Data Protection Impact Assessment (DPIA)

What is a DPIA?

Article 35 of the General Data Protection Regulation (GDPR) refers to Data Protection Impact Assessments (DPIAs) as a tool which help organisations identify, assess and mitigate or minimise privacy risks with data processing activities. They're particularly relevant when a new data sharing or processing, system or technology is being introduced.

DPIAs also support the accountability principle, as they help organisations comply with the requirements of the GDPR and demonstrate that appropriate measures have been taken to ensure compliance.

When should a DPIA checklist be completed?

The GDPR mandates a DPIA to be completed where data processing "is likely to result in a high risk to the rights and freedoms of natural persons".

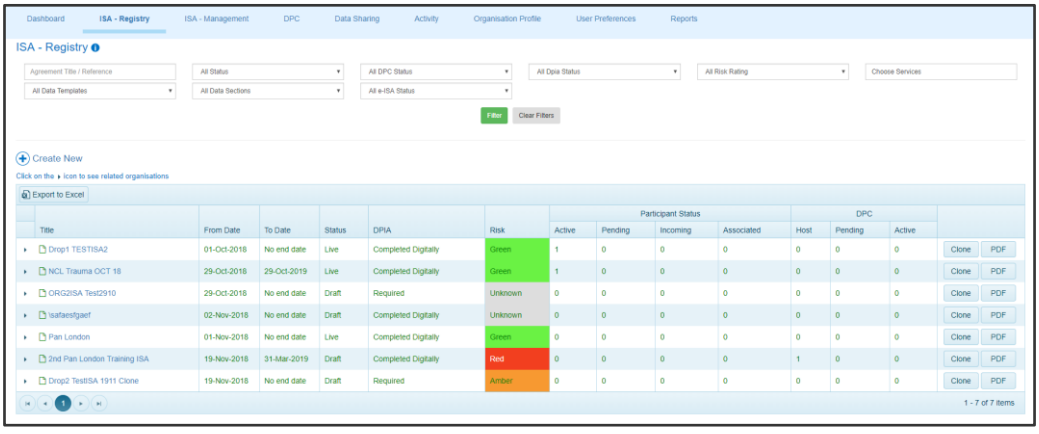
A DPIA should be completed as early as possible within any new project lifecycle, so that its findings and recommendations can be incorporated into the design of the processing operation.

Known as privacy by design, the embedding of data privacy features into the design of projects can have the following benefits:

- Potential problems are identified at an early stage.
- Addressing problems early will often be simpler and less costly.
- Increased awareness of privacy and data protection across the organisation.
- Organisations will be less likely to breach the GDPR.
- Actions are less likely to be privacy intrusive and have a negative impact on individuals.

How do I complete a DPIA checklist?

As a host of an ISA you can see a 'DPIA' column in the 'ISA – Registry' table which indicates the DPIA status for each ISA.



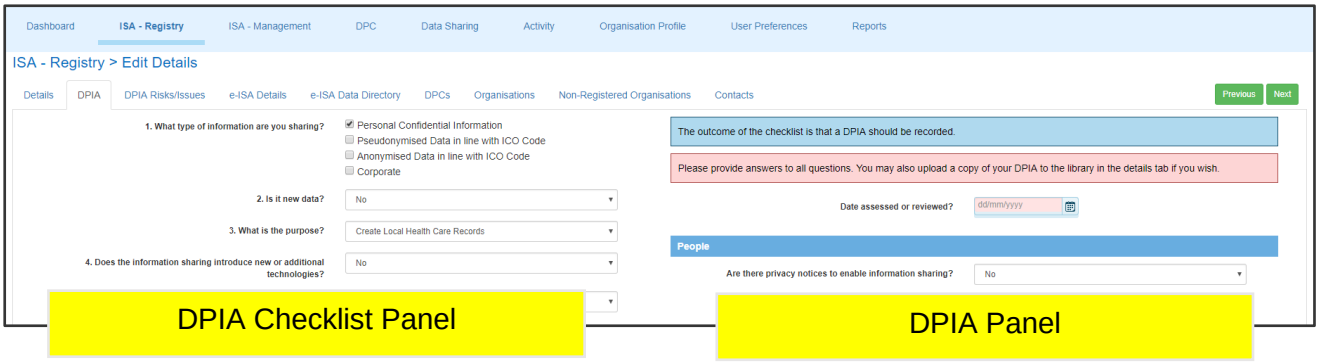
The following DPIA statuses exist within the DCC:

DPIA Status	DPIA Stage	Description
Checklist Required	Prior to DPIA checklist	All ISA hosts are required to complete the DPIA checklist and digital DPIA in order to save an ISA.
Required	After DPIA checklist **or** Prior to DPIA outcome	After the 10 DPIA checklist questions, the digital DPIA is also required and you will have the option to upload PDF DPIA if you wish.
Complete Digitally	Record DPIA Digitally	**Complete Digitally**' enables you to record your DPIA by providing an answer to all the questions
Upload copy of DPIA	After completion of digital DPIA	Should you wish, you can also upload a copy of your DPIA to the library in the details tab if you wish

DPIA Checklist

When creating an ISA, it is a mandatory requirement to answer the DPIA checklist questions and digital DPIA.

Caution: Please be careful when completing a DPIA. Once a DPIA checklist has been completed or a DPIA has been digitally created / uploaded, it cannot be removed. However, you are able to amend the information that you have previously recorded.



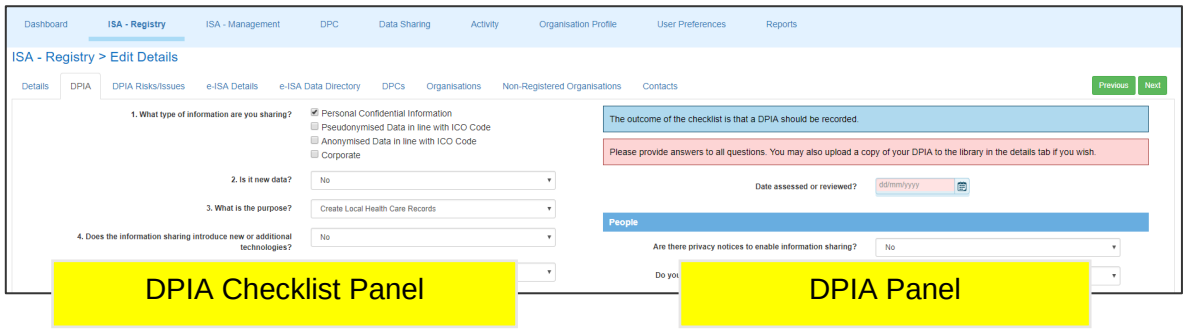
1. Select the 'DPIA' tab from the **ISA – Registry > Create New** screen

2. Complete the DPIA checklist questions that appear in the DPIA checklist panel, as per the table below:

DPIA Checklist questions	Response
1. What type of information are you sharing?	Options: ☐ Personal Confidential Information ☐ Pseudonymised Data in line with ICO Code ☐ Anonymised Data in line with ICO Code ☐ Corporate
2. Is it new data?	○ Yes ○ No ○ Unsure
3. What is the purpose?	☐ Create Local Health Care Record ☐ Individual care and treatment ☐ Make diagnoses and decisions ☐ Other
4. Does the information sharing introduce new or additional technologies?	○ Yes ○ No ○ Unsure
5. Does the information sharing about the individual raise privacy concerns?	○ Yes ○ No ○ Unsure
6. Does the information sharing involve you using new technology which might be perceived as being intrusive? For example, the use of data to make a decision about care that's automated?	○ Yes ○ No ○ Unsure
7. Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information?	○ Yes ○ No ○ Unsure
8. Will the project require you to contact individuals in ways which they may find intrusive	○ Yes ○ No ○ Unsure
9. Will 3 or more organisations be involved in sharing the information?	○ Yes ○ No ○ Unsure
10. Will the information sharing involve new or significantly changed consolidation, inter-linking, cross referencing or matching of personal data from multiple sources?	○ Yes ○ No ○ Unsure
11. Is any adult or children data involved?	○ Adult's data ○ Both Adult's and Children's data ○ Children's data ○ Not sharing patient data
11.b Definition of adult	○ 13+ ○ 15+ ○ 16+

DPIA

The DPIA panel will only be enabled after completing the checklist questions.



Complete DPIA digitally

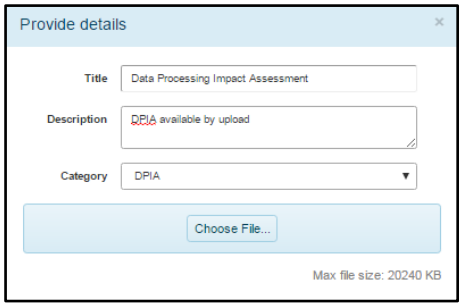
1. Provide the answers to the DPIA outcome, as per the table below:

DPIA Outcome questions	Response
Date assess or reviewed?	Enter a date
Are there privacy notices to enable information sharing?	○ Yes ○ No ○ Unsure
Do you have a defined subject access request process?	○ Yes ○ No ○ Unsure
Do you adhere to the accessibility information standards?	○ Yes ○ No ○ Unsure
What is the lawful basis for processing information?	Select the applicable option(s) from the available checkboxes
Are the new purposes for processing information stated in the current ISA likely to be identified in the future?	○ Yes ○ No ○ Unsure
Have all organisations sharing or consuming information met the Data Security and Protection (DSP) Toolkit?	○ Yes ○ No ○ Unsure
Will any information stated in the ISA be transferred outside EEA?	○ Yes ○ No
If required, do you or any parties subject to the ISA have the means to make changes to the data?	○ Yes ○ No
Is there a section within the ISA that covers Data Quality?	○ Yes ○ No ○ Unsure
Does the organisation and agreement comply with records management code?	○ Yes ○ No

	○ Unsure
Is your information security proportional to the sensitivity of the data being transferred?	○ Yes ○ No ○ Unsure
If the answer to the question above is yes, there are two further questions 1. Specify where outside EEA 2. If limited to the USA, is the processor on the Privacy Shield Scheme?	○ Free text field ○ Yes ○ No ○ Unsure ○ Not applicable
If required, do you or any parties subject to the ISA have the means to make changes to the data?	○ Yes ○ No
Is there a section within the ISA that covers Data Quality?	○ Yes ○ No ○ Unsure
Does the organisation and agreement comply with records management code?	○ Yes ○ No ○ Unsure
Is your information security proportional to the sensitivity of the data being transferred?	○ Yes ○ No ○ Unsure
Select the data covered?	Select the applicable option(s) from the available checkboxes

Upload a copy of your DPIA

1. Navigate to the ISA details tab
2. Click on '**Upload new**' button



3. Enter the DPIA *Title*, *Description* and *Category*
4. Select the **Choose File…** button to upload your DPIA to the DCC document library
5. Click the **Save and stay** (Save and stay) or the **Save and return** (Save and return) button to commit the changes