Workshop - Identify data that could/should be proof-chained

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The purpose of this workshop is to consider/ identify the different types of data that have risk applied to it and the workflows associated with this data.

We will then do a knowledge check to identify which ones have a need for compliance regulations, risk reduction and proof of activity for dispute resolution.

Background example Information

In this example, we will look at a typical organisation that has data risk and verification issues around its day-to day workflow activities.

Our sample Company provides an outsourced service carry out due diligence and checks on individuals that are applying for a taxi driver licence issued by public authorities.

There is a legal requirement to carry out checks and balances as there have been a number of incidents of existing drivers committing legal and civil breaches some have been found to have driving licences that have been revoked or expired or licences that should have been revoked.

Question – Why would the company adopt a verification and proof model.

Answer - In the event that a driver commits an offence then they need to prove that they carried out all of the checks required before that driver was employed. If there are any issues relating to this and any points that they cannot prove then they become financially and legally liable.

The requirement

The company needs to track and prove this checking process as part of its agreement with its clients, to confirm that everything has been done to ensure sure that the drivers are fit for employment and to ensure public safety.

Their business workflow processes and data collection will be saved to the evident proof platform allowing them to very quickly produce a proof certificate confirming that all of this data and evidence has been stored immutably and that all checks have been carried out in accordance with the legal and licencing requirements.

So how do you identify which processes and data have risk associated with it?

Considerations

When we consider a specific workflow or process a company carries out in the course of its activities, we need to identify:

1. What type of data is being handled or generated?

2. What are the touchpoints that the data passes through?

3. The type of workflows that handle the data, generate data or repurpose data?

4. Any business information or derivative information that is extracted from or generated by the data and business workflows

5. The owners and controllers of the data

6. The geographical location of the data, what sovereignty it resides within?

7. What risk is associated to these?

In our example, we want to consider the process that the company goes through in order to carry out the required checks that are needed to be done on potential taxi driver applicants.

Once we have looked at the workflow that is required to collect this data, we then need to consider the different applications that are used in this data collection process and this includes third-party applications or services such as criminal record checks.

When we map this out, we can then start to look at the areas of data that have risk around them and will need to be stored through the evident proof platform.

Question - let's assume that you are visiting this client for the first time to discuss their Verification and proof requirements - what information would you request to help you identify which data and workflows would have compliance and risk associated with it.

Answer - In this example it is likely that the company will have a mandate from their clients which will detail the processes that they need to go through and the information that they need to check and aggregate in order to confirm that the driver is fit for employment. This should clearly identify the data that has risk associated with it.

If there was no mandate in the above case then we would establish what proof looks like to the client by asking them what data would be requested by the client or regulatory body in the event that a challenge was made to the data that they had collected or the workflow process that they had carried out to collect this data.

Typical Questions to ask in this process could be: -

- *How are you currently managing your regulatory and compliance process?*
- *Which databases are being used to manage this data and report on these processes?*
- *Where is it stored?*
- *How is it stored - Is it stored in a centralised way?*

- *List the types of data that the clients generate / transact or receive in the business model*
- *Who has access to this and is this data easily accessible?*
- *Is this data stored in a number of disparate data sets that would need to be interrogated in order to prove that the regulatory and governance demands have been met?*
- *Who has responsibility and liability for the integrity and correct reporting of this data – including the way that it is recorded and managed?*
- *Identify and list the workflows that clients engage in. Are any of them ones that require verification? Could any be disputed?*

Fact Find

So, while we carry out our fact find on their data and work proof process, we will be looking at the data that is collected internally through their own business applications and also data that is requested through third-party applications such as criminal checks.

How this works in the real world.
Lucy works for a company that is doing the validation checks and the first thing she does as soon as she receives a drivers application is to confirm that she has received all of the correct information that is required for the application to be processed this includes: -

1. A fully completed and signed the application form with consent to carry out other checks such as:
    1. DBS or Criminal Record Checks
    2. DVLA Checks
2. A copy of the driver's licence together
3. Another proof of address such as a utility bill.
4. Payment for the licence

Q- This is the first touchpoint to consider as confirmation that the initial checks have been carried out and the application has either been accepted for the next stage or has been rejected because it was incomplete or didn't contain the required information - do you think that this information should be included in your data risk framework ?

A - Yes - This simple acceptance form data could be uploaded to the evident proof platform and would prove that the application had been considered and all the correct information had been supplied.

E - In the event this is challenge by the applicant because the application was returned as say it was not completed correctly - then storing this information immutable on the evident platform would prove that this data & process has been handled correctly. livelihoods are at stake and claims can go to court or tribunals, drivers and taxi companies will challenge the refusal to reissue licences.

E - Proof of financial transactions are recorded and will confirm if a payment was received and also in the event of an application being reject confirmation of the refund.

If the form appears to be completed correctly and has all of the relevant information with it such as the copy of the driver's licence for proof of Identity, a utility bill for proof of address then Lucy creates a new digital application on their internal system and during this setup process, this application is given a unique reference.

Unique Identifier

This unique reference can be utilised by the evident proof platform to organise and streamline the building of the Evidence process Once this has been captured or created and then all data for particular proof process can be related back to this for the relevant data proof collection process.

This a very powerful feature built into the evident proof platform. Later on, we will go into more detail about this principle and explain how this works.

Data collection

Lucy enters in the key pieces of data that she needs on the new digital application form this includes: -

1. First name
2. Last name
3. Street Address
4. City
5. County
6. Telephone number
7. Date of birth

Question. Which of the data mentioned above would be a consideration to be pushed to the evident proof platform so it is tamper proof and could be proved in a court of law?

A - Most likely all of this data as it is personal information and wold be subject to GDPR regulation. The amount of data would likely be dependent upon your original discussions and fact find with the client.

E - The Misuse of personal information by the council could lead to a fine or passenger claim and is a high-profile area of business risk for public bodies.

E - The freedom of information website, which automates Freedom Of Information requests and publishes responses, says it has recorded 154 accidental database leaks made by councils, government departments, police, the NHS and other public bodies since 2009. This amounts to confidential data being wrongly released on average once every fortnight.

Summary - Using the Evident proof solution will allow the public body to prove how they have managed and handled the taxi driver personal data, this would include how it was stored and encrypted, when and who accessed it.

The Data Protection Act, which governs the release of sensitive information, states that "appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data" Using the evident proof platform means that they have gone above and beyond this requirement

Building the Evidence data framework
When we look at any Businesses data or data schema it's important for us to identify what we are looking to prove with this data.

In the first instance here we are looking at the data in this process that confirms the applicant is who they say they are even if we may prove that this is not the case later down the line.

Question. Based on some of the information that was given to you in the considerations paragraph what other information and data would you put into your data framework to be pushed into the evident proof platform?

Answer - the data from third-party applications such as criminal records checks and driving licence checks would be key in carrying out due diligence on these applications.

Example - If any of these checks came back negative then the application process would-be put-on hold.

Example - Data would be captured as part of the request to undertake these searches to the third-party applications and the responses back could then be added to the digital application.

So earlier on in our example Lucy had collected all of the drivers application and created the application on their internal application, for the next stage she now needs to request some checks that will be carried out by a specialist third party suppliers such as the DBS that will provide a criminal and background check on the applicant.

Back to the real-world example

Lucy will add all of this information to her in house application and confirm that she has applied for the criminal record check.

Q. - how much of this third-party activity do you think should be recorded to the evident proof platform.

A. - It makes sense to capture all of the communications and data audit trails that are carried out between Lucy's process and the third-party applications that she needs to complete her due diligence. –

- *All of these data touch points are critical in verifying and confirming that all of the correct procedures have been adhered and the results have not been tampered with.*

- *This activity history workflow and data that is provided by the third-party providers should be recorded on the evident proof platform to show the full audit trail of this process and how it relates back to the key stages of the application process*

E - If One of these third-party applications return false information because of an internal issue then our client could prove that they had carried out this process correctly and the liability would lay with the third-party application provider – and they could prove that the data that they received was false.

Pulling this all together as Legal Proof

Building Data Bundles and Why is this important?

Earlier we reference that a unique identifier/reference could be used to pull together all of the data we are looking prove - we refer to this as data bundles - The evident proof platform uses this innovative new idea called proof seal bundles. These bundles are designed to pull together all information and data centred around a specific entity and workflow (whether this is a process an Event, transaction, or a document) in a model that is suitable to prove compliance for the client.

In our example we are looking to tie together all of the data and contextual information around the taxi driver's application process then push all of this data onto the evident proof platform so it can be stored in an immutable way. This way when a proof certificate is required, we can pull in any of the associated data that we may need.

E - In other examples, this unique reference could be the reference on a bicycle frame that had been manufactured then all of the other parts built around this could have the same unique reference number so when pulling all of this information together a Group relationship is created.

E - In this case we have identified the following workflow and data activities in the taxi driver licencing business model. See the table below listing the workflows and data types as well as the drivers for proof and verification.

Driver Verification – Risk, Data, regulations

Data Types & Workflow *Examples of activity data flows*	Risk Drivers *Risks associated procedures & data handling*	Legal & Compliance Regulations *Example Regulations Jurisdiction Specific*
Data - Documents*, Transactions, events* - Employees Personal Information, Financial Salary information, Recruitment data, Employment Stats **Information Workflows** - Pre-employment checks, Training and Development, Performance Management, Industrial Action, Mergers and Acquisitions, End of employment, Vehicle suitability Checks	**They need to Comply with & adhere to-** Employment Regulation Health & Safety Regulations, HR Policy, Data Regulation, client's requirements **Drivers: -** Compliance, Litigation, Safety, risk reduction, mitigate Liability, Provable, compliance procedures, Transparency	**Data Regulation** - GDPR, DPA, ISO 27001 **Employment Regulation** - Safeguarding Vulnerable Groups Act 2006, Employment Rights Act 1996, Equality Act 2010, **Sector Specific regulatory & Compliance** Section 1 of the 1998 Act be at least 21 years of age; hold a full GB, NI or EEA driving licence that is at least three years old; have the right to live and work in the UK; be of good character (established through an 'enhanced' criminal records check); meet the Group 2 medical standards; and undertake a topographical skills assessment.
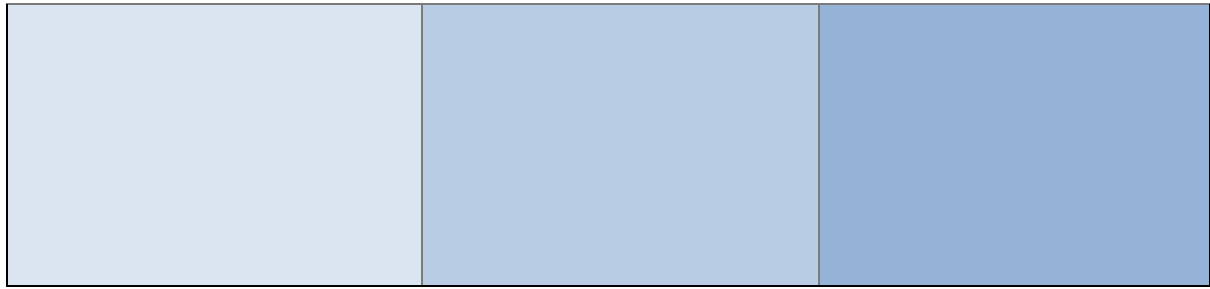
Knowledge 1

1. What are the legal ramifications to the business if they're not able to prove that they carried out the correct checks?
   a. If the business is unable to prove that they carried out all of the required checks and balances then they become liable to any claims made by passengers that have been affected by taxi drivers that have been illegally issued licences and will not be able to defend them in a court of law.
2. An applicant is challenging the refusal of his application because he forgot to submit proof of address how would the evident proof platform solve this issue?
   a. We would be able to use the evident proof solution to prove that all of the documents had been checked in correctly at the point the application was submitted online and in that this information was missing and a further request was made to the applicant to provide this
3. True or false Ensuring that their workflow and data flow processes are pushed to the evident proof platform would make sure that their employees are doing their job correctly
   a. True - storing all of this activity which would be time-stamped on the evident proof platform provides complete transparency to this whole workflow process
4. How can the evident proof platform help confirm the GDPR has been conformed to whilst going through the licencing checks that are needed?
   a. With everything being saved to be evident proof platform is transparent and immutable in the event that someone wants to have should somebody require all of their data to be deleted in the event that they were rejected for the application then a proof certificate could be produced to prove that the deletion has taken place
   b. Example - Public authorities operate under a code of conduct that requires personal information to be removed or anonymised before data is released.

Knowledge Check2

In our knowledge check 2, we will look at a challenge that has been made.

Overview - In this scenario a passenger is challenging the council over a crime that happened on a taxi journey claiming that the council are liable for licencing the driver when they should not have.

Take a look at this proof certificate here

Please select yes or no from the following list

1. On Page 1 of the proof certificate what does the event statement tell you and has the evidence pass or failed.
    a. The evidence statement tells you data workflow process that the proof certificate is related to and confirming that in this case the evidence check against the original data or data workflow has failed.
2. Check out the data evidence metadata report on page 5 of the proof certificate and the individual evidence key - What has been the outcome of the verification process with the individual evidence key.
    a. The certificate is proving that a criminal record check did not take place.
3. So, where does the liability lie in this particular example who was at fault?
    a. The proof certificate confirms that the local authority did not carry out a criminal record so have been at fault!
4. In this particular case how could it save them time and money as it is confirming that they are liable?
    a. It gives them the option to settle the case out of court without spending lots of time and resources try to prove the case by pulling together all of the information before they fully understanding that they are liable
    b. This proof could save them days of man-hours and the requirement to have the party testimonials at the court hearing