

# Data Protection Impact Assessment Procedure

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<b>Stakeholder Consultation</b>	<input type="checkbox"/> All Staff <input checked="" type="checkbox"/> External DPO <input type="checkbox"/> Union <input type="checkbox"/> Employee Voices Group <input type="checkbox"/> Head Office Managers <input type="checkbox"/> C&S Managers <input type="checkbox"/> Department/Other:	This procedure will be reviewed every 3 years from the date of implementation or earlier if deemed appropriate. If this procedure is not reviewed within the above timescale, the latest approved procedure will continue to apply.	

## Version Control

Date	Owner	Version	Reason for Change
Jan 26	Head of Compliance & Improvement	2.0	Cyclical Review

## Summary of Changes

Section	Change
All	Incorporated the Data (Use and Access) Act 2025.
All	All references to The Information Commission changed to The Information Commission to align with Data (Use and Access) Act 2025.
6.0	Updated examples to more practical examples and removed jargon.

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## 1.0 Introduction

A Data Protection Impact Assessment (DPIA) is a tool to help us identify and minimise the data protection risks of new projects. They are part of our accountability obligations under the UK General Data Protection Regulation, and an integral part of the 'data protection by default and by design' approach.

We must do a DPIA for certain types of processing of personal data, or any other processing that is likely to result in a high risk to individuals.

A DPIA must:

- Describe the nature, scope, context and purposes of the processing;
- Assess necessity, proportionality and compliance measures;
- Identify and assess risks to individuals; and
- Identify any additional measures to mitigate those risks.

To assess the level of risk, we must consider both the likelihood and the severity of any impact on individuals. High risk could result from either a high probability of some harm, or a lower possibility of serious harm.

Ark's Data Protection lead and Data Protection Officer (DPO) will be consulted when completing a DPIA and where appropriate, individuals and relevant experts. Any data processors may also need to assist in completing it. If we identify a high risk that we cannot mitigate, we must consult the Information Commission before starting the processing.

An effective DPIA helps us to identify and fix problems at an early stage, demonstrate compliance with our data protection obligations, meet individuals' expectations of privacy and help avoid reputational damage which might otherwise occur.

This procedure explains the principles and process that form the basis of a DPIA. It helps us to understand what a DPIA is for, when we need to carry one out, and how to go about it.

## 2.0 What is a DPIA?

A DPIA is a process designed to help us systematically analyse, identify and minimise the data protection risks of a project or planned change. It is a key part of our accountability obligations under the UK GDPR, and when done properly helps us assess and demonstrate how we comply with all of our data protection obligations. It does not have to eradicate all risk but should help us minimise and determine whether or not the level of risk is acceptable in the circumstances, taking into account the benefits of what we want to achieve.

DPIAs are designed to be a flexible and scalable tool that we can apply to a wide range of projects regardless of size. Conducting a DPIA does not have to be complex or time consuming in every case, but there must be a level of strictness in proportion to the privacy risks arising.

### 3.0 Why are DPIA's Important?

DPIAs are an essential part of our accountability obligations. Conducting a DPIA is a legal requirement for any type of processing that is likely to result in high risk (including certain specified types of processing). Failing to carry out a DPIA in these cases may leave us open to enforcement action, including a fine of up to €10 million or 2% annual turnover.

A DPIA also brings broader compliance benefits, as it can be an effective way to assess and demonstrate our compliance with all data protection principles and obligations. However, DPIAs are not just a compliance exercise. An effective DPIA allows us to identify and fix problems at an early stage, bringing broader benefits for both individuals and Ark.

It can reassure individuals that we are protecting their interests and have reduced any negative impact on them as much as we can. In some cases the consultation process for a DPIA gives them a chance to have some say in the way their information is used.

Conducting and publishing a DPIA can also improve transparency and make it easier for individuals to understand how and why you are using their information.

In turn, this can create potential benefits for our reputation and relationships with individuals: They can

- Help us to build trust and engagement with the people using our services, and improve our understanding of their needs, concerns and expectations;
- Identify a problem early which generally means a simpler and less costly solution, as well as avoiding potential reputational damage later;
- Reduce the ongoing costs of a project by minimising the amount of information we collect where possible and devising more straightforward processes for staff.

In general, consistent use of DPIAs increases the awareness of privacy and data protection issues within Ark and ensures that all relevant staff involved in designing projects think about privacy at the early stages and adopt a 'data protection by design' approach.

### 4.0 How are DPIA's used?

A DPIA can cover a single processing operation, or a group of similar processing operations. For new technologies, we may be able to use a DPIA done by the product developer to inform our own DPIA on our implementation plans.

For new projects, DPIAs are a vital part of data protection by design. They build in data protection compliance at an early stage, when there is most scope for influencing how the proposal is developed and implemented.

However, it's important to remember that DPIAs are also relevant if we are planning to make changes to an existing system. In this case we must ensure that we do the DPIA at a point when there is a realistic opportunity to influence those plans. A DPIA is not simply a

rubber stamp or a technicality as part of a sign-off process. It's vital to integrate the outcomes of a DPIA back into any project plan. We should not view a DPIA as a one-off exercise to file away. A DPIA is a 'living' process to help us manage and review the risks of the processing and the measures put in place on an ongoing basis. We need to keep it under review and reassess if anything changes. In particular, if we make any significant changes to how or why you process personal data, or to the amount of data we collect, we need to show that our DPIA assesses any new risks.

An external change to the wider context of the processing should also prompt us to review our DPIA. For example, if a new security flaw is identified, new technology is made available, or a new public concern is raised over the type of processing we do or the vulnerability of a particular group of data subjects.

## 5.0 What Kind of 'Risk' do DPIA's Assess?

There is no explicit definition of 'risk' in the UK GDPR, but the various provisions on DPIAs make clear that this is about the risks to individuals' interests. This includes risks to privacy and data protection rights, but also effects on other fundamental rights and interests.

The focus is therefore on any potential harm to individuals. However, the risk-based approach is not just about actual damage and should also look at the possibility for more intangible harm. It includes any "significant economic or social disadvantage". The impact on society as a whole may also be a relevant risk factor. For example, it may be a significant risk if our intended processing leads to a loss of public trust. A DPIA must assess the level of risk, and in particular whether it is 'high risk'. The UK GDPR is clear that assessing the level of risk involves looking at both the likelihood and the severity of the potential harm.

## 6.0 When do we need to do a DPIA?

We must do a DPIA before we begin any type of processing which is "likely to result in a high risk". This means that although we have not yet assessed the actual level of risk we need to screen for factors that point to the potential for a widespread or serious impact on individuals. In particular, the UK GDPR says you must do a DPIA if you plan:

- systematic and extensive processing activities, including profiling and where decisions that have legal effects, or similarly significant effects, on individuals;
- large scale processing of special categories of data or personal data relation to criminal convictions or offences;
- using new technologies (for example surveillance systems).

The Information Commission has also published a list of the kind of processing operations that are likely to be high risk and also require a DPIA.

Item	Plain-English Explanation	Practical Examples
New technologies	Using new or innovative tech may create unknown privacy risks.	Smart home devices, AI chatbots, wearable fitness trackers
Denial of service	Automated decisions that control access to services can have serious consequences.	Online loan approvals, automated job application screening
Large-scale profiling	Profiling many people at once increases the chance of errors or bias.	Social media behaviour analysis, large ad-targeting datasets
Biometrics	Biometric data is unique and sensitive; leaks are hard to remedy.	Face recognition at access gates, fingerprint/voice ID
Genetic data	Genetic information is deeply personal and long-lasting.	DNA ancestry services, genetic health screening
Data matching	Linking data from different places can build detailed profiles.	Combining retail loyalty data with social data
Invisible processing	People may not know their data is being used, reducing transparency.	Third-party cookie tracking, list brokering
Tracking	Following location/behaviour can reveal private routines.	GPS delivery app tracking, online activity tracking
Targeting children/vulnerable	These groups need extra care and protection.	Connected toys collecting data, child-focused apps
Risk of physical harm	If leaked, data could put someone's safety at risk.	Domestic abuse support records, whistleblower reports

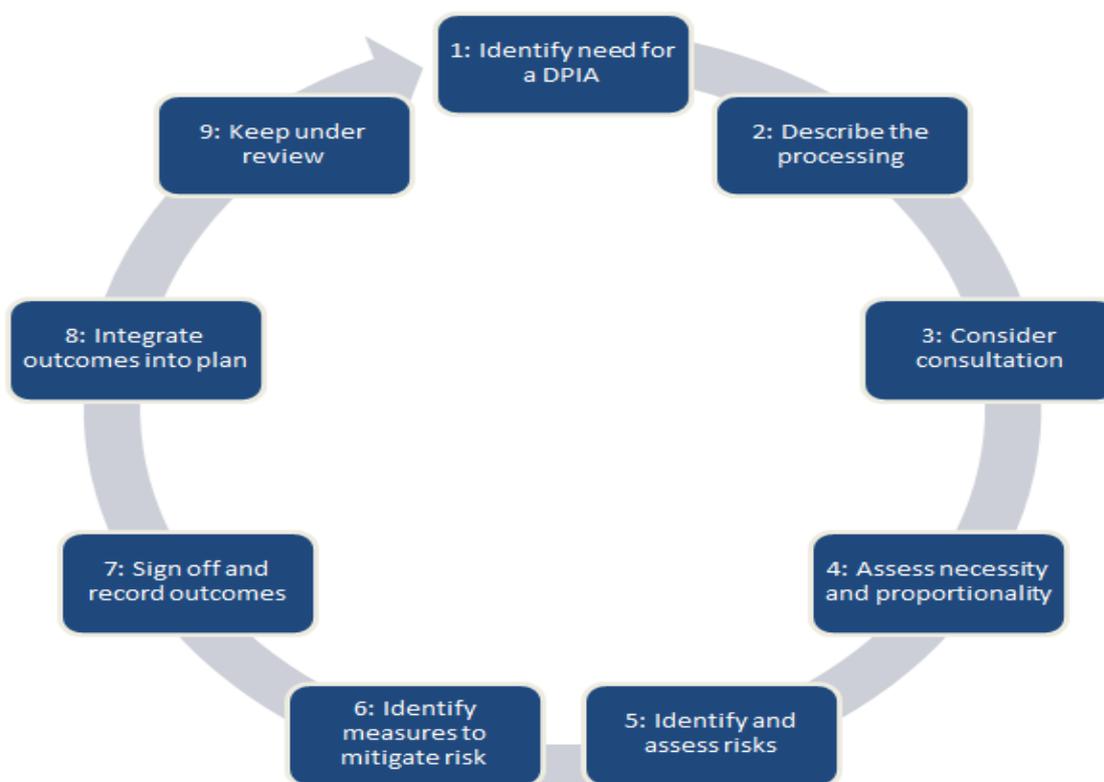
We should also think carefully about doing a DPIA for any other processing that is large scale, involves profiling or monitoring, decides on access to services or opportunities, or involves sensitive data or vulnerable individuals. Even if there is no specific indication of likely high risk, it is good practice to do a DPIA for any major new project involving any use of personal data.

When deciding whether to do a DPIA, we should first answer the screening questions at Appendix 1.

After answering the screening questions, if the decision is made that a DPIA is needed, use the following guidance, as you go along, to complete the DPIA template at Appendix 2.

## 7.0 How to Complete a DPIA

A DPIA should begin early in the life of a project, before you start your processing, and run alongside the planning and development process. It should include these steps:



The project manager / lead would usually be best placed to conduct the required DPIA along with any other stakeholders who are able to input into the process.

The Data Protection lead / DPO will have a significant role in supporting the process, providing advice and guidance, will approve any completed assessment and where required liaise with the Information Commission.

### 7.1 Step 1: Identify the need for a DPIA

7.1.1 Contact the Data Protection lead / DPO and advise them of the new project/change.

7.1.2 Complete the DPIA Initial Screening Form (Appendix 1) to determine if you need to complete a DPIA.

7.1.3 If you decide that you do not need to do a DPIA, you should document the decision and the reasons for it on the DPIA Initial Screening Form (Appendix 1).

7.1.4 If you need to complete a DPIA you should use the DPIA Template (Appendix 2) and complete Step 1, where you should list the types of processing identified from the screening form, the aims of the project and why the need to complete a DPIA was identified.

## 7.2 Step 2: Describe the Processing

7.2.1 Describe how and why you plan to use the personal data.

The description must include “the nature, scope, context and purposes of the processing”. The nature of the processing is what you plan to do with the personal data.

This should include, for example:

- How you collect the data;
- How you store the data;
- How you use the data;
- Who has access to the data;
- Who you share the data with;
- Whether there are any data processors;
- Retention periods;
- Security measures;
- Whether you are using any new technologies;
- Whether you are using any novel types of processing and;
- Which screening criteria you flagged as likely high risk.

7.2.2 The scope of the processing is what the processing covers.

This should include, for example:

- The nature of the personal data
- The volume and variety of the personal data
- The sensitivity of the personal data
- The extent and frequency of the processing
- The duration of the processing
- The number of data subjects involved and
- The geographical area covered.

7.2.3 The context of the processing is the wider picture, including internal and external factors which might affect expectations or impact.

This might include, for example:

- The source of the data;
- The nature of the relationship with the individuals (tenants, staff);
- The extent to which individuals have control over their data;
- The extent to which individuals are likely to expect the processing;
- Whether they include children or other vulnerable people;
- Any previous experience of this type of processing;

- Any relevant advances in technology or security;
- Any current issues of public concern.

7.2.4 The purpose of the processing is the reason why you want to process the personal data.

This should include:

- your legitimate interests, where relevant;
- the intended outcome for individuals and;
- the expected benefits for you or for society as a whole.

### 7.3 Step 3: Consultation

You should always seek the views of individuals (or their representatives) unless there is a good reason not to.

In most cases it should be possible to consult individuals in some form. However, if you decide that it is not appropriate to consult individuals then you should record this decision as part of the DPIA, with a clear explanation. For example, you might be able to demonstrate that consultation would compromise commercial confidentiality, undermine security, or be disproportionate or impracticable.

If the DPIA covers the processing of personal data of existing contacts (for example, existing customers or employees), you should design a consultation process to seek the views of those particular individuals, or their representatives.

If the DPIA covers a plan to collect the personal data of individuals you have not yet identified, you may need to carry out a more general public consultation process, or targeted research. This could take the form of carrying out market research with a certain demographic or contacting relevant campaign or consumer groups for their views.

If your DPIA decision is at odds with the views of individuals, you need to document your reasons for disregarding their views.

If the project involves a data processor, you may need to ask them for information and assistance.

You should consult all relevant internal stakeholders, the IT Support Provider if this is a new system or change to an existing system to allow Information Security to be considered.

In some circumstances we might also need to consult the Information Commission once you have completed your DPIA. (Explained in Step 6)

## 7.4 Step 4: Assess Necessity and Proportionality

You should consider:

- Do your plans help to achieve your purpose?
- Is there any other reasonable way to achieve the same result?

The Article 29 guidelines also say you should include how you ensure data protection compliance, which are a good measure of necessity and proportionality.

In particular, you should include relevant details of:

- Your lawful basis for the processing (see Appendix 3 - Conditions of Processing);
- How you will prevent function creep;
- How you intend to ensure data quality;
- How you intend to ensure data minimisation;
- How you intend to provide privacy information to individuals;
- How you implement and support individuals' rights;
- Measures to ensure your processors comply and;

Safeguards for any international transfers.

## 7.5 Step 5 Identify and Assess Risks

Consider the potential impact on individuals and any harm or damage that might be caused by your processing – whether physical, emotional or material.

In particular look at whether the processing could possibly contribute to:

- Inability to exercise rights (including but not limited to privacy rights);
- Inability to access services or opportunities;
- Loss of control over the use of personal data;
- Discrimination;
- Identity theft or fraud;
- Financial loss;
- Reputational damage;
- Physical harm;
- Loss of confidentiality;
- Re-identification of pseudonymised data or;
- Any other significant economic or social disadvantage.

You should include an assessment of the security risks, including sources of risk and the potential impact of each type of breach (including illegitimate access to, modification of or loss of personal data). You may wish to discuss these with the IT Provider for electronic data transfers.

To assess whether the risk is a high risk, you need consider both the likelihood and severity of the possible harm. Harm does not have to be inevitable to qualify as a risk or a high risk. It must be more than remote, but any significant possibility of very serious harm may still be enough to qualify as a high risk. Equally, a high probability of widespread but more minor harm might still count as high risk.

The below Risk Matrix must be considered when assessing likelihood and severity of harm to the rights and freedoms of the individual.

<b>Severity of harm</b>	Serious harm	Low risk	High risk	High risk
	Some harm	Low risk	Medium risk	High risk
	Minimal harm	Low risk	Low risk	Low risk
		Remote	Reasonable possibility	More likely than not
		<b>Likelihood of harm</b>		

## 7.6 Step 8: Step 6: Identify Actions to Mitigate the Risks

Against each risk identified, record the source of that risk. You should then consider options for reducing that risk.

For example:

- Deciding not to collect certain types of data;
- Reducing the scope of the processing;
- Reducing retention periods;
- Taking additional technological security measures;
- Training staff to ensure risks are anticipated and managed;
- Anonymising or pseudonymising data where possible;
- Writing internal guidance or processes to avoid risks;
- Adding a human element to review automated decisions;
- Using a different technology;
- Putting clear data sharing agreements into place;
- Making changes to privacy notices;

- Offering individuals the chance to opt out where appropriate or;
- Implementing new systems to help individuals to exercise their rights.

This is not an exhaustive list, and you may be able to devise other ways to help reduce or avoid the risks.

Record whether the measure would reduce or eliminate the risk.

You should then record:

- What additional measures you plan to take;
- Whether each risk has been eliminated, reduced, or accepted;
- The overall level of 'residual risk' after taking additional measures and;
- Whether you need to consult the Information Commission.

You do not always have to eliminate every risk. You may decide that some risks, and even a high risk, are acceptable given the benefits of the processing and the difficulties of mitigation.

However, if there is still a high risk, you need to consult the Information Commission before you can go ahead with the processing.

### **When to Consult the Information Commission**

If you have identified a high risk, and you cannot take any measures to reduce this risk, you need to consult the Information Commission. You cannot go ahead with the processing until you have done so. The focus is on the 'residual risk' after any mitigating measures have been taken. If the DPIA identified a high risk, but you have taken measures to reduce this risk so that it is no longer a high risk, you do not need to consult the Information Commission.

### **How do we consult the Information Commission?**

The Data Protection lead / DPO will consult with the Information Commission on Ark's behalf. This is done by completing the online form.

The submission must include:

- A description of the respective roles and responsibilities of any joint controllers or processors;
- The purposes and methods of the intended processing;
- The measures and safeguards taken to protect individuals;
- A copy of the DPIA.

We will be notified if the DPIA has been accepted for consultation within ten days of sending it. If the Information Commission agree that a DPIA was required, they will review the DPIA.

They will consider whether:

- The processing complies with data protection requirements
- Risks have been properly identified and
- Risks have been reduced to an acceptable level.

The Information Commission will provide a written response, advising that:

- The risks are acceptable and you can go ahead with the processing
- You need to take further measures to reduce the risks
- You have not identified all risks and you need to review your DPIA
- Your DPIA is not compliant and you need to repeat it or
- The processing would not comply with the UK GDPR and you should not proceed.

In some cases, the Information Commission may take more formal action. This might include an official warning not to proceed or imposing a limitation or ban on processing.

If we disagree with the Information Commission advice we can ask for a review of the decision.

## 7.7 Step 7: Approval and Record of Outcomes

As part of the approval process, you should submit your assessment to the Data Protection lead / DPO to advise on whether the processing is compliant and can go ahead. If you decide not to follow their advice, you need to record your reasons.

## 7.8 Step 8: Integrate Outcomes into Project

You must integrate the outcomes of your DPIA back into your project plans. You should identify any action points and who is responsible for implementing them.

You should monitor the ongoing performance of the DPIA. You may need to cycle through the process again before your plans are finalised.

It is good practice to publish DPIA's to aid transparency and accountability. This could help foster trust in our processing activities and improve individuals' ability to exercise their rights.

## 7.9 Step 9: Continuous Review of DPIA

You need to keep your DPIA under review, and you may need to repeat it if there is a substantial change to the nature, scope, context or purposes of your processing

## 8.0 Related Policies, Procedures & Documentation

G24 - Data Protection Policy

G24a – Information Security and Personal Data Breach Procedure

G25d - Data Protection Impact Assessment Procedure

G26e - CCTV procedure

G24f - Smart doorbells procedure

G25 - Records Management Policy

G25a - Records Management Procedure

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## 9.0 Training & Monitoring requirements

### 9.1 Training

Staff will be informed of best practices in data protection and where to access guidance and support on related issues. They will receive training tailored to their individual learning plans and aligned with both their role requirements and organisational needs. Ark will ensure that all relevant employees are familiar with this procedure and receive sufficient guidance to enable them to effectively process a Subject Access Request.

### 9.2 Monitoring

Subject Access Requests are recorded on a register, which is regularly reviewed by the Head of Compliance & Improvement and Ark's Data Protection Officer. The Head of Compliance & Improvement provides quarterly reports on Subject Access Requests to the Senior Leadership Team as part of the data protection report and highlights any concerns and lessons learned.

## Appendix 1 – DPIA Initial Screening Form

### 1. Project Details

<b>Project Title / Change Description:</b>	
<b>Project Manager/ Lead details:</b>	
<b>Date of Screening:</b>	

### 2. Answer yes or no to all the different types of processing listed below

<b>Does the processing you are planning:</b>	<b>Answer</b>
Use systematic and extensive profiling or automated decision making to make significant decisions about people?	
Process special category data (see Appendix 2) or criminal offence data on a large scale?	
Systematically monitor a publicly accessible place on a large scale?	
Use new technologies?	
Use profiling, automated decision-making or special category data to help make decisions on someone's access to a service, opportunity or benefit?	
Carry out profiling on a large scale?	
Process biometric or genetic data?	
Combine, compare or match data from multiple sources?	
Process personal data without providing a privacy notice directly to the individual?	
Process personal data in a way which involves tracking individuals' online or offline location or behaviour?	
Process children's personal data for profiling or automated decision-making or for marketing purposes, or offer online services directly to them?	
Process personal data which could result in a risk of physical harm in the event of a security breach?	

### 3. If the answer is **yes** to any one of these types of processing, then you **must** complete a DPIA. If the answer was **no** to all these types, then you must review the following processing listed below that may require a DPIA

<b>Does the processing involve:</b>	<b>Answer</b>
Evaluation or scoring	
Automated decision-making with significant effects	
Systematic monitoring	
Processing of sensitive data or data of a highly personal nature	
Processing on a large scale	
Processing of data concerning vulnerable data subjects.	
Innovative technological or organisational solutions	
Processing involving preventing data subjects from exercising a right or using a service or contract.	

4. If the answer is **yes** to any of these processing types you must discuss the requirement to complete a DPIA with the Data Protection lead / DPO.

Is DPIA Required?	
Reason for Decision if not completing DPIA:	

If the decision is made that a DPIA is needed, use the above guidance to complete the DPIA template at Appendix 3.

## Appendix 2 – DPIA Template

### Data Protection Impact Assessment

For guidance on how to complete this form, it is important to read the above DPIA Procedures before and during completion of this assessment.

This assessment must be commenced at the beginning of any project involving the use of personal data, or if you are making a significant change to an existing process. The final outcomes must be integrated back into the project plan.

<b>Name of Organisation</b>	
<b>Project Title / Change Description:</b>	
<b>Project Manager/ Lead details:</b>	
<b>Name of Data Protection Officer</b>	
<b>Date of Assessment:</b>	

<b>Step 1: Identify the need for a DPIA</b>
<b>Explain broadly what the project aims to achieve and what type of processing it involves.</b> You may find it helpful to refer or link to other documents, such as a project scoping. Summarise why you identified the need for a DPIA. (See DPIA Procedure Step 1 for further guidance).

<b>Step 2: Describe the Processing</b>
<b>2a Describe the nature of the processing:</b> how will you collect, use, store and delete data? What is the source of the data? Will you be sharing data with anyone? You might find it useful to refer to a flow diagram or another way of describing data flows. What types of processing identified as likely high risk are involved? (See DPIA Procedure Step 2 for further guidance)
<b>2b Describe the scope of the processing:</b> what is the nature of the data, and does it include special category or criminal offence data? How much data will you be collecting and using? How often? How long will you keep it? How many individuals are affected? What geographical area does it cover? (See DPIA Procedure Step 2 for further guidance)
<b><u>Details of personal data</u></b>

Please indicate what personal data will be collected/stored/processed, please indicate with an X where applicable.

Administration data

- Name
- Date of Birth/Age
- Gender
- Contact details
- Unique identifier e.g. student number/NI No.
- Other data (please specify):

Special Categories of data

- Racial or ethnic origin
- Political opinion
- Religious or philosophical beliefs
- Trade Union membership
- Physical or mental health condition
- Sexual life and sexual orientation
- Genetic data
- Biometric data used to identify an individual

Other sensitive information

- Financial information/bank account details
- Criminal convictions and offences
- Other (please specify):

Under Article 6 of the UK GDPR one of the following conditions needs to apply before the processing of personal data is lawful. Please indicate which condition applies: (See Appendix 2)

- The individual who the personal data is about has given/will give unambiguous consented to the processing
- The processing is necessary for the performance of a contract with the individual
- The processing is necessary for a legal obligation
- The processing is necessary for the vital interests of someone (i.e. life or death situation)
- The processing is carried out in the public interest or in the exercise of official authority

- The processing is in the legitimate interests of the business or another party and does not prejudice the rights and freedoms of the individual (please provide further details):

If processing Special Category Data, please state which of the conditions for processing specified in Appendix 2 applies.

**2c Describe the context of the processing:** what is the nature of your relationship with the individuals? How much control will they have? Would they expect you to use their data in this way? Do they include children or other vulnerable groups? Are there prior concerns over this type of processing or security flaws? Is it novel in any way? What is the current state of technology in this area? Are there any current issues of public concern that you should factor in? Are you signed up to any approved code of conduct or certification scheme (once any have been approved)? (See DPIA Procedure Step 2 for further guidance)

**2d Describe the purposes of the processing:** what do you want to achieve? What is the intended effect on individuals? What are the benefits of the processing for you, and more broadly? (See DPIA Procedure Step 2 for further guidance)

### Step 3: Consultation

**Consider how to consult with relevant stakeholders:** describe when and how you will seek individuals' views – or justify why it's not appropriate to do so. Who else do you need to involve within your organisation? Do you need to ask any relevant data processors to assist? Do you plan to consult information security experts, or any other experts?  
(See DPIA Procedure Step 3 for further guidance)

### Step 4: Assess Necessity and Proportionality

**Describe compliance and proportionality measures, in particular:** what is your lawful basis for processing? Does the processing actually achieve your purpose? Is there another way to achieve the same outcome? How will you prevent function creep? How will you ensure data quality and data minimisation? What information will you give individuals? How will you help to support their rights? What measures do you take to ensure data processors comply? How do you safeguard any international transfers?  
(See DPIA Procedure Step 4 for further guidance)

<b>Step 5: Identify and Assess Risks</b>			
<b>Describe the source of risk and nature of potential impact on individuals.</b> Include associated compliance and corporate risks as necessary. (See DPIA Procedure Step 5 for further guidance and Risk Matrix)	Likelihood of Harm	Severity of Harm	Overall risk
Risk No. 01			
Risk No. 02			

<b>Step 6: Identify Actions to Mitigate the Risks</b>				
<b>Identify additional measures you could take to reduce or eliminate risks identified as medium or high risk in step 5</b> (See DPIA Procedure Step 6 for further guidance)				
<b>Risk</b>	<b>Actions to reduce or eliminate risk</b>	<b>Effect on Risk</b> <i>(reduced / eliminated / Accepted)</i>	<b>Residual Risk</b> <i>(Low/ Medium/ High)</i>	<b>Action Approved</b> <i>(Yes/No)</i>
<b>Risk No. 01</b>				
<b>Risk No. 02</b>				

<b>Step 7: Approval and Record of outcomes</b> (See DPIA Procedure Step 7 for further guidance)		
<b>Item</b>	<b>Signed / Date</b>	<b>Notes</b>
Risk Actions approved by:		<i>Integrate actions back into project plan, with date and responsibility for completion</i>
Residual risks approved by:		<i>If accepting any residual high risk, consult the Information Commission before going ahead</i>
Consultation responses reviewed by:		<i>If your decision departs from individuals' views, you must explain your reasons</i>

DPO advice provided:		<i>DPO should advise on compliance, step 6 measures and whether processing can proceed</i>
Summary of DPO advice:		
DPO advice accepted or overruled by:		<i>If overruled, you must explain your reasons</i>
Comments:		
This DPIA will be kept under review by:		<i>The Data Protection lead should also review ongoing compliance with DPIA</i>

## Appendix 3 – Conditions for Processing

Below are the different legal bases available for processing personal data and special categories of data.

### **Conditions for personal data:**

6(1)(a) – Consent of the data subject (only use consent if there is no other condition that can be used)

6(1)(b) – Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract

6(1)(c) – Processing is necessary for compliance with a legal obligation

6(1)(d) – Processing is necessary to protect the vital interests of a data subject or another person

6(1)(e) – Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

6(1)(f) – Necessary for the purposes of legitimate interests pursued by the controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.

### **Categories of special category data:**

- Racial or ethnic origin
- Political opinion
- Religious or philosophical beliefs
- Trade Union membership
- Physical or mental health condition
- Sexual life and sexual orientation
- Genetic data
- Biometric data used to identify an individual

### **Conditions for processing special categories of data:**

9(2)(a) – Explicit consent of the data subject, unless reliance on consent is prohibited by EU or Member State law

9(2)(b) – Processing is necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement

9(2)(c) – Processing is necessary to protect the vital interests of a data subject or another individual where the data subject is physically or legally incapable of giving consent

22 9(2)(d) – Processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects.

9(2)(e) – Processing relates to personal data manifestly made public by the data subject

9(2)(f) – Processing is necessary for the establishment, exercise or defence of legal claims or where courts are acting in their judicial capacity

9(2)(g) – Processing is necessary for reasons of substantial public interest on the basis of Union or Member State law which is proportionate to the aim pursued and which contains appropriate safeguards

9(2)(h) – Processing is necessary for the purposes of preventative or occupational medicine, for assessing the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services on the basis of Union or Member State law or a contract with a health professional

9(2)(i) – Processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of healthcare and of medicinal products or medical devices

9(2)(j) – Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.