

Data Protection Impact Assessment



This template can be used to record the DPIA process and outcome. It is based on the template designed by the Information Commissioner, and follows the process set out in the ICO [guidance](#).

You should start to fill out the template at the start of any major project involving the use of personal data, or if you are making a significant change to an existing process. The ICO [guidance](#) sets out the mandatory circumstances that require a DPIA, and provides useful examples. The final outcomes should be integrated back into your project plan.

You should involve the University Data Protection Officer at an early stage in your DPIA.

Project name	REF 2021 – Declaration of individual circumstances
Project lead	Professor Marion Campbell, Vice Principal Research
DPIA lead	Marlis Barraclough, Senior Policy Advisor

Revision History

Version	Date	Notes
1	02/04/2019	
1.1	17/04/2019	Addition of comments by DPO
1.2	10/05/2019	Amendments in light of DPO comments
1.3	13/05/2019	Further comments added by DPO
1.4	14/05/2019	Amendments in light of further comments by DPO
1.5	30/05/2019	Addition of DPO advice

Step 1: Identify the need for a DPIA

Explain broadly what project aims to achieve and what type of data 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, referring to any relevant mandatory circumstances.

The institutional submission to the Research Excellence Framework (REF) 2021 will inform the institutional Research Excellence Grant (REG) awarded by the Scottish Funding Council (SFC) from 2022 onwards. We are currently preparing our submission to REF2021.

The REF submission is essentially a large data return. Institutions submit lists of staff associated with research areas or units of assessment, lists of publications and impact case studies, along with research metrics and narratives that describe the research environment. Much of this information is already in the public domain and personal data such as staff IDs, HESA identifiers and dates of birth are covered by the Privacy Notice that relates to general REF data.

REF2021 requires that each eligible researcher submits a minimum of one output and a maximum of five, with an overall average of 2.5 outputs per FTE. As in previous assessment exercises, REF2021 makes allowance for researchers whose ability to undertake research in the assessment period has been affected by personal and other circumstances. These are set out in the REF guidance, and our institutional Code of Practice on how we prepare for REF2021. We will be inviting all REF eligible researchers to declare personal circumstances which may lead to the reduction of the number of outputs that we will have to submit to REF.

The institutional REF team will collect all declarations and consider whether they meet the REF requirements for reductions. We will ask for evidence for audit purposes and then make an application to the funding councils for reductions.

This DPIA is concerned with the information we will collect and transmit to the funding councils and Advance HE, UKRI's contracted partner organization for equality and diversity matters within REF, on individual staff circumstances. This is information of a personal nature provided by REF eligible researchers to declare their circumstances, and the evidence we may collect for audit purposes in case the funding councils audit our reduction requests.

This information may concern employment history pertaining to early career status, previous employers, periods of secondment or unpaid leave. It may also relate to maternity/paternity or adoption leave, maternity or family related issues, medical history (including mental health history), disability, gender reassignment, caring responsibilities and any other circumstances that may affect an eligible researcher's ability to undertake research in the assessment period.

The DPIA has been undertaken for the following three reasons.

- Some of the individual circumstances information will fall into one of the special categories of personal data. Whilst processing on a large scale is not envisaged, the University recognises the sensitivity of this type of data.
- The balance of power in the relationship between the University and individual members of staff may mean they feel unable to consent freely or object to the processing of data relating to their individual circumstances for the purposes of REF.
- Some of the information supplied by staff will relate to third parties, notably their family members. The University does not intend to provide privacy information to those individuals on the assumption that they will be aware that the University is processing their data.

Considered together, these three circumstances may create a high risk for data subjects that requires

to be assessed.

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 other way of describing data flows. What types of processing identified as likely high risk are involved?

REF rules state that the information around individual circumstances has to be provided voluntarily by eligible researchers. Institutions are not permitted to exert any pressure on staff to declare circumstances, even where those are known to the employer.

We will launch our institutional Code of Practice once it has received final approval by Court and draw it to the attention of all staff. It sets out the REF rules around the declaration of individual circumstances and how we intend to handle these at the University of Aberdeen.

We will issue an electronic form to all eligible researchers with a request to complete it and return it to either the institutional REF co-ordinator (Marlis Barraclough, Senior Policy Advisor, Research & Innovation) or the Research Governance Officer (Dawn Foster, Research & Innovation), either by e-mail in electronic format or as a hard copy. Completed forms and supporting evidence will be stored in the shared drive for Research & Innovation, in a password protected folder. The Vice Principal Research, Senior Policy Advisory and Research Governance Officer will have access to the folder. Hard copies will be kept in a locked filing cabinet in the Senior Policy Advisor's office, with access restricted to the same three members of staff.

We will not scan or make electronic copies of declarations or supporting evidence unless authorized, and will not transmit, copy or share any electronic copies without prior permission from the applicant.

We will discuss the declarations with the individuals concerned and make a judgement on whether the circumstances meet the REF requirements. If the REF requirements are likely to be met, we will then request evidence to support the declarations. We will agree with the individual researchers a form of words that describes the impact their circumstances have had on their ability to undertake research that will be used to seek approval by the REF Steering Group. The information will be presented to the REF Steering Group in pseudonymised format, such as:

Nature of circumstance: ECR

Summary: Researcher received PhD in 2015, then worked as research assistant under supervision of a PI within the University of Aberdeen, and was appointed as lecturer from 1 October 2017

Evidence: copy of doctoral degree certificate, employment history (from HR)

Recommendation: Reduction of average by 1 – applied to the unit of assessment output pool

Nature of evidence: Long term sick leave

Summary: Researcher was absent on long term sick leave for 6 months and worked part time (0.5 FTE) for 12 months after return to work.

Evidence: HR Record

Recommendation: according to REF rules, insufficient absence from research environment, no reduction recommended

Nature of circumstance: Maternity leave

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Summary: Researcher took two periods of maternity leave in the assessment period (12 months each time)

Evidence: HR Record

Recommendation: Removal of minimum requirement of 1 outputs applied to the individual

Researchers will be informed of the outcome of the REF Steering Group decisions as soon as practicable.

UKRI require submitting institutions to transmit the data, including the identities of the applicants, to the REF team. A subset of applications, i.e. those dealing with complex individual circumstances and requiring a judgement, will be processed by Advance HE. Reductions approved by the REF Steering Group will then be transmitted to the REF team and/or Advance HE for their approval. The data will be transmitted through the REF submission system.

Summary declarations will be stored in the REF module in Pure, which is the system we are planning to use to transmit data to the national REF submission system. The REF module is accessible to users with appropriate access rights only, and the personal circumstances part of the Pure REF module will only be accessible to the Vice Principal (Research), Senior Policy Advisor, Research Governance Officer and the Research Information Officer who is the systems administrator for Pure.

Researchers can withdraw their application and ask for their information to be deleted or handed back them at any time prior to finalization of our submission before 1 November 2020.

The types of high risk processing involved are the fair and secure collection, use, disclosure and storage of special category personal data of staff, and of personal data and special category data of third parties.

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 be provided by REF eligible researchers at the University. There are currently 606.22 FTE REF eligible researchers (1 April 2019). For REF 2014, the eligible population was 797FTE and we processed 232 applications for personal circumstances. Our working assumption is that we will be processing around 175 applications for REF2021.

A wide variety of data, including special category data, may be disclosed for REF staff circumstances, including employment histories, medical histories and information around personal circumstances relating to maternity/paternity and adoption leave and more general around family life and caring commitments. We will be asking for a minimum of data and evidence around these circumstances that is based on REF requirements.

For cases that do not proceed because they are withdrawn by the researcher, or not approved by the REF SG, evidence will either not be collected in the first instance, or handed back or destroyed once the REF SG decision has been made and no appeal against the decision has been lodged within the time period. This also applies to completed declaration forms.

For cases that proceed to the REF submission system for consideration by the funding councils or Advance HE, we will keep the declaration forms and evidence until the end of the REF audit period in 2021 and then either destroy or return the documentation.

Summary information and REF data in Pure will be kept until the end of the REF audit period. We will

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be using the aggregated data in Pure for diversity and equality monitoring purposes, and to review the efficacy of our institutional processes.

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?

The use of this type of information for this purpose is not novel; nor does the processing involve issues of public concern or developing technology.

The individuals who will supply the personal data are all current employees of the University. Their representatives on Senate and the Research Policy Committee have been consulted on the procedures to prepare the University's REF, and a consultation and information sessions for all staff took place in April 2019. The institutional Code of Practice sets out our processes and, once approved, will be shared with all REF eligible researchers and with research only staff. There is a dedicated page on the staff intranet explaining the process in detail, and the staff privacy notice will be updated to reflect the addition of UKRI as a new category of recipient.

As employees of the University, the individuals involved are recognized as a vulnerable group in this situation. The University has emphasised to REF eligible academic colleagues that submission of information on individual circumstances is on a strictly voluntary basis. This is stated clearly in the institutional Code of Practice, and emphasized in the FAQs published on the staff intranet. It will be a repeated message in our communications to staff on REF preparations and the Code of Practice. Individuals will be able to exercise all relevant subject rights provided under the GDPR up to institutional submission date prior to 27 November 2020 (exact date to be confirmed).

The third parties whose personal data may be included in submissions from staff may have no direct relationship with the University. Third parties in this context may include formal or informal partners in research projects that will be described as impact case studies for submission to REF. Inclusion of any named references, and transmission, for audit purposes, of contact details of third parties will be with their permission. We will be providing guidance to impact case study authors on this issue.

Third party data may also relate to partners, family members or previous employers of researchers who have personal circumstances. Access to these data will be restricted to a very small number of individuals tasked with processing the applications for reductions as described in section 6 of the institutional Code of Practice.

Applications will be assessed on the strength of case summaries, the text of which will be agreed with the applicants. It is important to note that the strength of the applications will be assessed not the basis of the severity of the circumstances themselves but on how the circumstances have impacted on the researcher's ability to undertake research within the REF assessment period. Where a circumstance relates to a third party, for example a family member, the summary will not need to disclose the identity or identifying detail around the third party: ' Dr Y is main carer for a close family member whose long term illness required him/her to work part time for a number of months and, with agreement of the academic line manager, restricted duties to teaching and administrative tasks for x months during the assessment period.

Previous employers may be identified where the previous appointment is already in the public

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domain, i.e. as publication address on outputs published while employed elsewhere.

Where possible we will avoid disclosure and identification of third parties. Where that is not possible, we will disclose only as much information as is necessary for the internal and external panels to reach a conclusion, based on summary information, on an individual researcher's ability to undertake research in the assessment period. This will be disclosed to the REF Steering Group only, and, if approved to the REF team and, for circumstances requiring a judgement, to UKRI's equality & diversity partner, Advance HE.

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 processing this data is to establish whether individual researchers meet the REF criteria for reducing the number of outputs required for submission either at unit of assessment level or at individual level. This allows us to adjust the academic expectations in the light of declared circumstances and to provide additional support, and it enables us to optimize the quality of our institutional submission without any penalties through REF.

Step 3: Consultation process

Consider how to consult with individuals affected by the processing: 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 the University? Do you need to ask your processors to assist? Do you plan to consult information security experts, or any other experts?

The Code of Practice on Preparing the Institutional Submission to REF2021 sets out our institutional procedures and processes that will be used in putting together the submission to REF2021. This includes the way in which we collect, store, process and handle data, and how the data will be used to inform management decisions around our REF submission and other strategic purposes.

The Code of Practice was drawn up in accordance with guidance published by the funding councils in January 2019 and was subject to consultation through the institutional committee structure, and to a wider consultation exercise with the academic community through mail shots and open sessions. The final Code of Practice requires approval by both University Senate and Court before it can be submitted to the funding councils for approval.

Step 4: Assess necessity and proportionality

Describe compliance and proportionality measures: 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 lawful basis for processing personal data is that it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the University, the Scottish Funding Council and the UKRI. Research is a core function of the University, and the data requires to be processed by the controllers in order to allocate research funding in future. This meets the lawful basis described in Article 6(1)(e) of the General Data Protection Regulation (GDPR).

The lawful basis for processing special category personal data is that it is in substantial public interest for the funding councils and UKRI to fulfil their statutory functions to assess and award grant funding. This meets the lawful basis provided by Article 9(2)(g) of the GDPR, and condition 6 of Schedule 1, Part 2 of the Data Protection Act 2018.

It is necessary to process information about individual circumstances in order to meet the REF criteria for eligible academic colleagues.

The process seeks to comply with the data requirements set out by REF, and ensure that the reductions and staff circumstances are tested robustly against the criteria whilst collecting only the minimum amount of personal data required, and sharing the relevant personal information with a minimum number of staff.

In addition to an update to the overarching staff privacy notice, the University has also dedicated resources on the staff intranet that cover data processing for REF2021 purposes.

There are no processors or international transfers involved in the processing arrangement.

Step 5: Identify and assess risks

Describe source of risk and nature of potential impact on individuals. Include associated compliance and corporate risks as necessary. Use the DPIA risk assessment matrix to determine the level of each identified risk.

Risk ref	Risk and impact description <i>Use one row per risk. Add additional rows if necessary.</i>	Likelihood of harm	Severity of impact	Overall risk
		Remote, Possible or Probable	Minimal, Some impact or Serious harm	Low, Medium or High
01	Disclosure of personal circumstances within the University – unauthorised access to paper files	Possible	Some impact	Medium
02	Disclosure of personal circumstances within the University – unauthorised access to e-mail traffic and/or the Pure REF module	Possible	Some impact	Medium
03	Disclosure of personal circumstances to the public – unauthorised access to paper files	Remote	Some impact	Low
04	Disclosure of personal circumstances to the public – unauthorised access to institutional e-mail traffic and/or Pure REF module	Remote	Some impact	Low
05	There is a risk that eligible staff will provide unnecessary special category personal data in their initial submission which is not required for the REF process and could breach the data minimisation principle.	Possible	Some impact	Low
06	There is a risk that the pseudonymised information to the REF Steering Group will allow individual members of staff to be identified, disclosing special category personal data or sensitive information unnecessarily.	Possible	Some impact	Low
07	There is a risk that staff feel obliged to make formal submissions about their individual circumstances to the University for the REF process, in breach of the requirement for fairness.	Possible	Some impact	Medium
08	There is a risk that an erasure or restriction request made by a data subject before the finalisation deadline may not be able to be addressed fully where copies of documents have been provided beyond the institutional REF team.	Remote	Some impact	Low

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09	There is a risk that third parties will be unaware that the University is processing their personal data, preventing them from exercising control over their data, in breach of the requirement for transparency.	Possible	Some impact	Medium
10	There is a risk that, once collected centrally by the University, personal data provided by staff for REF purposes is sought for use for other reasons, in breach of the purpose limitation principle.	Possible	Some impact	Medium
11	Special category personal data transferred to UKRI and Advance HE through the REF submission system is disclosed in breach the requirement for secure processing.	Possible	Serious harm	High

Step 6: Identify measures to reduce risk

Identify additional measures: what action could be taken or controls put in place to reduce or eliminate risks identified as medium or high level in step 5?

Risk	Options to reduce or eliminate risk	Effect on risk	Residual risk	Measure approved
		Eliminated or Reduced	Low, Medium or High	Yes/No
01	Restriction of access to paper copies of declarations and evidence submitted by staff strictly on a need to know basis. All paper copies to be held in Senior Policy Adviser's office in a locked cabinet, with keys provided to her and Research Governance Officer only.	Reduced	Low	Yes
02	E-mail traffic to dedicated e-mail address to which only Senior Policy Adviser and Research Governance Officer have access. Information to be shared with Research Excellence Steering Group to be anonymised and in summary format only, with summaries agreed by applicants.	Reduced	Low	Yes
04	Staff will be encouraged to make submissions from their University email address to reduce the risk of interception arising from use of external email.	Reduced	Low	Yes

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05, 06, 07	Awareness raising around the data and information requirements around staff circumstances for all eligible staff. REF-specific E&D Training for all those involved in REF decision making is compulsory and will cover confidentiality, data collection and handling etc.	Reduced	Low	Yes
09	Third party data relating to partner organisations and collaborators: We will be issuing detailed guidance to impact case study authors around approaching third parties for support with the case studies, and provide a standard text that sets out clearly how the data will be used (REF purposes only) and seeking explicit consent.	Reduced	Low	Yes
09	Third party data relating to individual staff circumstances: these will be collected, stored and transmitted only to the extent they are necessary to explain the impact a third party's circumstance has had on the ability to undertake research of an eligible researcher. We will assess on a case by case basis and will normally avoid transmitting to the REF Steering Group, UKRI or Advance HE information that allows the identification of the third party or any information about them that is not directly related or relevant to the applicant's ability to undertake research during the REF assessment period. Where information has been made available on audit, we will redact third party data wherever possible.	Reduced	Medium	Yes
10	The way in which REF related data can be used is set out clearly in the institutional Code of Practice which has been agreed by senior management, Senate and Court. REF data is managed centrally by with REF team within Research & Innovation, and any request for REF related data has to be sanctioned by the Vice Principal for Research and acted upon by the institutional REF co-ordinator, both of whom are signatories to the REF submission, confirming institutional compliance with the Code of Practice.	Reduced	Medium	Yes
11	The submission of data from institutional systems to the REF submission system will be managed through secure transfer via web services. We are working closely with our systems providers, Elsevier, to ensure safe transmission, and are represented on the REF Data Collection Group that is working on the detailed specification of the REF submission system including the safety of data within that system.	Accepted	Low	Yes

Step 7: Sign off and record outcomes		
Item	Name/date	Notes
Measures approved by:	Professor Marion Campbell 6 June 2019	Integrate actions back into project plan, with date and responsibility for completion
Residual risks approved by:	Professor Marion Campbell 6 June 2019	If accepting any residual high risk, consult the ICO before going ahead
DPO advice provided:	Iain Gray 30 May 2019	DPO should advise on compliance, step 6 measures and whether processing can proceed
<p>Summary of DPO advice:</p> <p>There is an adequate lawful basis for processing both personal data and special category personal data for this purpose.</p> <p>A comprehensive risk assessment has been undertaken, and the mitigation measures in step 6 are appropriate to address the identified risks. If there are further refinements to the data submission processes, I understand that the risks involved in the arrangement will be identified and assessed.</p> <p>I agree that the processing does not involve high risk processing, and can proceed without prior consultation with the Information Commissioner in accordance with the controls specified in this assessment.</p>		
DPO advice accepted or overruled by:		State whether advice is accepted or overruled. If overruled, explain the reasons
Comments:		
Consultation responses reviewed by:		If the decision departs from individuals' views, explain the reasons
Comments:		
This DPIA will kept under review by:		The DPO should also review ongoing compliance with DPIA