



**Kings Langley School**

Unlocking Potential for Life

# Data Protection Impact Assessment Protocol

Date Agreed – May 2023

Review Date – May 2025



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## Rationale

This policy exists to provide a framework for supporting our stated aim of “ensuring the happiness of every individual in our community”, to promote a climate which enables all staff and students to flourish, regardless of ability or special needs, and supports our desired outcomes of developing "strong character".

## Character Development: Commitment to Equality and Diversity

This school is founded on a set of fundamental values designed to enable all students and adults connected with our community to flourish and succeed, regardless of background or circumstances. We are determined to be open to people, places, methods and ideas—and as such, equality and diversity are at the heart of everything we do. Our continued dedication to social justice and equality of opportunity is embodied in everything we do.

We are creating an **inclusive** school community where:

- People are treated with dignity and respect.
- Inequalities are challenged.
- We anticipate, and respond positively to, different needs and circumstances so that everyone can achieve their potential.
- We value diversity and we recognise that different people bring different perspectives, ideas, knowledge and culture, and that this difference brings great strength.
- We believe that discrimination or exclusion based on individual characteristics and circumstances, such as age; disability; caring or dependency responsibilities; gender or gender identity; marriage and civil partnership status; political opinion; pregnancy and maternity; race, colour, caste, nationality, ethnic or national origin; religion or belief; sexual orientation; socio-economic background; trade union membership status or other distinctions, represents a waste of talent and a denial of opportunity for self-fulfilment.
- We recognise that patterns of under achievement at any level and differences in outcomes can be challenged through positive intervention activities designed to bridge gaps.
- We respect the rights of individuals, including the right to hold different views and beliefs. We will not allow these differences to be manifested in a way that is hostile or degrading to others.
- We expect commitment and involvement from all our staff, students, partners and providers of goods and services in working towards the achievement of our vision.

## Data Protection Impact Assessment (DPIA) Introduction

The purpose of the DPIA is to ensure that Kings Langley School remains compliant with the Data Protection legislation once the General Data Protection Regulation (GDPR) replaces the Data Protection Act 1998 on 25 May 2018.

All processes, procedures and policies will be reviewed by the school to ensure compliance with the GDPR regulations, ensuring that the school upholds individuals' rights to privacy through the schools need to process their information in a responsible manner. The information processed by the school relates to staff, parents/carers and students.



## Data Protection Impact Assessment (DPIA) Process

Data Protection Impact Assessments (DPIAs) are mandatory where processing poses a high risk to the rights and freedoms of individuals, we must evaluate when a DPIA is required. The below checklist should assist in making an assessment as to whether a DPIA is required.

The ICO's guidance on DPIAs states, "...the important point here is not whether the processing is actually high risk or likely to result in harm – that is the job of the DPIA itself to assess in detail. Instead, the question is a more high-level screening test: are there features which point to the potential for high risk?"

The answers to the checklist below can be used to help inform a decision about whether to carry out a DPIA. If it is unclear if a DPIA is required for the processing activity, it is recommended that one is undertaken to ensure compliance and as a matter of good practice.

The checklist below is not exhaustive and is indicative of the circumstances when a DPIA may be needed, for example, in some circumstances a DPIA should be carried out if only one question is answered affirmatively and in others two or more affirmative answers may lead you to conclude that a DPIA is needed. It is up to Kings Langley School to decide if the processing is likely to result in high risk, taking into account the nature, scope, context and purposes of the processing

**The definition of "Processing"** 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.

### Checklist to Assess if a DPIA is required

Criteria	Answer
What is the objective/intended outcome of the project?	
Is it a significant piece of work affecting how services/operations are currently provided?	
Who are the data subjects or who will be affected by the project?	
Will the project involve the collection of new information about people? (e.g. new identifiers or behavioural information relating to individuals?)	
Will the project involve combining anonymised data sources in a way that may give rise to a risk that individuals could be identified?	
Will the project involve combining datasets originating from different processing operations or data controllers in a way which would exceed the reasonable expectations of the individuals?	
Is data being processed on a large scale (consider the number of data subjects concerned, the volume of data and/or the range of different data items being processed, the duration of the processing and the geographical extent of the processing)?	
Will the project compel individuals to provide information about themselves?	
Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information?	
Will personal information be transferred outside the EEA?	



Criteria	Answer
Is information about individuals to be used for a purpose it is not currently used for, or in a way it is not currently used?	
Will information about pupils or other vulnerable persons (e.g. employees) be collected or otherwise processed?	
Will new technology be used which might be seen as privacy intrusive? (e.g. tracking, surveillance, observation or monitoring software, capture of image, video or audio or location)	
Is monitoring or tracking or profiling of individuals taking place?	
Is data being used for automated decision making with legal or similar significant effect?	
Is data being used for evaluation or scoring? (e.g. performance at work, economic situation, health, interests or behaviour)	
Is sensitive data being collected including:	
i. Race	
ii. Ethnic origin	
iii. Political opinions	
iv. Religious or philosophical beliefs	
v. Trade union membership	
vi. Genetic data	
vii. Biometric data (including facial recognition)	
viii. Finger or palm print data	
ix. Health data	
x. Data about sex life or sexual orientation?	
Does the processing include personal data relating to criminal offences or prosecutions?	
Will the processing itself prevent data subjects from exercising a right or using a service or contract?	
Is the information about individuals of a kind likely to raise privacy concerns or is it information people would consider to be particularly private or confidential?	
Will the project require contact to be made with individuals in ways they may find intrusive?	
Does the project involve new or significantly changed handling of personal data about a large number of individuals?	
Could the processing endanger the individual's physical health or safety in the event of a security breach?	



Criteria	Answer
Does the processing involve collecting personal data from a source other than the individual without providing them with a privacy notice?	
Are you considering a major project which will involve the use of personal data?	

On reviewing the checklist if you have an affirmative answer to one question or identify two or more affirmative answers please complete the below DPIA template.



## Data Protection Impact Assessment

Kings Langley School data processing activity **MUST** comply with the *Data Protection legislation*. The Data Protection Impact Assessment process helps the school identify how the collection and use of people's personal data may affect their privacy.

This form should be used for any new projects which require the collection and / or use of personal data. The completed form should be referred to the school's Data Protection Officer for final consideration. It is important to use clear and simple language, without acronyms, to explain why the data is needed and how it is to be used.

Project Name	
Department	
Project Lead	
Job Title	
Email	
Brief description of purpose of project	



Identify the type of activity (check all that apply)

<input type="checkbox"/>	New system/application or upgrade to existing system/application
<input type="checkbox"/>	Data Sharing Agreement to support new activity or with new partner
<input type="checkbox"/>	New service or outsourcing of existing service
<input type="checkbox"/>	Profiling (combining data sets and/or automated processing of personal data to analyse/evaluate/predict behaviour/performance/interests/location/movements of groups/people)

Is it driven by any legal obligation or official responsibility?

Yes	<input type="checkbox"/>	Please state	
No	<input type="checkbox"/>		

What personal data do you intend to use and why (check all, and overtype the example)

<input type="checkbox"/>	Contact data	e.g. name/address/email/telephone
<input type="checkbox"/>	Financial data	e.g. credit/debit card number or bank account details
<input type="checkbox"/>	Special category data 1	e.g. health/ethnicity or race/religious belief/political belief/ trade union membership/ sexual orientation or sex life
<input type="checkbox"/>	Special category data 2	e.g. biometric or genetic data used for identification purposes
<input type="checkbox"/>	Criminal	e.g. Criminal convictions or allegations
<input type="checkbox"/>	Identifiers	e.g. NI number/ NHS number/Driver number



<input type="checkbox"/>	Other	e.g. education history/social care record	
Who are the data subjects (check all which apply)			
<input type="checkbox"/>	Pupils	<input type="checkbox"/>	Adults
<input type="checkbox"/>	Parents/carers	<input type="checkbox"/>	Children
<input type="checkbox"/>	Employees	<input type="checkbox"/>	Governors
Can you achieve your objectives using anonymised data?			
List all agencies which will have access to the data collected for the project			
List the benefits <u>to the data subjects</u> of their personal data being used for this project/purpose			



List the benefits to the school/trust or its partners of the personal data being used for this project/purpose

List the potential risks/disadvantages to the data subject of their personal data being used for this project/purpose

How will you reduce or remove the risks identified above?

Is the personal data already held by the school?

Yes	<input type="checkbox"/>	
No	<input type="checkbox"/>	

If no, which agency is collecting the data?



Have you told the individuals whose personal data you want to use how and why their data will be used?

Yes	<input type="checkbox"/>	
No	<input type="checkbox"/>	

If no, are you going to tell them?

Yes	<input type="checkbox"/>	e.g. by Privacy Notice
No	<input type="checkbox"/>	Why not?



Do you need the individuals' consent to use their data for this purpose?

Yes	<input type="checkbox"/>		
No	<input type="checkbox"/>	Lawful basis for processing is:	

If yes how are you going to collect and record it?

--

How will individuals be given the opportunity to withdraw their consent to use of their data?

--

How will you make sure that the personal data you are using is kept accurate and up to date?

--

How long will you need to hold the personal data for?



Check school retention schedule if unsure

How will you make sure that you don't hold the data for longer?

How will the data be held / stored?

Where will the data be stored?

List all countries which apply



What technical security measures will be in place to protect the data?

What organisational measures will be in place to ensure that unauthorised access is prevented?

How will technical and organisational security be monitored/audited?

If personal data is transferred/shared between agencies/partners how will this be achieved securely?

How will you ensure that third parties will also comply with data protection obligations?



*As lead officer, I confirm that the information recorded on this form is, to the best of my knowledge, an accurate and complete assessment of the potential privacy impacts of this project.*

*I understand this project must not progress until I have received a completed approval from the Data Protection Officer.*

Name	Signature	Date



Data Protection Officer use

DPIA has provided clear evidence of:

<input type="checkbox"/>	Lawful basis for processing
<input type="checkbox"/>	Consent arrangements in place
<input type="checkbox"/>	Cloud storage/remote hosting in acceptable location
<input type="checkbox"/>	Sensitivity and risk to data subject sufficiently mitigated
<input type="checkbox"/>	Deletion/return of data at end of project in place
<input type="checkbox"/>	Sign off by project lead
<input type="checkbox"/>	Processor input
OR	
<input type="checkbox"/>	Additional information requested [dd/mm/yy]



***DPIA reviewed and approved by Data Protection Officer:***

Name	Signature	Date
<hr/>		
<b>If Required</b>		
Consultation with ICO due to risk to privacy [dd/mm/yy]		
<hr/>		
<b>ICO approved</b> [dd/mm/yy]		
<b>ICO rejected</b> [dd/mm/yy]		
<hr/>		
<b>Processing purpose/function added to Information Asset Register</b> [dd/mm/yy]		
<hr/>		