

Summary of data protection for the 2021 Census

1. Introduction

- 1.1 The Office for National Statistics (ONS) is producing a Data Protection Impact Assessment (DPIA) for the 2021 Census to meet the statutory requirements within the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).
- 1.2 The DPIA provides assurance that the systems and processes used satisfy the aims and operational requirements of the census, whilst also providing protection to the processing of personal data. The DPIA for the 2021 Census will provide the public with reassurance about the safety of their personal data and will be published prior to the 2021 Census.
- 1.3 ONS continues to work on a draft and gather information for the DPIA on all areas of the census operation, updating it as decisions are finalised.
- 1.4 The 2021 Census will involve the processing of a vast amount of respondent data. It will also involve the processing of the personal data of new employees. The number of ONS employees will grow rapidly during the census operational period. The DPIA is very important due to the number of data subjects and the amount of personal and special category personal data, on topics such as sexual orientation, health, religion and ethnicity, that will be processed.

2. Engagement

- 2.1 To ensure that the DPIA meets all the necessary statutory requirements, ONS has engaged at the outset with the Information Commissioner's Office (ICO).
- 2.2 The ICO are positive about the work undertaken so far, and ICO input has been helpful and taken on board. It suggested that the focus of the DPIA could be more clearly defined. The DPIA now focuses on the 2021 Census, with the 2019 Census rehearsal and Census Coverage Survey, receiving separate scrutiny. The ICO suggested that the different areas of processing could be made more distinct. Therefore, many sections within the DPIA have been divided to concentrate on statistical processing (personal data from respondents) and operational processing (non-statistical processing required for the operation of the census). Engagement with the ICO will continue as the DPIA is developed ahead of the 2021 Census.

3. Content of the DPIA

- 3.1 The DPIA details the flows of personal data throughout the lifecycle of the census. For example, the journey of a respondent's personal data if they were to complete an online or paper questionnaire. Gaining an accurate picture of the flows of data within the project allows for an assessment of where risks to the processing of personal data may occur.
- 3.2 GDPR states that organisations must abide by several principles when processing personal data. For example, processing of personal data shall be fair, lawful and completed in a transparent manner. This will be achieved by making privacy information available to all respondents before we collect their personal data. People completing paper questionnaires will be sent privacy information alongside their questionnaire. For people completing online, the information will be available on the census website. There will be a variety of channels for people to contact ONS if they have any concerns

about how their personal data are used, ensuring that we meet our obligations to ensure the rights of data subjects.

3.3 A major aspect of the DPIA is the identification of risks to the processing of personal data. Some risks that have been identified include:

- Online questionnaire – hacking, security of unique access codes
- Paper questionnaire – loss of completed questionnaires in transit or in storage
- Data storage – intercepted data, hacking
- Field operations – loss of electronic devices
- Third-party processors – breaching contract

3.4 Mitigating work identified to reduce data protection risks include:

- Completed and planned internal and external security review of the census project, including the online questionnaire and Data Access Platform.
- Contracts with suppliers are compliant with data protection legislation ensuring that they will only process personal data under our direct instruction.
- New employees, such as field staff and members of the customer contact centre, will be required to undertake data protection training and sign Census Confidentiality Undertakings. They are subject to the confidentiality provisions within the Statistics and Registration Service Act 2007 and Census Act 1920, meaning wrongful use of personal data is an offence punishable with criminal convictions and imprisonment.
- Incident management procedures will be in place to ensure that any data protection concerns are reported in a prompt and timely manner.
- Access controls and security clearance to systems and physical areas containing personal data. Employees with access to personal data from the census will have the necessary security clearance for their role.

3.5 The DPIA also includes an assessment of the necessity and proportionality of the processing and a human rights impact assessment.

4. Next steps

4.1 Development and drafting of the DPIA will continue as decisions about processing are finalised following the large-scale census rehearsal in October 2019 and while preparations for the 2021 Census continue.

4.2 Consultation with the ICO will continue. The final version of the DPIA will receive full scrutiny internally within ONS, Government Legal Department and the ICO.

4.3 Because parts of the DPIA will use technical language and will contain details about our management of security risks, an abridged version will be published prior to the 2021 Census.

5. Contact

5.1 Matthew Ford at the UK Statistics Authority (matthew.ford@statistics.gov.uk) can be contacted with any queries regarding the 2021 Census DPIA.