

Data Protection Impact Assessment Report

DPIA Ref No.	
DfE/GDPR/2021/0008	
Assessment of	
Consultation on the Postgraduate Tuition Fee Loan	
Business Area	
Higher Education Policy Branch	
Information Asset Owner	Project Manager (if applicable)
Conor Brady	Michael Murray

STEP 1 DESCRIBE WHAT YOU ARE TRYING TO ACHIEVE

Describe the scope of what you are trying to do and include your aims and objectives and what types of processing it involves. It may be beneficial to refer or link to other project documentation, if applicable.

The Department for the Economy is consulting on proposals to amend the current Postgraduate Tuition Fee Loan.

The consultation is open to the general public and seeks views from stakeholders and the general public regarding proposed options, discussed in the consultation document, to enhance and amend the current Postgraduate Tuition Fee Loan. This loan is available to Northern Ireland-domiciles undertaking eligible taught courses at postgraduate level. This does not include research courses at postgraduate level, which are covered by the Postgraduate Awards.

The consultation will include a privacy notice and the standard lines required in relation to FOI and data protection.

As part of the consultation process, when gathering responses, Higher Education Policy Branch within the Department will process and log the following personal data in relation to respondents: Name; Postal/Email address; and, Status/Category (i.e. individual/organisation/student/parent).

This data is collected to:

- i. Allow the Department to respond directly to those who have contributed to the consultation; and
- ii. Allow the Department to analyse the views of respondents by category (see above).

Individual personal data of respondents will not be shared outside HE Policy Branch. The container holding this data on the CM (formerly HPRM) system will have restricted access to those officials managing the consultation only. Retention of this data will be in line with the Department's Retention and Disposal Schedule.

STEP 2 DESCRIBE THE PROCESSING

You should use the following boxes to fully detail the nature of the processing

Categories of data subject (e.g. staff, students, children, vulnerable adults)

The consultation is open to the general public and requests the following categorisations: Individual; Organisation (likely to be a higher education institution or a students' union); Student; or Parent.

Categories of personal data being collected (for example, contact details, financial data, educational attainment / qualifications, criminal convictions, **special category data (racial or ethnic origin, political opinions, religion, health, etc.)**)

The consultation requests personal data in the following category be provided by respondents: Contact details; Status/category (i.e. whether they are a student/parent/member of public/organisation).

What type of personal data is being collected within the category / categories of personal data? (Name, date of birth, home address, medical conditions, bank details, etc.)

The consultation requests the following personal data within the "contact details" category: Name; Postal/Email address; and, Status/category (i.e. whether they are a student/parent/member of public/organisation).

Who will provide you with the personal data?

This personal data will be provided by either: Individuals responding in a personal capacity to the consultation; or Individuals responding to the consultation on behalf of organisations.

How will the personal data be collected / provided?

The personal data will be provided as part of the response to the consultation. A Consultation Response Form has been devised for this purpose. Respondents can either complete the form online through Citizen Space (an online tool) or submit a response directly to HE Policy Branch via post. Information regarding how to respond is included in the consultation document.

How will you store the data?

The data will be stored in a restricted container on the Department's Content Manager system.

Who will have access to the data? Internally

The restricted container holding the data will only be accessed by those staff directly responsible for managing the consultation process – 1 Grade 7, 1 DP and 1 SO.

What will you do with the personal data once collected? How will you use it?

The personal data will be used as follows:

- Name and postal/email address – to allow the Department to respond directly to those who have contributed to the consultation; and
- Status/category – to allow the Department to analyse the views of respondents by category.

Will you be linking the data to any other data held?

No – the data is for the purposes of the consultation only.

Will you in turn be sharing the data with anyone, for example, another data controller, a data processor, or a third party?

Whilst the data is for the purposes of the consultation only, information provided in response to the consultation, including personal information, may be subject to publication or disclosure under access to information legislation (primarily the Data Protection Act 2018/the General Data Protection Regulations 2018 or FOI Act).

Will any decisions be made about the data without human intervention? (e.g. through the use of automated algorithms)

No – the data is for the purposes of the consultation only; the team in HE Policy Branch responsible for managing the consultation will use the data as previously explained above.

Scope of the processing

How long will it take to collect the information and how long will the data be processed (used)?

The consultation will be open for responses for a period of 8 weeks. Should it be deemed necessary, for example if responses are limited, this may be extended to 12 weeks. Responses will be logged on a spreadsheet and saved into a restricted CM container upon receipt.

Following closure of the consultation, responses will be analysed and a Departmental Response drafted and published. Personal data, such as names and email addresses, will not be published as part of this process. The status/category of respondents will be used to provide a picture of the scope of the responses to the consultation.

Retention of the responses to the consultation, including the personal data provided by the respondents, will be in line with the Department's Retention and Disposal Schedule (i.e. 5 years – policy development). The categorisation analysis of responses will be anonymised data, and will also be subject to the Department's Retention and Disposal Schedule (i.e. 5 years – policy development).

How many data subjects are likely to be affected and / or how many records involved? (or an approximation where it is not possible to confirm precise numbers at present)

It is difficult to provide a precise figure, as this is an open public consultation. A previous consultation on this policy matter received 14 responses; however, there has been significant interest in the subject matter (i.e. Postgraduate Tuition Fee Loan), and it is hoped that there would be an increase in responses on this occasion.

Where will the data be located after collection (e.g. HPRM, locked filing cabinets, storage devices, cloud-hosted services in UK, EU or international)

The data will be held in a restricted container on the Department's CM (formerly HPRM) system. Hard copy postal responses will be redirected, unopened, to Netherleigh Premises Team, as is the current arrangement while officials are working from home. These will be held securely, in a locked cabinet, by Netherleigh Premises Team. Following the closing date, staff managing the

consultation will work from Netherleigh to log any postal responses onto the CM system and securely dispose of hard copy responses in confidential waste which is then shredded.

Will any of the personal (or commercial) data collected be made public or published? Why not if it involves public money? (Grant Scheme beneficiaries, etc)

No – the data is for the purposes of the consultation only.

Context of the processing

Describe the nature of the relationship between the Department and the data subjects and how the relationship is established.

This is a public consultation, published online, inviting responses from anyone who wishes to register their views on the subject matter (i.e. Postgraduate Tuition Fee Loan). It is likely that respondents (i.e. data subjects) will fall into one of the following categories:

- Individual
- Organisation (likely to be a higher education institution or a students' union)
- Student
- Parent

Respondents can either complete the form online through Citizen Space or submit a response directly to HE Policy Branch via post or email. Information regarding how to respond is included in the consultation document. The Department will ensure each respondent receives a copy of the Departmental Response to the consultation at the end of the process.

Describe the extent to which the data subjects are aware of and expect their personal data to be used in connection with the proposed processing activities. (e.g. through a Privacy Notice at the time of collection or notification within a reasonable time frame)

At the time of publication of the consultation, the Department will include a Privacy Notice which advises respondents of the nature of the data requested and how the Department will process/manage that data.

Does the processing require the development of technology? (If so, describe the level that current technology is at with regards to the processing being undertaken)

No - the data is for the purposes of the consultation only.

If using new technology or using existing technology in a novel way describe the extent to which the processing activities are involved.

N/A

Is the processing likely to raise any matters of public concern?

No - the data is for the purposes of the consultation only.

Purposes of the processing

What do you want to achieve with this processing? (describe the overall aims of the processing and how you have ensured it is legitimate)

The Education (Student Support) (Northern Ireland) Order 1998 makes provision for the Department to make grants or loans to eligible students in connection with their attending higher education. The Department for the Economy is responsible for the policy in relation to the Postgraduate Tuition Fee Loan; this consultation process is necessary before any amendments to this policy may be introduced. Personal data collected in this consultation exercise will be used for analysis and reporting of consultation responses under the lawful basis of public task in line with the Data Protection Act 2018 and the General Data Protection Regulations 2018.

The Department for the Economy is consulting on proposals to amend the current Postgraduate Tuition Fee Loan. The consultation is open to the general public and seeks views from stakeholders and the general public regarding proposed options, discussed in the consultation document, to enhance and amend the current Postgraduate Tuition Fee Loan.

What are the benefits to the data subject? (describe how the processing benefits the data subjects/individuals either directly or indirectly and how you have ensured this processing is explicitly communicated to them at the time of collection)

The feedback and views provided by the data subjects in their responses to the consultation will be used when considering amendments and improvements to the current policy in relation to the Postgraduate Tuition Fee Loan. This will ensure that all respondent views are considered fully and the Department will provide justification, if applicable, where a particular viewpoint cannot be accommodated. Collecting the contact data will ensure the Department can issue the Departmental Response to the consultation to each individual respondent.

What are the benefits to the Department? (describe how the processing benefits the organisation either directly or indirectly)

The consultation process allows the Department to ensure that the views of those who may have an interest in the policy area are gathered, analysed and considered when making amendments to/improving the policy. Collecting the contact data allows the Department to issue the Departmental Response to the consultation to each individual respondent and to analyse the categories of respondent.

What are the benefits to third parties? (describe how the processing benefits any third parties either directly or indirectly)

The consultation process allows the Department to ensure that the views of those who may have an interest in the policy area are gathered, analysed and considered when making amendments to/improving the policy. This will benefit others who may not have responded to the consultation. The collection of the contact data will have no impact on third parties.

STEP 3 CONSULTATION PROCESS

You should use the following boxes to fully detail the consultation process including, if appropriate, why consultation is not necessary.

Have you consulted all relevant internal stakeholders? Data Protection Officer, ITSO, DSO, other IAOs impacted upon?

ITSO has been consulted re. the use of Citizen Space for the consultation. DPO has been consulted as part of the DPIA process.

Have you identified a high risk to data subjects that you cannot mitigate? (Article 36(1)) requires consultation with the ICO when a DPIA has indicated that the processing would result in a high risk in the absence of measures taken to mitigate the risk. You cannot begin the processing until you have consulted them.

No

Does your intention to process personal data stem from a new policy proposal captured in legislation? Article 36(4) is a provision of GDPR which specifically imposes a requirement on UK Government to consult with the ICO.

No

Are you using a data processor and if so have you been in consultation with them about requirements?

No

If using a data processor, is there a GDPR compliant contract in place?

N/A

If using a data processor, detail the due diligence that has been performed? (GDPR requires this in relation to the data processor's implementation of appropriate technical and organisational measures)

N/A

If using a data processor, detail how you will ensure compliance with what has been specified in the contract? (For example, if you have advised that the data processor must agree to an audit, return or destroy data at the end of the contract, etc.)

N/A

STEP 4 Assess Necessity and Proportionality

You should use the following boxes to fully detail the necessity and proportionality of the processing

To lawfully process personal data you must identify a lawful basis under Article 6 of the GDPR: [Lawful bases for processing](#) (identify the most appropriate ground(s) for lawful processing, explaining the rationale).

Public task - The Education (Student Support) (Northern Ireland) Order 1998 makes provision for the Department to make grants or loans to eligible students in connection with their attending higher education. The Department is responsible for the policy in relation to the Postgraduate Tuition Fee Loan. The Department is seeking views, through a public consultation, on proposals to amend the current policy.

<p>To lawfully process Special Category data, in addition to identifying a lawful basis under Article 6 of the GDPR, you must also identify a separate condition for processing under Article 9 (identify the most appropriate ground(s) for lawful processing, explaining the rationale).</p>	<p>N/A</p>
<p>To process personal data about criminal convictions or offences, in addition to having a lawful basis under Article 6, you must have either legal authority or official authority for the processing under Article 10 (identify the most appropriate ground(s) for lawful processing, explaining the rationale).</p>	<p>N/A</p>
<p>Confirm this asset is recorded on the Divisional Information Asset Register and provide the record number to enable this to be checked.</p>	<p>Yes EC1/20/0636375</p>
<p>Necessity of processing (Is there another way to achieve the same outcome? Explain the extent to which the processing is necessary in relation to the purposes of the initiative)</p>	<p>Without collecting the contact details of respondents to the consultation, the Department cannot ensure that each respondent subsequently receives a copy of the Departmental Response. Without collecting details of the status/category of respondents to the consultation, the Department cannot analyse the scope of respondents and the impacts of any policy changes on certain categories.</p>
<p>Accuracy (describe the steps taken to ensure data quality in terms of accuracy both initially and on an ongoing basis)</p>	<p>Information is provided directly by respondents to the consultation. This will be stored in the same format on the Departmental CM system and logged on a spreadsheet. All will be subject to restricted access, including those temporarily held by hard copy (which are also held securely in a locked cabinet).</p>
<p>Data minimisation (How will you prevent function creep? Describe the steps that will be taken to ensure that the amount of personal data is adequate, relevant and limited to what is strictly necessary both initially and on an ongoing basis)</p>	<p>Only the personal data required to complete this task will be collected. The personal contact data (name and postal/email address) will be collected and held for the sole purpose of issuing a Departmental Response to each respondent.</p>

	The category data will be collected and held for the sole purpose of analysing the scope of respondents.
Fairness and transparency (describe the means by which data subjects will be informed about the intended processing, e.g. privacy notices)	At the time of publication of the consultation, the Department will include a Privacy Notice which advises respondents of the nature of the data requested and how the Department will process/manage that data.
Data subject rights (describe the steps taken to ensure that data subjects are able to exercise their rights fully and effectively, including the right to rectification in the event that data is inaccurate)	The Privacy Notice includes all necessary information. In addition, the consultation response form advises that personal data will not be published or shared with any third parties.
Third party processors (where relevant, describe the steps taken to ensure the reliability of third parties processing the data on the Department's behalf, and their compliance with data protection law. Is there a GDPR compliant contract in place?)	N/A
Joint Data Controller (where a joint data controller relationship has been entered into, you have ensured that an appropriate "Agreement" is in place)	N/A
Storage limitation (describe the steps taken to ensure that personal data are not retained longer than necessary in connection with the intended purposes of the processing and this is reflected in the Department's Retention and Disposal Schedule.)	Retention of the CM records will be in line with the Departmental Retention and Disposal Schedule (5 years). The categorisation analysis of responses will be anonymised data, and will also be subject to the Department's Retention and Disposal Schedule (i.e. 5 years – policy development).
Security, integrity and confidentiality (describe the steps taken safeguards to prevent the unauthorised and unlawful processing, accidental loss, destruction or damage of the personal data being processed. Steps taken to ensure all staff handling personal data, both within DfE and any organisation the data may be shared with, have completed up to date data protection training)	Hardcopy postal responses will be logged onto the CM system and the hard copy disposed in confidential waste then shredded. The information provided will be retained in a restricted container on the Departmental CM system. Access will be restricted to the team responsible for undertaking the consultation – 1 Grade 7, 1 DP and 1 SO.

<p>Training Have all Departmental staff involved with the data processing activity completed mandatory data protection training?</p> <p><u>NB: Training must be kept up-to-date i.e. refreshed annually</u></p>	<p>Yes.</p>
<p>International transfers (identify any international transfers of personal data, whether or not to a third party processor, and the safeguards implemented in relation to such transfers)</p>	<p>None</p>

STEP 5 IDENTIFY AND ASSESS RISKS				
Ref No	Describe source of risk and potential impact on data subjects (including associated compliance and corporate risks as necessary)	Likelihood of harm (Remote, Possible or Probable)	Severity of harm (Minimal, Significant or Severe)	Overall risk (Low, Medium, High)
1.	Personal data not held securely therefore leading to inappropriate access.	Remote	Minimal	Low
2.	Personal data retained too long.	Remote	Minimal	Low
3.	Personal data used for alternative purpose.	Remote	Minimal	Low
4.	Unauthorised disclosure resulting in damage or distress to individuals.	Remote	Minimal	Low

STEP 6 PROPOSED PRIVACY SOLUTIONS				
Ref No	Measures to reduce or eliminate	Effect on risk (Eliminated, Reduced or Accepted)	Residual risk (Low, Medium or High)	Measure Approved? (Yes/No)
1.	Hard copy postal responses received in Adelaide House will be sent, unopened, to Netherleigh, where they will be held by Netherleigh premises Team, under current arrangements. Officials managing the consultation process will work from	Reduced	Low	Yes

	Netherleigh to log these responses on the CM system, and to dispose of the original hard copies in confidential waste. Data saved to Content Manager and with access controls to only those who have a business need.			
2.	Data will be retained in line with the Department's Retention and Disposal Schedule.	Reduced	Low	Yes
3.	There are no plans to use this personal data for any other purpose and it is known that to do so for an incompatible purpose unless anonymised will have no lawful basis.	Reduced	Low	Yes
4.	Guidance and procedures are in place to ensure this does not happen. Staff will have undertaken all necessary data protection training.	Reduced	Low	Yes

STEP 7 APPROVAL PROCESS		
	Name/Date	Notes
Measures approved by:	Conor Brady, 23 March 2021	Integrate actions back into project plan, with date and responsibility for completion
Residual risks approved by:	Conor Brady, 23 March 2021	If accepting any high residual risk, consult the ICO before going ahead
DPO advice provided:	By IMU – various dates Bernard McCaughan 20/04/21	DPO should advise on compliance, Step 6 measures and whether processing can proceed
Summary of DPO advice: Content for processing.		
DPO advice accepted or not?		If not, you must explain your reasons below
Comments:		
Consultation responses reviewed by:		If your decision departs from individuals' views, you must explain your reasons below
Comments:		
This DPIA will be kept under review by:	Conor Brady	The IAO & DPO should review ongoing compliance with the DPIA

DOCUMENT CONTROL

The details of any reviews carried out should be captured in the table below including reviews where no changes were necessary

Review Date	Reviewer	Summary of changes	Approver	Approval date