from third parties³.</p> <p>Under Article 14(5)(b) of the GDPR, if personal data processed for statistical purposes has been collected from a third party and not directly from the individuals concerned, it is not necessary to provide the information directly to each individual if doing so would involve a disproportionate effort or if it would seriously impair the achievement of those statistical purposes. In such cases the controller must take appropriate measures to protect the data subjects' rights, freedoms and interests, including by making the transparency information publicly available.</p>
Article 15 (access request protocol)	<p>Subject access request protocol:</p> <ul style="list-style-type: none"> how will subject access requests be managed? 	<p>The protocol to follow in case of subject access requests is in line with BEIS policy. Firstly, the identity of the requesting party would be verified. Following this, an assessment of the data held on the party would be carried out before extraction and provision of the information.</p> <p>Information in NEED can be personal data where it is possible to link a person to the property through the use of data not held on NEED. The occupants of a property can change over time. The owner of the property, the occupants and the energy account holder can be different people. Therefore, if a subject access request is made for NEED data, issues may arise over how to ensure information only pertaining to the requesting party, and not infringing on any other person's privacy, is provided.</p> <p>Most requests for data access are made via Freedom of Information requests and are processed in line with standard FOI procedure. If the information is the personal data of the person making the request, it will be exempt under Part (1) of Section 40 (Personal Information) of the FOI 2000.</p>

³ The third parties collecting data directly from or about individuals will have in place the privacy notices and data policies as required under data protection legislation. For example, the Ofgem privacy policy <https://www.ofgem.gov.uk/privacy-policy>

		<p>A property cannot necessarily be attributed to a specific person at a specific time unless explicitly verified, by the production of address and identification information, to be one and the same.</p> <p>Specifically paragraph 16 of Schedule 2, Part 3 of the Data Protection Act 2018 provides an exemption that can apply when a subject access request is made for information containing the personal data of more than one individual. The exemption does not apply if it is reasonable to disclose the information without the consent of the other individuals.</p> <p>Where requests for data are made via the Freedom of Information Act or the Environmental Information Regulations, these are processed in line with standard FOI/EIR procedure.</p>
Article 18 (right to restriction)	<p>Restriction:</p> <ul style="list-style-type: none"> • What processes will be in place to manage requests to restrict processing? 	<p>As a research-based function NEED data processed under the restrictions or limitations outlined in the data sharing agreements or contracts with the specific data controllers for each data source.</p>
Article 20 (data portability)		<p>This right is not applicable because NEED does not obtain data directly from the data subject and processing is not carried out on a legal basis listed in Article 20 GDPR.</p>
Article 22 (Automated individual decision-making)		<p>NEED data is not used to take decisions in relation to individuals. Therefore, it does not involve automated individual decision-making.</p>
Article 26-30 (Joint Controllers and Processors)	<p>Data Sharing / Contracts:</p> <ul style="list-style-type: none"> • Will the data be shared with other business units/teams/parts of the 	<p>All data sharing in NEED with other government departments and third parties are governed by contracts or data sharing agreement, outlined in Table 2.3.</p> <p>Predominantly analysis of NEED data is conducted by the NEED team, however where there is a clear objective interest or legal</p>

	<p>Department/ Organisation?</p> <ul style="list-style-type: none"> • If yes how will the data be shared / disclosed? • Will the personal data be shared with an external organisation? <ul style="list-style-type: none"> - OGD? - Supplier? - Third party? • What kind of arrangement will be in place to covers this? <ul style="list-style-type: none"> - Contract? - Data Sharing Agreement? - MoU? 	<p>obligation, data will be shared with outside bodies.</p> <p>For specific projects, where there is a clear public interest or where BEIS' own objectives may be informed, third parties may be contracted in order to process personal information. Current third parties are academic or research institutions, consultancies or data collection agencies.</p> <p>BEIS requires all third parties to respect the privacy of personal information and to treat it in accordance with the law. BEIS does not allow third parties to use personal information for their own purposes and only permit them to process the personal information for a specified purpose and in accordance with BEIS' instructions.</p>
<p>Article 44,45 (Data transfers)</p>	<p>Data Transfers:</p> <ul style="list-style-type: none"> • Will the data be held or transferred outside the UK? • If yes – where will it be held or transferred to? <p>If yes what processes will be placed to ensure it is adequately protected?</p>	<p>The majority of sensitive data transferred to BEIS for NEED, and all sensitive NEED data transferred from BEIS (for example, if data is shared with a contractor), is transferred using a secure service. At the time of publication the service used is Egress.</p> <p>To minimise risk during the transfer process only one person in each organisation is given access to the Egress container for a given transfer. Once data has been transferred all data is removed from Egress.</p> <p>Some meter consumption data is sent to BEIS using other secure systems, as deemed adequate by the data supplier and BEIS.</p>

5. Concluding remarks: what is the risk?

Under the Data Protection Act 2018 and GDPR, there are two key themes for NEED data which mitigate its privacy risks. The first is that NEED data is used entirely for statistical research purposes and for legitimate purposes to meet the government's objectives. Secondly, NEED primarily relates to buildings and does not contain Special Category personal data. There is debate over the extent to which NEED data can be considered personal data. Consumption data, and some installation data, for domestic buildings may be considered personal data, and for the purposes of this PIA, it is assumed to be so.

As such any risk to data mainly concerns the linking and processing of data, and the security of this data in processing. All processing for the disclosure or sharing of information is governed by contract, DSA or legal act and is carried out securely in the IT infrastructure that hold NEED data. Processing is strictly access controlled and limited to specific personnel with the relevant training, clearance and permissions, which are time limited to the duration of the project for which NEED data is needed. Publications are produced in line with the [Code of Practice for Statistics](#) and only include non-disclosive results, which have a low risk of being linked to a specific property. In terms of the anonymised dataset, statistical disclosure control rules are applied and, when appropriate, intruder testing by external experts is carried out, rendering the data unidentifiable from the original individuals.

As such, the risk to personal data in NEED is arguably low, due to the nature of the data and analysis, and the controls placed on its processing.

5.1 Future arrangements

BEIS intends to continue with its current analysis projects and publications using NEED data. The Anonymised NEED Dataset, which has previously been an ad hoc publication, will also be considered for annual or biennial publication after the 2019 publication. New analysis functions will be considered on their merit in meeting BEIS and NEED objectives, and ability to adhere to data protection as set out in this document.

This publication is available from: www.gov.uk/government/publications/national-energy-efficiency-data-framework-privacy-impact-assessment-2019

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