

Data Protection Impact Assessment (DPIA) What Works for Children's Social Care (WWCSC) Data Archive

Introduction

Controller Details	
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WWCSC DPIA Reference	#2101

About this document

What Works for Children's Social Care (WWCSC) seeks better outcomes for children, young people and families by bringing the best available evidence to practitioners and other decision makers across the children's social care sector.

Our research looks at the point of referral through to permanence, including adoption, care-leaver support and targeted early help. We focus on children's social care practice in England and draw on and share learning at the international level.

A Data Protection Impact Assessment (DPIA) is a requirement of the Information Commissioner's Office (ICO) in accordance with the UK General Data Protection Regulation and the UK Data Protection Act 2018 for all projects that involve the processing of personal data that is likely to result in a high risk to individuals. It is also considered good practice for any major projects which requires the processing of personal data.

This DPIA sets out: why and how we will collect and store data on the adults and children from the projects we fund; the justification for the types of data we will collect; and, the risks and mitigations in place for those risks.

Step 1: The need for a DPIA

What WWCS aims to achieve and what type of processing it involves.

Aim

WWCS plans to build a data-archive, where data from a large proportion of the evaluations it either conducts or commissions, are stored in perpetuity, to be accessed (on formal request and subsequent WWCS approval) by researchers. Researchers may or may not be employed or commissioned by WWCS.

Benefit

WWCS seeks better outcomes for children, young people and families by bringing the best available evidence to practitioners and other decision makers across the children's social care sector. It achieves this objective by supporting and/or funding social care intervention programmes in order to conduct real-world evidence-based research on the effectiveness of the intervention programmes it supports ("evaluations").

The data archive continues WWCS's service to the Social Care sector as is its remit from the funding it receives from the UK Department for Education. Creating an accessible data archive means the data collected from our evaluations can be used to conduct re-analysis, additional new analysis, including meta-analysis and the ability to merge and use the data for new research to be conducted within the aim of having a positive social impact to society as a whole.

Why is a DPIA required?

WWCS has identified the need for a DPIA as the long-term archiving of personal data by WWCS for use in future research will involve:

- processing personal data of vulnerable data subjects (children);
- processing special category personal data and criminal offence data;
- systematic monitoring and evaluation of children's personal data; and
- combining, comparing, and/or matching personal data from multiple sources.

Step 2: Describe the processing

The nature of the processing:

The nature of the processing is for transfer to a secure Data Archive, the indefinite storage within a secure Data Archive location and the subsequent re-use of data for research purposes based on ethical and WWCS approval for the access and re-use of the data.

The WWCS Data Archive will be stored in the Office for National Statistics' (ONS) Secure Research Service (SRS). The ONS will act as a processor for WWCS when storing the WWCS Data Archive in the SRS. WWCS will enter into a legally binding Data Processor Agreement with the ONS, which will comply with the requirements of Article 28 of the UK GDPR.

The SRS data location is in the UK and the source of the data for the archive will be a combination of WWCS and external evaluation partners funded and commissioned by WWCS which are also located in the UK. The retention of the data in the Data Archive is indefinite. There is no sharing of data outside the SRS due to the security protections and methodology for accredited subsequent access which is highly regulated by the ONS through their "5 safes" framework.

The data in the SRS is of a highly sensitive nature as it will relate to children in the social care environment and, depending on the context of the research the data relates, could contain special categories of data including but not limited to ethnicity, health, religion, sexual orientation and/or parental background and abuses that may have been suffered.

No data in the SRS will be directly identifiable to any data subject to which it relates through a process of decoupling, reducing where possible, de-identifying, pseudonymisation and/or anonymising data where possible. The nature of the de-identification process will have similarities for each dataset although may also have differences so that each dataset remains usable but the data in the SRS is not directly identifiable.

How and why data is being used:

WWCS aims to improve the lives of children and families through setting standards and generating the best research into what works for children's social care.

Our mission is to generate, collate and make accessible the best evidence for practitioners, policy makers and practice leaders to improve children's social care and the outcomes it generates for children and families.

Our research looks at the point of referral through to permanence, including adoption, care-leaver support and targeted early help. We focus on children's social care practice in the UK and draw on and share learning at the international level.

Engagement and co-design are central to our approach and we are working in close consultation with leaders, practitioners, children and young people, families and researchers across the sector to:

- Identify gaps in the evidence, and create new evidence through trials and evaluations;
- Collate, synthesise and review existing evidence;
- Develop, test and publish tools and services that support the greater use of evidence and inform the design of the future Centre; and,
- Champion the application of robust standards of evidence in children's social care research.

We will do this by:

- conducting independent rigorous evaluations of the intervention programmes we fund over the intervention period; and,
- collecting, storing, and archiving personal data of the data subjects who take part in or have been included within an organisational initiative which an intervention programme has supported.

How we Collect Data

Personal data collected will fall into two main collection categories, each with their own separate techniques for collecting personal data:

1. Quantitative Data
2. Qualitative Data

Quantitative Data

Quantitative data is defined as the value of data in the form of counts or numbers where each data-set has a unique numerical value associated with it. This data is any quantifiable information that can be used for mathematical calculations and statistical analysis, such that real-life decisions can be made based on these mathematical derivations. Quantitative data is used to answer questions such as “How many?”, “How often?”, “How much?”. This data can be verified and can also be conveniently evaluated using mathematical techniques.

Quantitative Data is collected directly from data subjects through the use of online or paper based surveys which the data subject will complete either on our behalf or on the behalf of the evaluators we have commissioned to conduct the evaluation. Surveys may also have been collected by delivery partners involved in the intervention programme. A delivery partner may be a school, charity, social care organisation, local authority or associated authority or governmental organisation.

Quantitative Data can also be collected indirectly from the data subjects. In this context the data may be statistical information in spreadsheets derived from technical and digital systems already in place at the establishment of the delivery partner. For example the capture of information on a cloud based Human Resources Management System already in use by a delivery partner. The downloads of data may be from multi-various systems should they have relevance to the research and evaluation process directly associated with the intervention programme.

Data that is shared with WWCS or an evaluator by a delivery partner is often known as “administrative data” and is understood as “secondary data collection” where the definition is as follows on most Privacy Notices:

“We refer to “primary data collection” when data is collected directly from you and we refer to “secondary data collection” when the data is not collected directly from you.”

Qualitative Data

Qualitative data describes qualities or characteristics. It is collected using questionnaires, interviews, or observations, and frequently appears in narrative form. For example, it could be notes taken during a focus group, or responses from an open-ended questionnaire. The data may be in the form of descriptive words that can be examined for patterns or meaning, sometimes through the use of coding. Coding allows the researcher to categorize qualitative data to identify themes that correspond with the research questions and to perform quantitative analysis.

Depending on the nature of the intervention programme and the requirements of the evaluation WWCS or its evaluator may conduct interviews, observations and/or focus groups directly with the data subjects involved in the intervention programme. This is understood as “primary data collection” within WWCS.

Interviews, observations and focus groups may be collected to use within the research and/or to gather your insights regarding the effectiveness of the intervention programme. When an interview or focus group is being conducted these interactions are recorded and transcribed.

It is highly unlikely the written notes and recordings taken from interviews, observations and focus groups will be archived in the Office for National Statistics Secure Research Service which this DPIA relates to. This is due to the strict security measures in place for de-identified data to be allowed in the archive. The derivative data from codification of transcripts to produce statistical data related to such things as themes, wording, timing and other related research relevant information in the context of an intervention programme it relates to will be entered into the archive if it is of value to the overall outcome of the evaluation.

Use of the data

The data in the Data Archive is to be used for further research by WWCS or other external researchers and the whole research community to:

1. Replicate the original study parameters and try to replicate the original findings or otherwise reveal something that may have been missed; or
2. Use the data in a new context for a new research project which may include matching or merging the data with new data or using the original data as a separate parameter or set of parameters in the context of new research being conducted.

Other research or analysis using data in the WWCSA Data Archive must be for societal benefit and have passed ethical approval requirements of a research study which can be displayed upon request and must be approved by WWCSA via an established internal approval process.

How are we reducing the risks associated with the data?

The data in the Data Archive is highly sensitive - it would include children's social care case-level information that could cause distress, or possibly even harm, if made public. It would also include special category data. The risks associated to the types of data processed are reduced through the use of:

1. Technical measures
2. Organisational measures
3. Contractual measures

Each of these measures are in place with each of the processes outlined below.

Pseudonymisation of data

No data held in the SRS will be directly identifiable data. The identifiable data will always be pseudonymised and decoupled from the identifier. We categorise data in two separate ways which have two separate ways methodologies for holding the identifiable data. The two categories of data are:

1. Adult data
2. Children's data

Adult Data is given a unique identifier by WWCSA or the evaluator on behalf of WWCSA. This is also known as a pseudonymisation where a number or code is put in place of the personal data that would make the data identifiable to the data subject. Only Adult Data that has been pseudonymised will be uploaded to the SRS. If there is a requirement for data fields to need re-identification in the context of the original evaluation because without will mean the data does not retain its original value the number of identifiers will be reduced to the minimum necessary and uploaded to the ONS Data Access Platform (DAP).

The use of the DAP is managed stringently by the ONS and any access requirements must be approved by the WWCSA Information Asset Owner (IAO) who is designated on all Data Deposit Agreement (DDA) forms between the ONS and WWCSA. The ONS define the DAP Data Lifecycle in the following way:

DAP Data Lifecycle

Ingest. Data is brought into DAP via a single controlled ingest route, managed by a centralised Data Operations team. Requests to bring new data into DAP must be made via ServiceDesk by raising a DAP Data Ingest Request and providing all information requested as part. Users do not have the ability or permission to ingest data themselves, and any attempt to do so will be treated as a security incident.

Storage. Once ingested, data is stored in ARC, the back-end data archive area. This is a fully locked down zone with limited access given to a small user base of business and IT service support with appropriate clearance. Data for business use is made available to DAP users through the Hadoop Distributed File System (HDFS).

Access. The DAP data access process is focused on promoting data integrity by ensuring use of data is proportional, business requirements are clearly defined and the Need to Know principles are implemented. The key principle for DAP data is that all staff receive the access to data that they need to perform their job unless there is a specific restriction that needs to be applied. This principle applies to both statistical users of the platform and technical support staff who manage the platform. Typical restrictions are based on the sensitivity of the data or operating conditions based on the data partner agreement or MoU.

Export. Export from DAP is carefully controlled through a stringent process that ensures the content does not contain personal or disclosive information. Exports are authorised by designated trained business area Disclosure Control Officers (DisCO) on behalf of the IAO. Requests to export information from DAP reviewed and authorised based on the export content, Code of Practice for

Statistics, data partner agreement or MoU conditions, ethical considerations and IAO approval, where applicable.

Children's Data that is relevant to the evaluation and without might reduce the value of the data in the Data Archive for future processing maintains a stronger process for de-identification.

WWCSC will share or instruct its evaluators to share children's personal data directly with the Department for Education (DfE). The DfE will match each child with their unique Pupil Matching Reference (PMR) number, which is held in the DfE's National Pupil Database (NPD). The DfE will then create a pseudonymised number against the PMR. The DfE will then transfer the pseudonymised PMR to the WWCSC Data Archive on our behalf.

In order for the data to be pseudonymised before it is transferred to the WWCSC Data Archive WWCSC will enter into a legally binding agreement with the DfE.

At no time will the DfE share the PMR or the pseudonymisation code with WWCSC or any other researchers. Therefore when any external researchers request to know whether a child in their separate research dataset is in a WWCSC dataset in the WWCSC Data Archive they can ask the DfE. The DfE will be able to tell them if the child is in the dataset although it will not tell them what line of data relates to the child in question and will not share any data with the new researcher. I.e. any new researchers will never have the ability to re-identify any children within the WWCSC Data Archive.

Separately, the DfE and the ONS will have in place an appropriate Service Level Agreement for the purposes of transferring the pseudonymised data linked to the PMRs into the SRS.

Access Permissions

WWCSC will only permit data in the WWCSC Data Archive to be used via the SRS, which is governed by the ONS's 'Five Safes' framework:

1. **Safe people:** researchers must apply to access the information in the WWCSC Data Archive and must have relevant academic qualifications or work experience. If their application is successful, researchers will be trained by the ONS in how to use the data in the SRS and they must pass an assessment. Once a researcher is accredited, the ONS will continue to monitor how they use data in the SRS.
2. **Safe projects:** the ONS places restrictions on how the data in the WWCSC Data Archive can be used. First, WWCSC must give its support to each research proposal and the researcher must be able to demonstrate that their research will serve the public good in one of the ways defined by the ONS. Secondly, all proposals must be supported by a recognised ethics panel. Thirdly, all proposals will be assessed by the ONS's independent Research Accreditation Panel.
3. **Safe settings:** researchers cannot move data in or out of the SRS. The ONS uses a combination of secure technology, physical security measures, and extensive procedures and protocols to protect the data when it is being used. For example, researchers are unable to access the internet and only approved software can be used. The ONS also uses protective monitoring software, including recording every keystroke made by the researcher.
4. **Safe data:** researchers can only use data that have been de-identified, so they will not be able to identify data subjects.
5. **Safe output:** once a researcher has completed their project, two members of staff in the ONS's Research Services and Data Access team independently review the research to ensure that data subjects' privacy and confidentiality is safeguarded. All research must be published.

SRS Security Standards

The SRS has in place strict physical security measures, digital security measures (including encryption), access restrictions, and disaster recovery plans. Furthermore, the ONS is:

- an accredited processor under the Research Strand of the Digital Economy Act: <https://uksa.statisticsauthority.gov.uk/digitaleconomyact-research-statistics/better-access-to-data-for-research-information-for-processors/list-of-digital-economy-act-accredited-processing-environments/#pid-ons-secure-research-service>
- accredited with NHS Digital: <https://www.dsptoolkit.nhs.uk/OrganisationSearch/XDC>

- registered with the ICO (registration no. Z1404686):
<https://ico.org.uk/ESDWebPages/Entry/Z1404686>

Contractual Agreements

All evaluators and intervention programme delivery partners have entered into one or more of the following agreements/arrangements either with WWCS or with each other for the evaluation to be funded and conducted. For the data to be admissible for ingestion into the SRS at least one agreement/arrangement must be in place which allows for the data to be uploaded to the WWCS Data Archive either by or on behalf of WWCS. The documentation WWCS typically has in place which would include the relevant information includes a:

- Grant Agreement
- Joint Collaboration Agreement
- Joint Controller Arrangement
- Data Sharing Agreement

Data Protection Impact Assessments

Each evaluation project has undergone a Data Protection Impact Assessment (DPIA) conducted by or upon the advice of the WWCS Data Protection Officer or relevant data protection lead at the time it was conducted which incorporates any further measures required for the provision of the data being uploaded to the WWCS Data Archive.

Source of the data

The source of the data WWCS will store in the WWCS Data Archive will come to be in its possession from the following sources:

- Transferred by partner organisations that work with the delivery partners (e.g. local authorities or schools);
- Transferred by delivery partners (who are responsible for delivering the intervention programmes being evaluated, usually in local authorities);
- Collected directly by the WWCS evaluators or externally commissioned evaluators from the data subjects; and,
- Data that was originally accessed held in an archive (e.g. most commonly the SRS)

Should any party transfer data into the SRS on our behalf, WWCS will provide guidelines and training to that party along with having a contractual arrangement in place with that person or party. Each dataset must undergo a quality assurance process so that de-identification processes have been followed correctly and that any data protection measures are in place and have been in place throughout the collection of the data.

Should these de-identification and/or data protection measures fall short of expectation the dataset may not be uploaded to the WWCS Data Archive until these are rectified and are able to be demonstrable upon request.

Retention

Data in the WWCS Data Archive will be retained indefinitely and for as long as necessary for the purpose of future research, analysis, and methodological exploration. WWCS will review the storage of data in the archive every 5 years following submission to assess whether there is a continued benefit to storing the data and its potential use in future research.

Article 5(1)(e) of the GDPR permits storage of personal data for longer periods for the purposes of historical research, archiving in the public interest, and statistical purposes. The ICO's guidance on storage limitation (<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/principles/storage-limitation/#archiving>) also indicates that personal data can be held indefinitely for research and archiving purposes and this is also consistent with the National Archives Guide to Archiving Personal Data (<https://www.nationalarchives.gov.uk/documents/information-management/guide-to-archiving-personal-data.pdf>).

In his preliminary opinion on data protection and scientific research, published on 6 January 2020, the European Data Protection Supervisor (EDPS) acknowledged that there are few guidelines on the application of data protection rules to scientific research. We have referred to the EDPS's preliminary opinion when developing our approach to data storage, but we note that further work is taking place within the European Data Protection Board (EDPB) and national authorities on questions of data retention for archiving and research purposes. WWCSA will continue to monitor developments in this area and review our approach to data storage and retention to ensure it continues to reflect the law and best practice in this area.

The scope of the processing:

Scope for identifying research data that will be archived:

We use a variety of different methodologies, both qualitative and quantitative, to conduct research that can be used by social workers, leaders in the sector and policymakers to support children and their families.

To do this, all of our research needs to adhere to our four principles:

1. Research needs to focus on impact – how does a piece of practice work, how does it impact on social workers, and if we take one action rather than another, what happens as a result?
2. We need to bear in mind the nuance of social care. The lives of children and families are complex and complicated, and there are many factors involved in successful social work. What works in one setting for one family might not work in a different circumstance. We need to design our research to take into account – and even celebrate – this complexity.
3. Studies have to be useful – if we can't identify who we think should be able to make use of a piece of research, it's not for us. While there is certainly value in more exploratory research, this is not part of the Centre's mission and objectives.
4. Everything we do needs to help empower the profession. Our research needs to be conducted with the profession, and not done to them – it needs to provide recommendations, not prescriptions, and it needs to support existing and innovative practice to grow the evidence base.

The four principles help to guide what sorts of data we want to archive, but should not be seen as an exhaustive list - we may identify other types of research in future that are consistent with our overarching purpose. Specifically, we intend to set up the WWCSA Data Archive to facilitate the following types of future analysis:

- Replicating the analysis
- Conducting meta-analysis
- Analysing the effect of the intervention on different outcomes
- Conducting sub-group analysis
- Longitudinal analysis
- Repeated cross-sectional analysis
- Using the data to inform research projects and/or increase efficiency. This could involve using baseline data from what project, in another (for example).

Amount of Data

WWCSA expects to fund a multitude of intervention programmes, evaluation projects and further research throughout the UK. The number of participants in each evaluation or data subjects within a secondary data collection analysis will vary from less than a hundred to potentially tens or hundreds of thousands. Typically, funding timeframes vary from one year to three years although as WWCSA develops as an organisation it may facilitate interventions, evaluations and research with relevant data for the WWCSA Data Archive for 10+ years.

The data that is to be archived in the WWCSA Data Archive began being collected by WWCSA for the purposes of societal benefit from funding from the DfE in 2017.

Categories of data

The categories of personal data will vary with each evaluation. Each dataset will be different unless the research is an expansion of a previously conducted analysis or intervention programme that has been successfully received in the context it was provided.

Typically, categories of data subject will range from a selection of the following: Children (aged under 13); Children (aged 13 and over); Teachers; Parents / Legal Guardian(s); Carers; Social Workers; Associated Staff.

The categories of data captured from one or more category of data subject which would be of statistical relevance in the WWCS Data Archive could include but is not limited to: Unique Pupil Reference Numbers; Home Address; Age; Passport information; Social Worker Case Files; Social Worker ID; Interview Answers; Interview Recordings; Unspecified Disclosures; Emotional Difficulties; Behavioral Difficulties; English Additional Language; CIN, CPP or CLA Status; Borough Council; Pseudonymised Data; Information about dependents; Records of correspondence; Job title; Employee ID number; Compensation / salary information; Occupational health information.

This does not mean this data is ingested into the SRS in its raw and identifiable form. No data in the SRS is identifiable data. The above list is to give an idea of the statistical fields that may be measured due to the capture of the data relevant to an evaluation or piece of research.

Special Categories of data

The following types of personal data are also likely to be collected for the purposes of research and evaluation:

- Special categories of personal data including information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, health, sex life, sexual orientation;
- Criminal allegations, proceedings, or convictions as well as any related security measures, including any criminal offence data of particular relevance to an evaluation; and,
- Information about a child's behaviour, attitudes, friends and social life, family life and their community.

WWCS takes into account the Protected Characteristics of the UK Equality 2010 which, under the Digital Economy Act 2017, must be treated as if they are Special Category personal data in the UK General Data Protection Regulation.

Protected Characteristics of the UK Equality 2010 include Sex; Age; Disability; Special Educational Needs; Instances of harm; Sex life; Gender reassignment; Pregnancy and maternity.

The context of the processing:

Relationship with data subjects

Where WWCS is acting as an evaluator conducting research WWCS will have a direct relationship with data subjects who are participating in the research and the evaluation.

Where WWCS is acting as an evaluator conducting research WWCS may receive administrative data or secondary data from a delivery partner or associated organisation. When this happens WWCS will not always have a direct relationship with the data subject whose data it is processing.

WWCS also commissions external evaluators to conduct research and evaluate the research. When this happens WWCS will not have a direct relationship with the data subject whose data is being processed as part of the evaluation.

Do data subjects expect their data to be processed in the WWCS Data Archive

Yes. Only data subjects that have been made aware of this use of their data will have their data ingested into the WWCS Data Archive. Where data subject's personal data is anonymous and if applicable there has been a balancing test conducted by WWCS on whether the data could be re-identified, taking into account the ICO Anonymisation Code of Conduct around the risks associated with a "motivated intruder", no further notification is required.

WWCS take the following steps to ensure that data subjects understand how their personal data will be used in the context of the current evaluation and further processing in the WWCS Data Archive:

- Where data is collected directly from a data subject by WWCS we provide a Data Privacy Notice to data subjects at the point of collection of their personal data which adheres to the requirements of Article 13 and/or Article 14 of the UK GDPR.
- Where data is collected indirectly from a data subject WWCS enforces contractual requirements for external evaluators or delivery partners to provide a Data Privacy Notice to data subjects at the point of collection of their personal data which adheres to the requirements of Article 13 and/or Article 14 of the UK GDPR.
- WWCS reviews each Data Privacy Notice produced by evaluators and delivery partners to ensure compliance to the UK GDPR and transparency to the activity of transferring data to the WWCS Data Archive and subsequent re-use of data for research purposes in the context of societal benefit.
- WWCS will make clear to each data subject participating in an intervention programme they can choose not to be involved in the associated evaluation, in which case their personal data will not be collected or transferred to the WWCS Data Archive. In most cases this will not affect the data subject's ability to benefit from the intervention programme.

Where a data subject subsequently opts-out of having their data processed for the purposes of evaluation we have stated in the Privacy Notice that where we are able to identify the data subject we shall remove their data from the dataset being used in the evaluation although would not be able to do so once the evaluation has begun.

Security

Personal data in the WWCS Data Archive will always be processed via appointed processors (e.g. the DfE and ONS) who will process the data securely on WWCS's behalf.

All data shared between WWCS and commissioned evaluators and the DfE will use Egress to transfer data. Egress provides a range of encryption services for secure data transfer, offering on-demand security for organisations sharing confidential information electronically. The information is encrypted using AES 256-bit encryption.

The DfE has in place data sharing arrangements with the ONS to facilitate the transfer of the pseudonymised WWCS personal data to the WWCS Data Archive in the SRS.

WWCS is confident that personal data will be protected to a high level once it is in the SRS. The SRS is currently used to store similar archives of data which include highly confidential and/or sensitive information, including the Labour Force Survey, Census 1961-2011, Birth and Mortality Data, Higher Education Student Statistics, UK Innovation Survey, National Travel Survey, and the National Pupil Database.

The security of Children's Data

The process of pseudonymisation via the DfE reduces the identifiability of children's data in the WWCSA Data Archive to close to zero. There would be no way to re-identify a child in the WWCSA Data Archive unless a comprehensive set of near impossible scenarios were to take place. This includes the breach of the ONS "5 safes" methodology and the unlikely event of the DfE experiencing a highly sophisticated data breach. Even should these unlikely events take place the motivated intruder would need access to specific analytical software and have the ability to decrypt strong mechanisms of encryption making the data unreadable.

Use of personal data in the WWCSA Data Archive

WWCSA acknowledges that there may be issues of public concern about how personal data in the WWCSA Data Archive may be used in the future, in particular because the children will grow into adults who may not want the details of their lives exposed and they may not have awareness of their data being in the WWCSA Data Archive due to being so young when it was collected.

However, WWCSA is confident that the following protections will ensure that personal data in the WWCSA Data Archive would not be exposed or contain children's data in a way that it would make it identifiable:

- Pseudonymisation and/or anonymisation of all personal data before it is submitted to the WWCSA Data Archive, meaning that no one would be able to identify individual data subjects solely using data in the WWCSA Data Archive;
- Physical and ethical checks and approvals required in order for anyone to be able to access data in the WWCSA Data Archive;
- Limits imposed by the data protection legislation when processing data for archiving and research purposes, including section 19 of the Data Protection Act 2018:

19. Processing for archiving, research and statistical purposes: safeguards

(1) This section makes provision about—

(a) processing of personal data that is necessary for archiving purposes in the public interest,

(b) processing of personal data that is necessary for scientific or historical research purposes, and

(c) processing of personal data that is necessary for statistical purposes.

(2) Such processing does not satisfy the requirement in Article 89(1) of the GDPR for the processing to be subject to appropriate safeguards for the rights and freedoms of the data subject if it is likely to cause substantial damage or substantial distress to a data subject.

(3) Such processing does not satisfy that requirement if the processing is carried out for the purposes of measures or decisions with respect to a particular data subject, unless the purposes for which the processing is necessary include the purposes of approved medical research.

The WWCSA information and privacy notice (available on the WWCSA website), makes reference to the above protections.

The purposes of the processing:

What Works for Children's Social Care seeks better outcomes for children, young people and families by bringing the best available evidence to practitioners and other decision makers across the children's social care sector. The WWCSA Data Archive furthers this remit.

The purpose for the creation of the WWCSA Data Archive is to make data captured for our previous research and evaluation purposes available to inform future research and evaluation projects conducted by WWCSA or the wider research community.

The effect we are seeking is to continually enrich the data used to make decisions and improve upon previous evidence of what works as practical intervention programmes for the improvement of the lives of children, young people and families in the social care sector.

The WWCSA Data Archive will also assist WWCSA to commission independent organisations to evaluate the impact of each programme supported by WWCSA where data is centrally located and access managed by a trusted organisation.

The benefits for WWCSA are to continue to act as a centre of expertise for future research and analysis, promoting new knowledge and practice aimed at transforming the lives of children in the social care sector.

As described above, any researcher who applies to use data in the WWCSA Data Archive must demonstrate that their research will serve the public interest in one of the ways defined by the ONS and in the spirit of WWCSA's remit to be of service to the Social Care sector. Each researcher requesting access must have access approval from the WWCSA Information Asset Owner (IAO). Furthermore, all proposals must be supported by a recognised ethics panel and will be assessed by the ONS's independent Research Accreditation Panel, and all research must be published.

Step 3: Consultation process

Consultation with relevant stakeholders:

WWCSA has consulted extensively with the following stakeholders:

- The Office for National Statistics
- Department for Education Evaluators
- The Education Endowment Foundation (EEF) - who carry out similar work using children's personal data
- The Youth Endowment Fund (YEF) - who carry out similar work using children's personal data
- The Fischer Family Trust (FFT) - who carry out similar archiving activities for similar research based charities
- The WWCSA Data Protection Officer
- The WWCSA Data Archive Steering Group (established primarily to oversee the creation of WWCSA Data Archive)

WWCSA has also taken legal advice from data protection specialists at Browne Jacobson LLP.

Step 4: Assess necessity and proportionality

Compliance and proportionality measures:

Lawful basis for processing personal data

WWCSC processes personal data under Article 6.1(e) of the GDPR: processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. Per Article 6.3 of the GDPR and section 8 of the Data Protection Act 2018 (DPA18) WWCSC's work performs a public task as it is funded by the Department for Education in furtherance of their statutory powers as an official authority to provide a service to and improve the services available to the social care sector.

Upon completion of an evaluation and associated research the lawful basis WWCSC shall rely on, as sole independent controller for the WWCSC Data Archive for the purpose of archiving and any subsequent secondary analysis of the data, is UK GDPR Article 6.1(e), Article 6.3, section 8 DPA18 and GDPR Article 9.2(j) & DPA18 Schedule 1 Part 1.4(a),(b)&(c) for special category data including data considered to be a protected characteristic under the UK Equality Act 2010.

Data archived within the WWCSC instance of the ONS SRS for the purposes of secondary research on the data gathered for an evaluation shall be non-identifiable data and governed under the UK Digital Economy Act 2017 and the UK Statistics and Registration Service Act 2007.

Lawful basis for processing special category personal data

Any special categories of personal data used by WWCSC will be processed under Article 9(2)(j) of the GDPR: processing necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes and Section 10 of the DPA, which provides that processing meets the requirement in Article 9(2)(j) of the GDPR if it meets a condition in Part 1 of Schedule 1 to the DPA. Specifically Paragraph 4 of Part 1 of Schedule 1 provides that this condition can be used for processing which is:

- Necessary for archiving purposes, scientific or historical research purposes or statistical purposes;
- Carried out in accordance with Article 89(1) of the GDPR, as supplemented by section 19 of the DPA; and
- In the public interest.

Safeguards - Article 89(1) of the GDPR and Section 19 of the DPA

The safeguards that will be put in place to protect personal data in the WWCSC Data Archive are set out above (see Step 2 '**How are we reducing the risks associated with the data?**')

Is there another way to achieve the same outcome?

Although there may be other ways to achieve the same outcome, that of creating an accessible Data Archive for the purpose of using previously captured data for future research, none would achieve such comprehensive and satisfactory technical, legal, organisational and contractual safeguards as the processes implemented by the DfE and ONS outlined in this DPIA without significant financial investment. Investment that is unavailable at this time.

For the purpose of having the data used in secondary research projects it would not be possible to achieve this purpose without processing personal data as this would not create any data with which to use it would also prevent data being matched with data held in other relevant datasets in the future, in particular, the National Pupil Database.

Data quality and data minimisation

WWCSC employees and external Evaluators that work on WWCSC funded projects are selected through a rigorous process that ensures they have the technical skills to conduct the evaluation and have experience of working with vulnerable children.

Firstly, evaluators apply to be on WWCSC's Panel of Evaluators. This involves WWCSC undertaking a detailed assessment of the CVs of the prospective evaluation team, their skills and experience in carrying out evaluation and an assessment of the relevance of previous research to WWCSC's remit, including their experience of evaluation with vulnerable children.

Secondly, evaluators bid to carry out a specific evaluation. Bids are assessed against: the capability and relevant experience of the proposing evaluator; the methodology and approach outlined in a proposal submitted by the evaluator; and value for money.

Evaluation decisions are made by the evaluator, in collaboration with WWCS and the delivery partner, and the overall approach must be signed off by WWCS. WWCS confirms the evaluation design through two main mechanisms. First, the evaluation proposal is examined by WWCS's Evaluation Advisory Group who provides approval that the project and evaluation will receive WWCS funding. Second, following that approval, evaluators are expected to complete a detailed Trial Protocol and a Statistical Analysis Plan which can also be peer reviewed when necessary.

WWCS will work with evaluators to ensure that personal data transferred to the WWCS Data Archive is:

- Adequate (i.e. sufficient to enable quality research and analysis in the future);
- Relevant (i.e. it has a rational link to the WWCS's archiving, research, and analysis purposes described above); and
- Limited to what is necessary for these purposes.

The sorts of data that we expect evaluators to collect and make available for archiving are set out in the WWCS Guidance for Projects and Evaluators available on the WWCS website.

Individual rights

As set out above (see Step 2 '**Relationship with data subjects**'), WWCS will work to ensure that data subjects' right to be informed is upheld by ensuring and reviewing each privacy notice is created compliantly for each separate evaluation and provided to data subjects at the point data is collected from them.

Each privacy notice will give data subjects information about their individual rights under the UK GDPR and provide contact details for the WWCS and the WWCS Data Protection Officer, should a data subject wish to exercise those rights in the future.

WWCS acknowledges that the UK GDPR and the DPA18 include exemptions from some individual rights in circumstances where personal data is used for archiving in the public interest and research purposes. However, we will not routinely rely on exemptions and will consider each individual request on a case-by-case basis. If the WWCS does decide to rely on an exemption, we will write to the data subject making the request explaining our justification and reasons.

International transfers

WWCS does not envisage any transfer of personal data outside the UK.

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 <small>(Remote, Possible or Probable)</small>	Severity of harm <small>(Minimal, significant or severe)</small>	Overall risk <small>(Low, Medium or High)</small>
(1) Invisible processing – risk that Participants and/or their parents/guardians/carers do not receive privacy information from the WWCS required under Article 14 of the GDPR	Possible	Significant	Medium
(2) Risk that vulnerable data subjects (children) are unable to knowingly and thoughtfully oppose or consent to the processing of their personal data	Possible	Significant	Medium

(3) Risks of loss of confidentiality at any stage of the upload to the WWCSA Data Archive project, potentially leading to reputational damage (e.g. disclosure of children's or special category personal data)	Possible	Severe	High
(4) Risk of unauthorised reversal of pseudonymisation	Remote	Severe	Medium
(5) Risk that personal data in the WWCSA Data Archive could be used for purposes which are not in the public interest and/or which have a significant effect on the individual	Remote	Severe	Medium
(6) Risk of withdrawal of services or cooperation between ONS and DfE	Possible	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
(1)	<p>WWCSA contracts with evaluators and delivery partners will require them to provide all Participants (and/or their parents/ guardians/ social workers/ carers) with information about how personal data will be used by WWCSA, and to include a link to the WWCSA archiving policy inclusive of a data subject privacy notice (available on the WWCSA website).</p> <p>WWCSA privacy information to be drafted in plain English and, as far as possible, using age-appropriate language.</p>	Reduced	Low	Yes
(2)	<p>WWCSA will not use consent as its lawful basis to process data subject personal data for the purposes of archiving, in part because it is acknowledged that children may be unable to give informed consent, and in part because processing for the purposes of archiving and future research places obligations on WWCSA to safeguard and restrict the use of personal data in the future.</p> <p>WWCSA will only process personal data for archiving and research in the public interest. All data subjects (and/or their parents/ guardians/ social workers/ carers) will be given privacy information about what personal data will be collected, why we need it and how it will be</p>	Reduced	Medium	Yes

	used, before they decide whether to take part in a WWCSO funded programme and will be given the option to opt-out of any processing for evaluation purposes.			
(3)	<p>WWCSO will enter into legally binding contracts with each evaluator and delivery partner which will include confidentiality provisions and provisions requiring the other party to comply with all applicable data protection and privacy laws.</p> <p>WWCSO will enter into legally binding contracts with the ONS and DfE to cover processing activities carried out by these bodies on behalf of WWCSO. These contracts will comply with Article 26 and/or Article 28 of the UK GDPR, which includes confidentiality undertakings.</p> <p>All data shared between evaluators and the DfE will use Egress secure data transfer systems.</p> <p>All data will be pseudonymised before it is transferred to the WWCSO Data Archive.</p> <p>The DfE and ONS will have in place a Data Sharing Agreement to cover the transfer of personal data from the DfE to the WWCSO Data Archive in the ONS's SRS.</p> <p>Data in the SRS is protected by physical and digital security measures, and only authorised and approved researchers can access the data.</p>	Reduced	Low	Yes
(4)	<p>WWCSO will use the DfE as a processor for pseudonymisation of children's personal data and the DfE will hold the key to reverse the pseudonymisation process without sharing the key with any other party.</p> <p>As a public body, the DfE has in place appropriate confidentiality and data security agreements and processes with its staff who may have access to the WWCSO data.</p> <p>WWCSO will enter into a legally binding contract with the DfE which will cover the pseudonymisation process. The contract will include provisions aimed at preventing the unauthorised reversal of the pseudonymisation process.</p> <p>WWCSO will use the ONS as a processor for pseudonymisation of adult's personal data and the ONS will hold the key to reverse the pseudonymisation process without sharing the key with any other party whilst holding data and</p>	Reduced	Low	Yes

	the key in the ONS managed Data Access Platform (DAP).			
(5)	<p>Physical security measures and ethical checks and approvals are required before anyone will be able to access data in the WWCSA Data Archive. Processing for the purposes of making decisions which could significantly affect individual data subjects would not be approved.</p> <p>Data protection legislation imposes restrictions on the WWCSA when processing data for archiving and research purposes, including the safeguards set out in section 19 of the DPA.</p> <p>All personal data in the WWCSA Data Archive will be pseudonymised, meaning that no one will be able to identify individual data subjects solely using data in the WWCSA Data Archive.</p>	Reduced	Low	Yes
(6)	WWCSA has received assurances from the DfE and ONS that there is no likelihood of them withdrawing their services and/or support to WWCSA in the foreseeable future.	Reduced	Low	Yes

Step 7: Sign off and record outcomes

Item	Name/position/date	Notes
Measures approved by:	Kate Colborne-Baber, Director of Operations, 12/07/2021	
Residual risks approved by:	Kate Colborne-Baber, Director of Operations, 12/07/2021	
DPO advice provided:	James Robson, Data Protection Officer 10/07/2021	
<p>Summary of DPO advice: Development of an external facing accessible location outlining all aspects of the WWCSA Data Archive providing guidance for data subjects, evaluators, delivery partners and any other interested parties alike is advised.</p> <p>Where data subjects have not been made aware of the intention to archive their personal data or where there is no easy way to notify data subjects, unless there is a recorded lawful justification and every effort has been exhausted to make data subjects aware, that personal data must not be added to the WWCSA Data Archive.</p>		

Where there is any uncertainty around the integrity of the measures in place to protect the data in the WWCS Data Archive whether this is technical, organisational or contractual, personal data must not be added to the WWCS Data Archive. This may require further quality assurance processes implemented on an ad hoc basis where this was not originally envisioned. Without additional ad hoc measures where there is uncertainty this is a guarantee that the data in question should not be added to the WWCS Data Archive.

Continual monitoring and improvement of the WWCS approval processes for secondary researchers and research projects requesting access to the WWCS Data Archive is advised.

DPO advice accepted or overruled by:	Kate Colborne-Baber, Director of Operations, 12/07/2021	If overruled, you must explain your reasons.
Comments: DPO advice accepted.		
Consultation responses reviewed by:	Kate Colborne-Baber, Director of Operations, 12/07/2021	If your decision departs from individuals' views, you must explain your reasons
Comments: No further consultation required.		
This DPIA will kept under review by:	James Robson, Data Protection Officer	The DPO should also review ongoing compliance with DPIA