A **Data Protection Impact Assessment (DPIA)** helps us identify and minimise the data protection risks of a project; a good DPIA helps us to evidence that we have considered the risks related to our intended processing, and that we have met our broader data protection obligations

An effective DPIA helps you to identify and fix problems at an early stage, meet individuals’ expectations of privacy and help avoid reputational damage, which might otherwise occur. In some cases, GDPR says you must carry out a DPIA, but they can be a useful tool in other cases too.

We must do a DPIA for processing that is**likely to result in a high risk**to individuals.

It is also good practice to do a DPIA for **any other major project which requires the processing of personal data**, or if we are **making a significant change to an existing process**.

Examples of when schools need to conduct a DPIA:

o **Data concerning vulnerable data subjects**. Vulnerable data subjects include children (they can be considered as not able to knowingly and thoughtfully oppose or consent to the processing of their data), employees, more vulnerable segments of the population requiring special protection

o **Innovative use or applying new technological or organisational solutions**, like combining use of finger print and face recognition for improved physical access control, Certain “Internet of Things” applications could have a significant impact on individuals’ daily lives and privacy; and therefore require a DPIA.

o **CCTV**

If we decide not to carry out a DPIA, we need to document our reasons on this form.

*This template should be used to record the DPIA process and outcome for the project. It follows the process set out in the ICO DPIA guidance* <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/accountability-and-governance/data-protection-impact-assessments/>*, and should be completed with reference to that guidance.*

Project name:\_\_\_\_WhatsApp Communications for Parents and Carers

Project start date 1st March 2021

Project overview Setting up WhatsApp Groups for each residential accommodation to create groups to allow house parents and key workers to share news and photographs of students

Step 1: Identify the need for a DPIA

*Explain broadly what the project aims to achieve and what type of processing it involves. You may find it helpful to refer or link to other documents, such as a project proposal.*

*Summarise why you identified the need for a DPIA, or why you have decided we do not need to carry out a DPIA.*

*If you do not believe a DPIA is required, please submit this form (completed up to this point only) for approval by SLT.*

The aim of this piece of work is to improve informal communications between residential care staff and the parents and carers of students. The setting up of WhatsApp groups will allow care staff to share quickly and easily good news, great pictures and learning milestones with parents and carers via smartphones owned and maintained by NCW.

A DPIA is required because there will be sharing of information and images of students with their own parents and carers, and with consent, parents and carers of their peers. The nature of WhatsApp means that it would be possible for those photographs to be saved and shared with others, who are external to NCW.

Step 2: Describe the processing

***Describe the nature of the processing:*** *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?*

Parents and carers will be asked to sign up to the scheme and submit the mobile phone number they wish to use. Groups will be created for each residential setting as follows:

Individual parent group; The parent, the residential house, NCW Marketing Department

House/Hostel group: All consenting parents, the residential house, NCW Marketing Department

Those who have signed up to the scheme will be able to access:

* Photographs and information about the students in that residential setting
* The telephone numbers of the other parents and carers

***Describe the scope of the processing:*** *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?*

* The data will consist of photographs, videos and other information about students.
* All data on NCW telephones will be cleared annually during the summer holidays and fresh consents sought and new groups created each academic year.
* Geographically, parents and carers are located all over the UK
* The total number of individuals affected is estimated to be 70 NCW students and their associated parents and carers.

***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?*

The parents and carers will be made aware of the implications of signing up to the scheme and are asked to give their informed consent. Those who do not wish to be part of the scheme are able to opt out and it is the responsibility of the NCW residential care staff to ensure that the data of those students is not shared.

NCW Marketing Department will be a member of each group by way of quality control and to ensure correct use and that data of those who have not signed up is not shared. NCW Marketing Department will have control over the groups and will be able to delete posts, delete users and delete groups if required.

A parent or carer can retract their consent at any time and will be withdrawn from the scheme and their data and that of their child will be deleted.

The main concern is that photographs and information about NCW students, who are vulnerable, could be shared outside the groups by participants of the scheme.

***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?*

The purpose of the project is to build better relationships between NCW and parents and carers via regular, positive sharing of news, photographs and milestones within the residential settings. The intention is for parents and carers to enjoy a more regular contact with residential care staff and feel more engaged with and by NCW.

Step 3: Consultation process

***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 your processors to assist? Do you plan to consult information security experts, or any other experts?*

Parents and carers have, via the Parents Forum, expressed a desire for improved communication between NCW and parents and carers. Each parent or carer has received an explanation of the scheme and has been asked to sign up for it and to adhere to protocols of behaviour regarding the data they receive.

Those involved from NCW are:

* Senior Leadership Team
* Residential Care Staff
* NCW Data Protection Officer
* NCW Marketing Team

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 processors comply? How do you safeguard any international transfers?*

The process will achieve the purpose and parents and carers will receive more information about their children directly from the residential settings. Only those who have signed up to the scheme will be included and there will be an annual data wipe of each NCW smart phone used. Monitoring for appropriate use and quality will be done routinely by NCW Marketing Department and any queries or concerns will be dealt with by them and action taken accordingly.

Step 5: Identify and assess risks

*For example, data entry, data management, sharing/transfer of data, collection of data, printing and storing information, handling data. Identify what potential threat could be realised. Is threat related to:*

*• Privacy breach (data shared w/o consent or disclosed)*

*• Individual – in danger of harm/potential embarrassment /loss of confidentiality/ discrimination*

*• System failure or technical issues*

*• Non-compliance with GDPR through inadequate procedures/ non-consent/ negligence/disregard/ ignorance/data shared without consent/data loss*

|  |  |  |  |
| --- | --- | --- | --- |
| **Describe the source of risk and nature of potential impact on individuals.** Include associated compliance and corporate risks as necessary. | **Likelihood of harm** | **Severity of harm** | **Overall risk** |
|  | *Remote, possible or probable* | *Minimal, significant or severe* | *Low, medium or high* |
| Images of children will be shared outside the groups | *Remote* | *Minimal* | *Low* |
| Telephone numbers of parents and carers will be shared | *Remote* | *Minimal* | *Low* |
| Images of children will be shared without parents/carers permission | *Remote* | *Minimal* | *Low* |
| Images of children will be shared that the parent/carers deem inappropriate | *Remote* | *Minimal* | *Low* |

Step 6: Identify measures to reduce risk

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Identify additional measures you could take to reduce or eliminate risks identified as medium or high risk in step 5** | | | | |
| **Risk** | **Options to reduce or eliminate risk** | **Effect on risk** | **Residual risk** | **Measure approved** |
|  | *e.g. Transfer risk to third party/ insurance*  *Treat/mitigate Risk to reduce it - Tolerate/accept level of risk -Terminate/remove risk* | *Eliminated, reduced or accepted* | *Low, medium or high* | *Yes/no* |
| Images of children will be shared outside the groups | *Communicate to parents that it is not appropriate to share images and sign up to that protocol* | *Accepted* | *Low* |  |
| Telephone numbers of parents and carers will be shared | *Advise parents that this is a factor and they agree they accept that risk* | *Accepted* | *Low* |  |
| Images of children will be shared without parents/carers permission | *Residential care staff are briefed to know which children are included in the scheme. Marketing can remove inappropriate posts* | *Reduced* | *Low* |  |
| Images of children will be shared that the parent/carers deem inappropriate | *Residential care staff will be briefed about what constitutes appropriate and NCW Marketing Team can delete inappropriate posts* | *Reduced* | *Low* |  |

Step 7: Sign off and record outcomes

|  |  |  |
| --- | --- | --- |
| **Item** | **Name/date** | **Notes** |
| Measures approved by: |  | *Integrate actions back into project plan, with date and responsibility for completion* |
| Residual risks approved by: |  | *If accepting any residual high risk, consult the ICO before going ahead* |
| Comments: | | |
| Consultation responses reviewed by: |  | *If your decision departs from individuals’ views, you must explain your reasons* |
| Comments: | | |
| This DOIA will be reviewed: | *(specify timescale)*  *Annually* |  |
| This DPIA will be kept under review by: |  | *Ongoing compliance with DPIA should be reviewed* |