**Data Protection Impact Assessment Form – Research (Postgraduate)**

This form is for postgraduate students who are working on their own research projects for the purpose of gaining a postgraduate qualification. If you are working within a research project led by a University research group please complete the [DPIA Research (Staff) Form](https://www.stir.ac.uk/about/professional-services/student-academic-and-corporate-services/policy-and-planning/legal-compliance/data-protectiongdpr/gdpr-policy-and-guidance/) rather than this one.

The University is not normally regarded as the data controller for personal data processed by a student to pursue a course of study with the University. The student decides what work they will do, the way in which they will do it and what they will include in their final write up. They must make these decisions themselves in order to prove that they are capable of postgraduate degree-level work. They are carrying out the work on behalf of themselves and not the University, thus the University is not the data controller in these circumstances.

As the University is not generally the data controller for projects carried out by Postgraduate Research Students, the Data Protection Unit has no requirement for a Data Protection Impact Assessment (DPIA) form to be completed. However, it is good practice to complete a DPIA when embarking on a research project that involves the processing of personal data and we highly recommend that you complete a DPIA and discuss this with your supervisor. The template below is based on the template the University usually uses for Research projects to give students experience of completing a DPIA.

The purpose of completing a DPIA is to consider the risks and the potential harm that may arise both for the individuals concerned and the organisations involved. When considering your project please ensure that you are processing and sharing the minimal amount of personal data possible and ensure that the processing is fair, lawful and transparent. You must also ensure you have reasonable security measures in place to project the personal data you are processing.

Before completing this form please confirm the following:

| I have read and understand the pertinent sections of the [Data Protection Guidance Handbook](http://www.stir.ac.uk/GDPR) (namely Section 6 - Research, Section 11 – Data Protection Impact Assessments and Section 12 – Data Protection by Design and Default).  I understand the difference between anonymised or pseudonymised data (see section 6 and 12 of the [Data Protection Guidance Handbook](http://www.stir.ac.uk/GDPR)). (You are only required to tick this box if you are using anonymised or pseudonymised data.)  I have or will be seeking relevant approval for this project through the University’s [ethical approval process](https://www.stir.ac.uk/research/research-ethics-and-integrity/ethics-forms/) |
| --- |

Please provide the information requested below (see sections in grey). The information you give should provide a basic understanding of your overall project and more detailed information about how you will be processing personal data as part of that. You should keep your answers brief whilst addressing the points requested in the questions. Once you have completed the form we suggest you discuss it with your supervisor and retained a copy for your own records. The form should not be submitted to the Data Protection Unit unless there are specific data protection issues, relating to your project, that cannot be addressed by your supervisor.

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| **Project Title:** |
| **Brief project summary** (Please keep this very short - one paragraph should be sufficient) |
| **Name of Postgraduate research student:** |
| **Responsible Faculty/Service:** |
| **Timing of the project (start/end dates, duration, as applicable)** |
| **Date form completed:** |

| **1) Project details** |
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| Provide a brief description in the box below of the project including an explanation of what the project aims to achieve (~half page, maximum one page). Your description should highlight those features that may have a potential impact on privacy. Your description should cover the following points (when you have completed your description please check the boxes to confirm these items have been covered in your text, or if it is not applicable record this): |
| A description of who the data subjects will be; or  Not Applicable  An estimation of the number of data subjects/participants; or  Not Applicable  Whether any vulnerable adults or children are involved; or  Not Applicable |
| Enter text here |

| **2) Public Interest** |
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| Please briefly explain why your research is in the public interest (a few sentences only). Data protection legislation has some exemptions that apply to research activities but only if it is ‘in the public interest’ and this is documented. For instance if you have evidence of a robust governance check from an independent body such as a peer review from a public funder, an external ethics committee or the Public Benefit and Privacy Panel for Health and Social Care in Scotland, then this should be noted. |
| Enter text here |

| **3) Details of personal data** |
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| Please indicate what personal data will be collected/stored/processed. |
| *Administration data*  Name  Date of Birth/Age  Gender  Contact details  Unique identifier e.g. student number  Other data (please specify):  *Special Categories of data (If you tick any of the boxes in this section please ensure you answer question 5 below)*  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 *(If you tick this box please ensure you answer question 5 below)*  Other (please specify): |

| **4) Lawful Basis for processing (Article 6)** |
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| Under Article 6 of the [UK GDPR](https://www.legislation.gov.uk/eur/2016/679/contents) there needs to be a lawful basis for processing personal data. Further details about this are available in the University’s [GDPR Policy](https://www.stir.ac.uk/media/stirling/services/policy-and-planning/gdpr/documents/GDPRPolicy.pdf) (section iv). Having read the guidance please indicate the lawful basis that will apply to your project. |
| The individual who the personal data is about has given/will give unambiguous consent 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 interests or in the exercise of official authority  The processing is in the legitimate interests of the University or another party and does not prejudice the rights and freedoms of the individual (if you select this option you must also complete a [Legitimate Interests Checklist](https://www.stir.ac.uk/about/professional-services/student-academic-and-corporate-services/policy-and-planning/legal-compliance/data-protectiongdpr/gdpr-policy-and-guidance/) and submit it with this form |

| **5) Lawful Basis for processing special category or criminal conviction data (Article 9 or 10)** |
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| If you are processing ‘Special Category’ personal data or criminal conviction data (see question 3 above) you will require a separate lawful basis for processing this type of data under Article 9 of [UK GDPR](https://www.legislation.gov.uk/eur/2016/679/contents) and/or you will need to meet one of the conditions in Schedule 1 of the [Data Protection Act 2018](https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted). |
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| **6) Describe the Personal Data and Information flows** |
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| The collection, use and deletion of personal data should be described here. Where you have different groups of data subjects (e.g. interviewees and focus group participants) and their data will be handled in different ways please cover in your explanation the flows for each set of personal data. Your description should cover the following points (when you have completed your description please check the boxes to confirm these items have been covered in your text, or if it is not applicable record this): |
| Explain where your personal data is coming from (new data or existing data); or  Not Applicable  How the data will be collected or obtained; or  Not Applicable  How the data will be stored securely; or  Not Applicable  What systems will be used; or  Not Applicable  How long the data will be retained for; or  Not Applicable  How will personal data be disposed of when no longer required; or  Not Applicable  Who will have access to the data; or  Not Applicable  What security measures will be in place; or  Not Applicable  Whether you will be carrying out any data matching using data from different sources; or  Not Applicable  Whether any data will be transferred outside the EU; or  Not Applicable  Any other relevant information; or  Not Applicable |
| Enter text here |

| **7) Third parties** |
| --- |
| Please list any third parties you will be sharing personal data with or who will be sharing personal data with you e.g. external members of the research team, transcribers, partners, collaborators, software providers, videographers or others. |
| Enter text here |
| If you have specified any third parties above please confirm you have relevant contracts or agreements in place. For instance   * A data processing contract is required if a third party is processing data on our behalf such as an external transcriber, external photographer, service provider such as online services or survey providers. * A data sharing agreement should be in place for collaborators and partners with whom we are sharing personal data or who are sharing personal data with us.   Further advice can be obtained from [contracts@stir.ac.uk](mailto:contracts@stir.ac.uk) |
| I have completed a copy of the RIS Data Protection Form re. contracts (available from [contracts@stir.ac.uk](mailto:contracts@stir.ac.uk)) or  Not Applicable  I confirm that I have the appropriate contracts or agreements in place. or  Not Applicable |

| **8)** **Intrusive or New Technology** |
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| Does the project involve you using new technology or technology which might be perceived as being privacy intrusive? For example filming/using CCTV in public spaces, tracking a person’s geolocation, the using of biometrics or facial recognition. If so provide details. |
| Enter text here |

| **9) Participant Information Sheet/Privacy Notice** |
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| Please confirm that you have a suitable participant information sheet/privacy notice which informs participants or other relevant individuals what you will be doing with their personal information. This should either follow the template for a [participant information sheet](https://www.stir.ac.uk/research/research-ethics-and-integrity/ethics-forms/) or meet the minimum requirements of a [privacy notice](https://www.stir.ac.uk/media/stirling/services/policy-and-planning/gdpr/documents/GDPRGuidance.pdf). If you do not think you will need a PIS/Privacy Notice please explain why. |
| Enter text here |

| **10) Identification of privacy and related risks and solutions** | | | | | |
| --- | --- | --- | --- | --- | --- |
| In this section you should identify the key privacy risks and associated compliance and corporate risks.  Examples of risks are outlined below but they may or may not be relevant to your project. Please consider your project carefully to identify what risks should or should not be included, in addition, there may be specific risks not mentioned below that require consideration. Risks could result in unnecessary intrusion on privacy, risks to physical safety, financial loss or distress caused.  Privacy legislation for consideration may include:  The Data Protection Act 2018 and UK General Data Protection Regulation (UK GDPR) – Regulate the processing of personal data – i.e. information about living identifiable individuals  Privacy and Electronic Communications Regulations 2003 (PECR) - Regulates electronic direct marketing e.g. email and text messages  Human Rights Act 1998 – Individual’s right to respect for their private and family life, their home and correspondence.  The Common Law Duty of Confidence  You should also identify solutions and thereafter balance the project’s outcomes with the impact on individuals. Whilst some risks might be eliminated altogether, other risks might be reduced and it may be appropriate to recognise and accept the risks. Each residual risk should thereafter be evaluated against the likelihood of harm to individuals and the severity of possible harm. | | | | | |
| **Privacy issue/ Risk** | **Risk to individuals** | **Compliance/ organisation/ corporate risk (see table at the end of the form for examples of relevant privacy legislation)** | **Solutions and actions to be taken** | **Evaluation of residual risks after implementing solutions** (See the table at the bottom of this form to translate how the Likelihood and Severity scores translate into overall risk level) | |
| **Likelihood of harm to individuals:**  **1 - Rare**  **2 - Unlikely**  **3 - Moderate**  **4 - Likely**  **5 - Almost Certain** | **Severity of harm:**  **A - Insignificant**  **B - Minor**  **C - Moderate**  **D - Major**  **E - Extreme** |
| Compliance with the data subject's right to be informed | The individuals will not be aware of how their personal data will be processed, who it will be shared with etc | Potential to breach the first data protection principle of ‘lawfulness, fairness and transparency’/reputational risk/financial risk | Explain how you will be informing the data subjects or participants what will be happening with their personal data i.e. have you got a participant information sheet (PIS)/privacy notice in place? Could the processing be considered unfair by the participants? Are there special arrangements in place to ensure young children and vulnerable adults are informed. Include links to the privacy notices of third-party sites or other organisations that will be involved during the project. |  |  |
| Personal data is used for a purpose which is incompatible with the purpose it was originally collected for. | Personal Information that is collected during the project is used for a purpose other than the purpose stated in the PIS and therefore the participants are not aware of how their personal information is being used. Alternatively, personal data is being used that was originally collected for a different project or another organisation and is now being used for a new project | Potential to breach the second data protection principle ‘purpose limitation’. This will result in potential reputational risk/financial risk to the University. | Is there any risk of personal data being used in a way that was not originally intended? If so, explain what measures will be taken to prevent the research team from using data for a purpose not outlined in the PIS. For data obtained from a different project or organisation will the individuals be re-contacted to explain how their information will be re-used? |  |  |
| There is a risk that more personal information is gathered or held as part of the project than is actually needed. | More information is collected from individuals than is required. This could lead to stress of the individuals concerned. | Potential to breach the third data protection principle ‘data minimisation’. This will result in potential reputational risk/financial risk to the University | Is there a possibility that more information will be gathered, processed or stored than is actually needed? If less information held then this reduces the risks in the event of a breach. Data minimisation techniques include anonymisation, pseudonymisation, deletion, collection minimisation, user access controls etc. In your response explain the measures that will be taken to ensure only the minimal data is collected and what data minimisation techniques will be implemented. |  |  |
| The personal data held is inaccurate | Risk of University holding incorrect data about a participant potentially leading to inaccurate conclusions | Potential to breach the fourth data protection principle ‘accuracy’. This will result in reputational risk/financial risk to the University. | Are there any risks of data being or becoming inaccurate? For instance, the risks of inaccuracies are higher when data matching is taking place or during longitudinal studies over a period of time. What processes will be in place to ensure data is accurate and kept up to date? |  |  |
| Personal data is held for longer than is necessary in breach of the storage limitation and data retention principle. | Personal information held by the University for longer than is needed causes distress to the individuals concerned. | Potential to breach the fifth data protection principle ‘storage limitation’ This could result in reputational risk/financial risk to the University. | What measures are in place in relation to retention of data? Are retention timescales outlined in the PIS? At what point in the project will personal data be pseudonymised/anonymised? Please list the retention timescales of separate categories of personal data. What methods will be used to delete or destroy data when it is no longer required? |  |  |
| Personal data is not held securely. Confidentiality, integrity and availability of personal data. | The information is not held securely and is breached. This leads to the danger that people have access to this personal information who should not have access to it, either internally or externally and puts the security of individuals at risk. | Potential to breach the sixth data protection principle ‘integrity and confidentiality’. This could result in a data breach and resultant reputational risk/financial risk to the University. | How are you keeping the personal data secure? Outline here all the controls in place to safeguard the personal data against a data breach. For example, relevant training for the research team, access controls, password protection, encryption, pseudonymisation/anonymisation of data, storage location, locking procedures, details of how the personal data will transmitted/shared. Will portable devices be used? Will personal devices be used? Is the information deemed particularly desirable or useful to someone? |  |  |
| Third parties having access to the personal data | Measures are not in place to protect the security of personal data when it is passed to third parties. | Potential breach of Articles 24-43 (Controller and Processor responsibilities) | How is the access by third parties being controlled? Are data processing contracts/data sharing/service agreements in place to assign responsibilities and liabilities? Have terms and conditions been reviewed by the University or participants? |  |  |
| International Transfers. Personal data is transferred to a recipient outside of the UK/EU/EEA and located within a country that may not be viewed as having adequate data protection laws by the European Commission. | The security of personal data could be put at risk as a result of the transfer leading to a risk for the individuals concerned. | Potential breach of Article 44 relating to transfers of personal data to third countries. | Are you transferring data outside of the UK/EU/EEA? This can include the use of some cloud-based services. Have you checked the terms and conditions/privacy notices for any services being used to ensure data will not be transferred outside the UK/EU/EEA? What safeguards are in place/do we have an International Data Transfer Agreement (IDTA) in place? Are participants aware? |  |  |
| Data matching. Data from more than one source is being matched | There is an increased risk of creating inaccuracies in the data if the data has been matched from more than one source | Potential to breach the fourth data protection principle ‘accuracy’. This will result in reputational risk/financial risk to the University. | What safeguards are in place to ensure data accuracy of original files and the data matching process? |  |  |
| Consider your own project and add additional risks as appropriate e.g. additional risk associated with audio/visual recordings, vulnerable people, use of portable devices, training etc. |  |  |  |  |  |
| Add further risks here |  |  |  |  |  |
| Add further risks here |  |  |  |  |  |
| Add further risks here |  |  |  |  |  |

| **11) Sign Off** |
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| The proposed solutions to the risks identified above are discussed and reviewed by your supervisor.  The proposed solutions have been reviewed and agreed by a supervisor  Name:  Position: |
| The postgraduate research student needs to confirm they will implement the agreed solutions and actions as specified in the risks section above.  I confirm that I will implement the agreed solutions and actions  Name:  Position: |

This form should be retained for your records and for evidence in the event that any research participants request further information about how you assessed the data protection risks involved in your project.

**Assessment of Overall Project Risk**

|  |  | **Likelihood of harm** | | | | |
| --- | --- | --- | --- | --- | --- | --- |
|  |  | **1** | **2** | **3** | **4** | **5** |
| **Severity of Harm** | | **Rare**  **(<10%)** | **Unlikely**  **(10-30%)** | **Moderate**  **(31-50%)** | **Likely**  **(51-80%** | **Almost Certain**  **(> 80%)** |
| **A** | **Insignificant** | Low | Low | Low | Low | Moderate |
| **B** | **Minor** | Low | Low | Moderate | Moderate | High |
| **C** | **Moderate** | Low | Moderate | Moderate | High | High |
| **D** | **Major** | Low | Moderate | High | Critical | Critical |
| **E** | **Extreme** | Moderate | High | Critical | Critical | Critical |

Overall risk rating is based on the highest individual risk identified in section 10.