Data Protection Impact Assessment (DPIA)

DPIA in relation to:
Microsoft Teams used for remote learning
YouTube channel for remote learning
Name and Position of Individual(s) responsible for DPIA:
Jane Le Poidevin
Headteacher
Assessment date:
15th December 2020

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.

You need to check whether your processing is on the list of types of processing which automatically require a DPIA. If not, you need to screen for other factors which might indicate that it is a type of processing which is likely to result in high risk.

Using an online learning platform to enable us to meet our responsibilities of providing high quality education, remotely and using an online learning platform to enhance the learning of individual pupils of the school.

DPIA to be conducted as the criteria for high risk is that vulnerable subjects' data is being processed and shared with a processor, the processing of images and audio, video communications and recordings of lessons.

The online learning platform we mainly use is:

- Microsoft Teams

This online service promotes the education of the pupils. We ask for consent where the online service is not a usual method of learning throughout the school. We rely on public task where this is a programme used regularly for the education of the pupils.

Video communications:
- Pupils will log on to the platform and engage in video communications to replicate the classroom experience as much as possible. This will assist with pupil engagement. This will involve processing data relating to images, audio, videos and chat function appropriate to the age range.
- Parents/carers will be sent instructional videos on how to use the system and will be informed on how to turn off the camera function and mute the microphone. These instructions will be uploaded on to the schools You Tube Channel.
- Names of pupils will be visible to others (all students will already be familiar with individual names from their class).

Recording sessions:
Lessons will be recorded for the following purposes:

- To support pupils with their learning.
- For purposes of safeguarding

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?

The data is shared with the processor via our management information system. Access is granted to the data fields listed below. The processor will then extract the data and upload it to their systems.

The data will be stored with the processer, who will have access to this information should the user lose their password/log in details. The data is also stored with the school as the administrator, and the class teacher also has access to the data.

 List of data to be input/shared:
- Name
- Registration group
- E-mail (school address)

The processor's agreement has been consulted for this DPIA in terms of their security processes.

The processor uses a password login to keep accounts secure. Further security measures the processor uses are: (check contract/agreement)
- Logins for all users generated once all staff are live on school MIS system
- School IT support uses ICTDS School Manager Portal to re-set the passwords for the children that are more memorable, these are recorded and shared with class teachers
- Computer generated passwords are sent to adults and they are responsible for changing their own if they wish to.

Settings for the platform are as follows:

> Microsoft Teams Standard Policy:

- Children are not expected to initiate private video calls with other pupil users but will be able to join a call initiated by a member of staff, however this will be monitored as this is a function they can access.
- Children should only be able to use the chat function to communicate with other pupils within a monitored online classroom space. This may include the use of private channels accessible only to specific children, but these will still be monitored by staff. Private chat between children will be disabled but will be available between teachers and pupils to support learning.

Recordings may be made and stored on a secure cloud platform and permanently deleted after 20 days.

Lessons will be recorded, retained, and made available to children to support their learning. Such recordings will not only be used to support pupils who are absent from lessons but to reinforce the introduction of new content allowing pupils to revisit it. Recordings will be stored on a secure cloud platform and will require user authentication to access them. Such recordings will not be uploaded to any publicly available area

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?

Data includes:
Pupil:
Names
Images
Audio
Email (school address)

Staff:
Names
Images
Audio
Email (school address)

Any relevant data in relation to assessment may be downloaded by the school and saved on the child's education records.

The data will be retained by the processor for 20 days and stored on the secure cloud.

No special category data is held.

The data involves 611 pupils and 95 staff. The data will be processed in line with the school's retention policy. The data will be processed for these purposes for the duration of the contract with Microsoft Teams

Only staff and pupils at Paddox Primary School will have access to the online platform.

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 published/approved by the ICO)?

Individuals are pupils at the school and would be considered as vulnerable subjects. Other data subjects would include staff who are employed by the school. The school is the data controller and therefore has control over the data belonging to the data subjects.

Individuals have some control over this data processing under the individual data protection rights. I.e., Where data is processed for the purposes of fulfilling a public task, staff and pupils (or parents/carers on their behalf) can object to the processing of their information in this way. The school will weigh up the interests of the individuals in accordance with their interests, rights and freedoms and balance this against the school's legitimate purposes for processing the data.

Individuals are likely to expect the use of their data in this way, as the expectation is that education will continue during periods of self-isolation or in the event of a local/national lockdown / individuals will expect their data to be used in this way for the purposes of providing their child with learning resources to assist with their education. Individuals will be informed via the privacy notice.

Processing using a learning platform is not a novel processing activity and the majority of online learning platforms are well-established.

Currently, the school has limited online learning resources. Using this data processor will enable the school to fulfil their duty in providing high quality education remotely/assisting learners with their learning.

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?

Schools have an obligation to ensure the continuity of education in the event children are unable to attend school due to the pandemic. Engaging a third-party data processor will be necessary for us to meet this obligation.

Children can continue with their learning from home, this will limit any disruption to their education in the event of self-isolation or closure of the school.

The overall purpose is to ensure children can still access an education in the event of a local or national lockdown and/or during periods of self-isolation.

The benefits of processing are that pupils can work remotely, individually, using technology and results are recorded easily, allowing the teachers to process assessment/attainment data efficiently.

Targets can be set using online platforms and overall, this is in a timely manner in which to record the progress of pupils.

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?

Seeking the views of individuals may not be appropriate in this scenario as this is part of the school's contingency plan to ensure high quality education during periods of self-isolation or a national/local lockdown/ The views of the individual will be considered when seeking consent.

We will seek advice from our Data Protection Officer via this Data Protection Impact Assessment / We will consult our IT support to ensure we access a secure platform and that data is shared using secure methods.

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? If appropriate, how will you prevent the use of the technology or system beyond the purpose for which it was originally intended? 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?

Our lawful basis for processing the data will be for the public task of running the school during a national lockdown. The processing helps to achieve the purpose of educating pupils. The school is required to provide high quality education during periods of self-isolation or in the event of local/national lockdown. Alternative measures, such as paper assessments/quizzes can be used, but the online platform offers a simple, quick and effective tool for learning. The use of live lessons will encourage students to actively engage in their lessons and will allow for questions to be asked in 'real time'.

Only the personal data necessary for the performance of the online platform, as set out in the GDPR compliant contract, will be collected for processing. Parents/pupils will be notified via the privacy notice on the school's website.

The right to be informed will be supported with the aforementioned privacy notices and data subjects can visit the processor's privacy notice for further information.

The right to erasure and or/object will be supported where a valid objection to the processing is received. The right to object is outlined in step 2.

The right of access will be supported by the school's subject access request procedure, published on the website. The processor contract outlines that they will help the controller to achieve compliance with data protection obligations, which will include supporting the right to access.

The right to rectification is supported in the school's annual data collection/data checking sheets. However, specifically, pupils and/or parents can update details at any point via the school's contact details. The processer allows for changes to login/account details when required.

The school will consider any other data that may need to be rectified and communicate this with the processor where this is deemed necessary.

The right to restrict will apply where possible.

There is no automated processing regarding the data.

Considerations to human rights:
Right to privacy may be impacted due to video communications resulting in teachers and other individuals hearing and seeing what goes on in people's homes. To mitigate this risk, individuals will have the option to/teachers will ensure cameras and microphones are switched off.

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.	Likelihood of harm Remote, possible or probable	Severity of harm Minimal, significant or severe	Overall risk Low, medium or high
Hacking into processor site	Remote	Minimal	Low
Loss of login passwords/username and or loss of access into the site	Remote	Minimal	Low
Data used outside the scope of its original purposes (including children using the online platform as a form of social media)	Possible	Significant	Medium
Impacts on individual's right to privacy	Possible	Severe	Medium

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** Eliminated reduced accepted	**Residual risk** Low medium high	**Measure approved** Yes/no
Hacking into processor site	Outline security measures from contract	Reduced	Low	Yes
Loss of login passwords/user name and/or loss of access into the site	Outline the details on how lost login details will be managed/supported	Reduced	Low	Yes
Data used outside the scope of its original purposes	The contract/agreement meets the requirements of GDPR – assurances are given in the legally binding contract for the purposes for which the data will be used/processed. School staff are briefed and made aware of the school's data protection and information security policy. For children using the function as a form of social media, rules on using the system will be in place and this will be monitored / chat functions will be disabled at all times/at the end of each lesson.	Reduced	Low	Yes
Impact on rights to privacy	Individuals will have the option to turn off their camera and mute their microphone / teachers will ensure all participants mute their microphone and turn off the camera function. Pupils will be invited to unmute their microphone when appropriate for engaging in the lessons and then asked to unmute again. Parents will be made aware of the lessons and timetables and given the opportunity to voice their concerns and exercise their right to object.	Reduced	Low	Yes

Step 7: Sign off and record outcomes

Item	Name/date	Notes
Measures approved by:	Jane Le Poidevin 21st January 2021	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
DPO advice provided:	None needed	DPO should advise on compliance, step 6 measures and whether processing can proceed
Summary of DPO advice:		
DPO advice accepted or overruled by:		If overruled, you must explain your reasons
Comments:		
Consultation responses reviewed by:		If your decision departs from individuals' views, you must explain your reasons
Comments:		
This DPIA will be kept under review by:	Jane Le Poidevin	The DPO should also review ongoing compliance with DPIA