



Data Protection Impact Assessment for the 2021 Census

UK Statistics Authority

March 2021

Contents

1.	Background to the census.....	1
	The UK Statistics Authority and the Office for National Statistics	1
	The census.....	1
2.	Data protection.....	2
	Data Protection Impact Assessment	2
	Requirement for a Data Protection Impact Assessment	2
3.	Aims and benefits of the 2021 Census	3
4.	Data collection.....	4
	Census questionnaires.....	4
	Online questionnaires	7
	Paper questionnaires	7
	Census questions.....	8
	Suppliers	9
5.	Data processing	10
	Storage and retention.....	10
	Statistical outputs	11
6.	Additional personal data that may be processed	12
	Address register	12
	Assistance.....	12
	Incident management.....	13
7.	Principles relating to the processing of personal data.....	14
8.	Identifying and assessing risk and mitigations	20
	Annex A: Definitions	29
	Annex B: Human Rights Impact Assessment	30

1. Background to the census

The UK Statistics Authority and the Office for National Statistics

The UK Statistics Authority (UKSA) is an independent body at arm's length from government. We have the statutory objective of promoting and safeguarding the production and publication of official statistics that serve the public good. The Office for National Statistics (ONS) is the executive office of the UK Statistics Authority responsible for the collection and publication of statistics.

The ONS is the UK's largest independent producer of official statistics and the recognised National Statistical Institute of the UK. We are responsible for collecting and publishing statistics related to the economy, population and society at national, regional and local levels. We produce over 600 statistical releases each year which are published on the ONS website. We also conduct the census in England and Wales every ten years.

We recognise that the public need to be confident that their personal data will be held securely and used only for statistical purposes. As in previous censuses, all the information provided by respondents will be treated in strictest confidence.

The census

A census is a count of all people and households and is the most complete source of information about the population that we have. For over two hundred years, the UK has relied on the census to underpin national and local decision-making. The next census will take place in England and Wales on 21 March 2021.

The census in England and Wales is the responsibility of the UKSA. National Records of Scotland (NRS)¹ is responsible for the census in Scotland, and the Northern Ireland Statistics and Research Agency (NISRA)² is responsible for the census in Northern Ireland.

The Census Act 1920³ provides the legal basis for the census. The Census (England and Wales) Order 2020⁴, Census (England) Regulations 2020⁵ and Census (Wales) Regulations 2020⁶ legislate for the taking of the 2021 Census in England and Wales. Northern Ireland have their own legislation for the census which is now in place. Census day for England, Wales and Northern Ireland is 21 March 2021. The census in Scotland has been moved to 2022 because of the Covid-19 pandemic⁷.

¹ <https://www.nrscotland.gov.uk/>

² <https://www.nisra.gov.uk/>

³ <https://www.legislation.gov.uk/ukpga/Geo5/10-11/41/contents>

⁴ <https://www.legislation.gov.uk/ukdsi/2020/9780111193617/contents>

⁵ <https://www.legislation.gov.uk/ukdsi/2020/560/contents/made>

⁶ <https://www.legislation.gov.uk/wsi/2020/555/contents/made>

⁷ <https://www.scotlandscensus.gov.uk/2021>

2. Data Protection

Data Protection Impact Assessments

We are committed to protecting personal data. Projects that involve the processing of personal data will usually have some associated risks to the privacy of individuals. 'Personal data' means any information relating to an identified or identifiable natural person. 'Processing' means any operation carried out on the personal data including collection, storage and deletion. A Data Protection Impact Assessment (DPIA)⁸ is a process used to identify and minimise data protection risks and to ensure that the privacy of personal data is built into relevant projects.

A DPIA should be undertaken for projects that involve the processing of a large quantity of personal data. By undertaking a DPIA, we can assess and manage the privacy risks associated with the processing of personal data and can identify privacy concerns. It is an integral part of our approach to the management of personal data.

The scope of the assessment covers the processing of personal data for the operation of, and data collection for, the 2021 Census. The DPIA is based on the information available at the time of publication. The assessment will be reviewed and updated if decisions regarding the processing of personal data change.

Requirement for a Data Protection Impact Assessment

The scale of data collection and sensitivity of the data collected makes it essential that a DPIA is undertaken.

The DPIA underlines our ongoing commitment to safeguard confidentiality, protect privacy and uphold government security and data handling standards. The assessment has been designed to demonstrate that full account has been taken of the need to protect all the personal data that will be collected and processed as part of the 2021 Census. We have engaged with the Information Commissioner's Office during the drafting of the DPIA to enable them to advise on the content.

Some of the questions on the census will collect "special category personal data" and are subject to a greater level of scrutiny under data protection law. These questions include those about religion, health, sexual orientation and gender identity.

New technologies and innovation are integral to ensure that the 2021 Census is a success.

We aim to achieve a 75% completion rate for online responses (in comparison to 16.4% in the 2011 Census). This highlights a change in the primary method of data collection that reflects the increased use of technology in society and potentially introduces new risks to the processing of data.

These aspects are all considered in our assessment.

⁸ <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/accountability-and-governance/data-protection-impact-assessments/>

3. Aims and benefits of the 2021 Census

The primary purpose of the census is to give an accurate and reliable estimate of the number of people in England and Wales and to show where and how they usually live. Census outputs are used widely for national and local policy, for planning and for targeting resources, and to identify areas of unfairness and inequality. As well as delivering high-quality data and statistics, we also want to ensure that the census is undertaken in a way that protects the confidentiality of respondents.

The census is the only comprehensive picture of the entire population and is unique because it covers everyone at the same time and asks the same core questions of everyone. This makes it possible to compare different parts of England and Wales.

The census will enable the provision of statistics for small areas and for small sub-groups of the population that are unavailable anywhere else. This information is of fundamental importance for the formulation of policy, resource allocation, decision-making, research, and outcome monitoring, not just by Government, but also by businesses and the voluntary sector. It will also provide evidence that will help Government and others identify areas of unfairness and inequality in our society.

The census will realise a number of benefits. The benefits for users that ONS has been able to quantify are around £5 of benefit in the wider economy for every £1 spent. The programme will also deliver benefits for ONS itself. Funding from within the programme business case is already supporting the digital transformation underway across ONS. New online survey-data collection products have been created and successfully used. Work is also ongoing to investigate new statistical methodologies for analysing non-survey data. Once developed, these methods can be shared across ONS and also the Government Statistical Service (GSS) more widely. Staff capability in key skill areas such as commercial, programme and project management is also being enhanced, and lessons learned from delivering the census will be brought back to the rest of ONS.

Some of the benefits of the census are outlined here.

- **Resource allocation:** For central, local and Welsh government
- **Targeting investment:** Statistics about population characteristics are used to ensure that targeted investment is made in the areas where it is most needed/beneficial
- **Service planning:** Population counts and counts by key characteristics are used for national and local service planning. Data for small areas are crucial in local planning of services such as education, transport planning, traffic modelling, and housing development needs
- **Policy making and monitoring:** Information on the population size, age, sex and location is fundamental to a range of government policies
- **Statistical benchmarking:** Many ONS, wider government and private sector statistics are benchmarked, checked for bias and/or grossed up using census statistics or the population estimates, and projections based on the census
- **Private sector businesses:** Census statistics are used for market research and targeting investment
- **Market research:** Census statistics are used in the creation of demographic packages (such as Acorn and Mosaic) and are vital for understanding small area characteristics to target marketing strategies

- **Academic research:** Population and socio-demographic statistics are used for research purposes; to understand social conditions and examine the impact of past policies
- **Family history:** When released after 100 years, census records are a key source for genealogists and historians, to support family or social history research

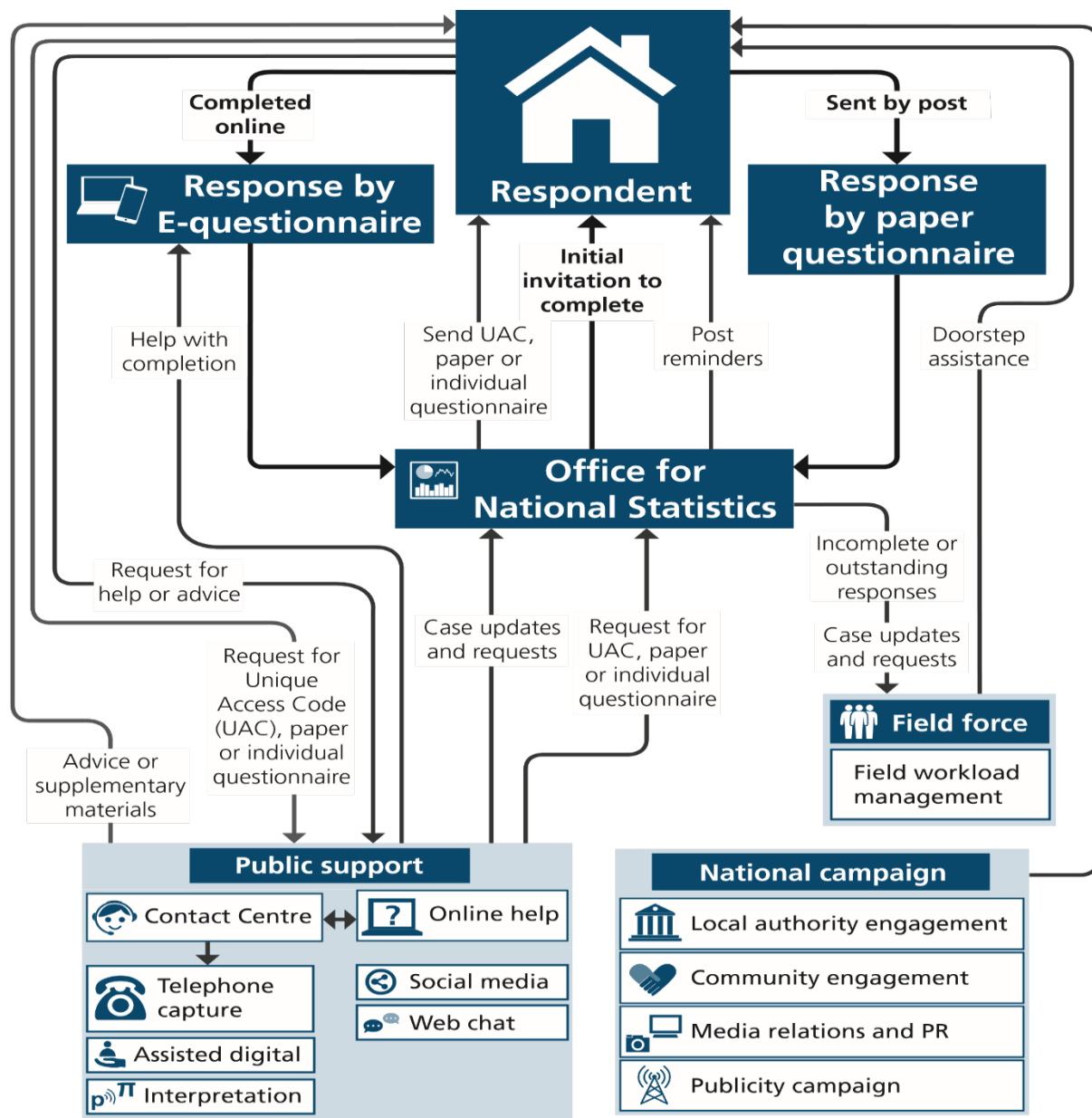
Users look to the census to take the lead in developing and implementing new questions to provide better information, and as a basis for more effective data collection across Government and other public and private sector organisations. New questions on people that have previously served in the armed forces, sexual orientation, and gender identity continue the role of the census in helping to shape policy to reflect a changing society and support changes in public attitudes.

4. Data collection

Census questionnaires

Figure 1 identifies the ways in which respondent data will flow throughout the census operational period, depending on whether the respondent chooses to answer via an online or paper questionnaire.

Figure 1



In England and Wales, there is a requirement for individuals to provide a response on different questionnaires depending on their circumstances. In England, the questionnaires are:

- **Household questionnaire** - Contains questions about the household composition and the accommodation, individual questionnaires for members of a household and questions about visitors.
- **Household continuation questionnaire** - If completing on paper, this questionnaire can be requested for households with more than five people to allow them to complete their individual questionnaires.
- **Individual questionnaire** – Contains a variety of questions applicable to each resident such as questions about their education and employment status.

- **Communal Establishment questionnaire** – A short questionnaire about the number and type of residents within a communal establishment.

In Wales, equivalent questionnaires will be used with minor differences to some of the questions, for example around education. There is also an additional question about proficiency in the Welsh language. All Wales questionnaires have an equivalent version in Welsh so respondents in Wales can choose whether they want to respond in Welsh or English.

Householders are responsible for completing the household questionnaire. A householder is a usual resident at an address and either owns or rents the accommodation and/or is responsible for paying the household bills and expenses. The individual questionnaires for people living in a household can be answered by the householder or by the individuals themselves. If an individual wants to provide a private response, they can request a separate Unique Access Code (UAC) to allow them to respond online, or a paper questionnaire, that will be sent in an unmarked brown envelope. The householder or other members of the household will not be able to see or access an individual response if requested separately. An individual response will override a response provided by a householder. We do not need to be notified if two responses are provided for one individual in this way.

A census publicity campaign will take place in the months leading up to the census to raise general awareness. The aim of the census publicity campaign is to make the public aware of the census and why it is important, to motivate them to take part, and to give them access to all the available support, so removing barriers to completion. Initial contact with the public will be made a few weeks before census day. This will take the form of a letter posted out to all households in England and Wales. Each letter will contain a UAC and URL, to enable online completion of the census questionnaire. A paper questionnaire and UAC to allow for online completion will be sent to approximately 11% of households for which research has ascertained a paper version of the questionnaire would provide for better response rates. All respondents will have the opportunity to respond to the census using their preferred method. Paper questionnaires and UACs can be requested from the Census Contact Centre. Responses can also be made by telephone via the contact centre.

Paper questionnaires will be accompanied by a replied-paid envelope to allow respondents to post-back their returns. Householders and individuals will be advised to post their paper questionnaires as soon as possible after completion.

Communal establishments (CEs) include establishments such as hotels, hospitals, care homes, residential schools, prisons and military barracks. The person who is responsible for an establishment on census day is responsible for completing the communal establishment questionnaire. They are also responsible for distributing the initial contact letters that contain the UACs and where appropriate, individual paper questionnaires to residents of the establishment. In establishments where a resident is incapable of completing their individual questionnaire, the person responsible for the establishment should make the return, or depending on the establishment, arrange for the questionnaire to be completed by a relative or companion. A Census Officer will discuss the process for the return of questionnaires with the CE Manager.

All people present in England and Wales on census night will be included on the census in some manner. People visiting the UK from abroad for fewer than three months will be included on the census. These people will be classed as visitors for the purposes of the census and minimal information will need to be provided by these respondents. Minimal information will also

be provided by a visitor at an address on census night who usually lives at another address in the UK.

Online questionnaires

The online service will be available to respondents for approximately nine weeks around census day. Completion can be resumed on all devices if connection to the survey is lost or if more than one session is required. The electronic questionnaire (eQ) system has been developed as the mechanism for the online collection of data from survey respondents.

Respondents will use the URL included in their initial contact letters to access the census questionnaire homepage. The page can also be accessed from the census website (www.census.gov.uk). The landing page has been designed to enable participants to access their online questionnaire using their UAC. The UAC will consist of 16 characters. The length of the code has been carefully assessed by both internal and external experts to ensure the greatest level of privacy. Should a respondent have reason to suspect that their return has been compromised, or their UAC has been lost or stolen, they should contact the ONS. If required, a new UAC may be issued. Once a return has been submitted, respondents will no longer be able to see their responses.

Any respondent will be able to request a UAC (for an individual online return) or an individual paper questionnaire if they wish to respond privately. This option will be made clear to household members through the communications campaign, within the guidance material sent out by post, within the census website guidance, on the paper questionnaire and on the online questionnaire. There is no obligation on the individual to inform the householder that they have requested an individual questionnaire. An individual can request for a UAC to be sent to them by text message, post or request a paper individual questionnaire that will be sent in an unmarked brown envelope. Any individual response will override a response provided for an individual on the household survey.

The online questionnaire has been designed to allow for completion on the most common web browsers and mobile devices. It will conform to the Digital Service Standard⁹ set by the Government Digital Service (GDS). Online functionality will be designed to minimise respondent burden and improve data quality.

Paper questionnaires

For the 2011 Census, paper questionnaires were delivered to every address in England and Wales, providing respondents with the choice of making a paper or online return. In 2021, households and communal establishments will be delivered a letter with a UAC to allow for secure online completion of the questionnaire. In areas with a lower uptake of online services, a paper questionnaire will be issued alongside a UAC to provide the respondent with a choice of how to respond.

Paper questionnaires will be delivered initially to addresses in areas where it is thought to be more likely to increase return rates. They will also be delivered to those who request them. The questionnaires will be returned in pre-addressed and pre-paid envelopes via the Royal Mail.

⁹ <https://www.gov.uk/service-manual/service-standard>

The Questionnaire Management (QM) supplier will print, personalise, enclose and dispatch paper questionnaire packs. They will also provide the postal solutions for the dispatch of paper questionnaire packs to households and CEs.

Once completed questionnaires have been posted by the respondent, they will be collected by Royal Mail, who will record receipt of each return before delivery to the QM supplier. The receipted information will be provided to ONS to update our response management system.

The QM supplier will capture the data from paper responses by scanning, using optical mark recognition and optical character recognition and will transfer the response data to ONS.

When all the information has been received by ONS, paper questionnaires will be destroyed by the QM supplier to government security guidelines. All of the supplier's systems and storage media holding the data will be securely erased in accordance with government security standards.

Census questions

The census is mandatory, however, questions on religion, sexual orientation and gender identity are voluntary and will be clearly marked as voluntary questions.

Many of the questions will not require an answer for people of certain age groups, reducing the amount of personal data collected about children. Respondents that complete the online survey will be automatically routed past these questions based on the age provided. For the paper questionnaires, they will be routed past the questions via guidance on the questionnaire.

The types of questions that will be asked are outlined here:

Household questionnaire:

- How members of the household are related to each other
- Type of accommodation
- Self-containment of accommodation
- Number of bedrooms
- Type of central heating
- Tenure and type of landlord (if renting)
- Number of cars or vans
- Questions about visitors – Name, sex, date of birth, location of usual residence

Communal Establishment questionnaire:

- Type of establishment (including who it caters for and who is responsible for managing it)
- Number of residents and their position within the establishment
- Number of visitors

Individual questionnaire:

- Name
- Sex

- Date of birth
- Marital/legal civil partnership status
- Country of birth/ Date of arrival in the UK
- Ethnic group
- National identity
- Amount of unpaid care provided
- General health
- Long-term health problems or disability
- Qualifications
- Long-term international migration
- Short-term international migration
- Address one year ago
- Citizenship (via passport held)
- Religion (voluntary question)
- Welsh language skill (respondents in Wales only)
- Main language used
- English language proficiency
- Economic activity
- Occupation
- Industry
- Method of transport to place of work or study
- Supervisory status
- Address of place of work
- Address and type of second residence
- Second residence
- Students' term-time addresses
- Previous service in UK armed forces
- Gender identity (voluntary question)
- Sexual orientation (voluntary question)

Suppliers

The outsourcing of services for the 2021 Census are conducted in accordance with government procurement standards and requirements¹⁰, designed and managed to safeguard the confidentiality of personal information and to deliver value for money. Contractual and operational measures have been implemented to ensure security and privacy standards. We have ensured that there are rigorous testing and assurance processes (including rigorous security requirements), to ensure conformity with government guidelines, internal standards, and the law.

Data protection legislation requires controllers to use processors (suppliers) that provide adequate guarantees to implement technical and organisational measures that meet the requirements of the legislation and ensure the protection of data subjects' rights. We only use suppliers that provide sufficient guarantees that these measures are undertaken.

¹⁰ <https://www.gov.uk/guidance/public-sector-procurement-policy>

All third-party processors involved in the processing of personal data in the census are governed by a contract that is binding on the processor. No sub-processing of data under these contracts can be undertaken without the prior approval of ONS.

5. Data processing

Storage and Retention

Information collected from the census will be held within the ONS Data Access Platform (DAP). DAP is a collection of services, technologies and infrastructure, that allows for the secure processing of personal data. Processing of the information will take place within the cloud within UK based datacentres. Scanned paper questionnaires will be stored within the cloud.

All staff with access to DAP have the necessary level of security vetting and have completed security training for use of the system. Processes to grant access to the data are managed within ONS.

Security controls within DAP are developed from appropriate recognised security standards and guidance from within Government (Cabinet Office, National Cyber Security Centre, Centre for the Protection of National Infrastructure) and international standards and best practice.

Technical and procedural security of DAP are informed by a set of Security Principles. The Principles are:

- **Security Governance**
We have accountable owners of the platform and a set of policies and processes that govern security operations and data management.
- **Risk Assessment of Data**
There is the appropriate security protection, with regular reviews of the security control environment.
- **Best Practice Technical Design**
Government and industry best practice was followed for the platform to ensure a 'Secure by Design' approach to development.
- **Need to Know**
User access to the platform is strictly controlled and centrally managed. Unique user accounts are provided based on role and need of access.
- **Protective Monitoring**
Access to the platform is centrally monitored and the platform performance is monitored to identify anomalies.
- **Import-Export Control**
The process for data going into and out of the platform follows a defined process.
- **Assurance and Audit**
Regular reviews of the platform to ensure that governance and security controls are working as expected.

We will maintain a dataset of copies of responses to the census, from both the scanning process and from the online questionnaire, prior to their release to The National Archives¹¹. These data will be held securely and controlled under the Government policy of closure for 100 years. After 100 years they will be made accessible to the public for wider use by The National Archives.

The period of closure in England and Wales had, until January 2005, been statutorily set at 100 years under the terms of the Public Records Act 1958. While recognising the value of historical census records, the Government considers that the strict confidentiality assurances given to respondents in previous censuses must be upheld. Accordingly, the Government intends to maintain its policy of keeping England and Wales census returns closed for 100 years. As a result, Government policy is that records from the 2021 Census for England and Wales should not be open to the public or available online from the National Archives until January 2122.

Statistical outputs

Following the collection of census information, the information provided by respondents will be processed and quality assured. This will enable us to gather a set of records that can be used to produce census outputs. Online responses will be merged with data scanned and captured from the paper questionnaires and other information needed for processing.

Disclosure control methods will be applied during processing and prior to the release of statistics. This will ensure that no individual or characteristics of groups of individuals are inadvertently identified during publication of the results.

Statistical Disclosure Control (SDC)¹² is needed to protect individuals, households, businesses and their attributes from identification in published tables. Dynamic SDC will be used for many of the census statistical outputs. Dynamic SDC involves the aggregation of data as it is accessed from our website, a process known as flexible dissemination.¹³

We aim to release the first statistics from the census within 12 months of census day. An analytical work programme including topic-based reports and visualisations will support the release of the data.

Metadata, in the form of definitions, classifications and quality indicators will be produced for use alongside statistical outputs. These will include confidence intervals and other quality measures and information from post-census coverage and quality surveys such as local coverage rates, item non-response, and imputation rates.

The ONS Secure Research Service (SRS) gives accredited or approved researchers secure access to de-identified, unpublished data in order to work on research projects for the public good. Microdata are small samples of data for whole households and individuals, which include some associated census characteristics but no information that could identify a household or individual. For the 2011 Census, we released several different Microdata products including the

¹¹ <http://www.nationalarchives.gov.uk/help-with-your-research/research-guides/census-records/>

¹² <https://www.ons.gov.uk/methodology/methodologytopicsandstatisticalconcepts/disclosurecontrol>

¹³

<https://www.ons.gov.uk/census/censustransformationprogramme/census2021outputs/2021dataproducs/flexibledisseminationtool>

Microdata Teaching File, Secure Microdata and Safeguarded Microdata. Microdata enable researchers to look at combinations of characteristics that are not generally available from the standard census tables, and to perform different types of analyses not possible from standard tabulations. Access to microdata will be subject to the overriding need to ensure protection of confidentiality. Those granted access will be accredited in accordance with the terms and conditions specified in the Research Code of Practice and Accreditation Criteria, and the ONS Approved Researcher Scheme¹⁴.

The publicly available microdata will contain anonymised records on a limited set of variables for a random sample of 1% of respondents in the 2021 Census. It will be freely available for anyone to download under the terms of the Open Government Licence¹⁵. The safeguarded microdata files will consist of random samples of up to 5% of individuals in the 2021 Census. The data will be available through acceptance of appropriate terms and conditions. The secure microdata files (10%) represent the products with the highest level of detail and the largest sample size. These data will be available to accredited researchers via the Secure Research Service (SRS) at ONS.

6. Additional personal data that may be processed

Address register

An essential requirement for an inclusive and successful census will be the availability of a comprehensive, high-quality address register covering all households and communal establishments in England and Wales. An address register is necessary for the delivery of participation letters and paper questionnaires and linking UACs to specific addresses.

We are using AddressBase as the core dataset for the address register for the 2021 Census. AddressBase is maintained by GeoPlace, a joint venture between local government and Ordnance Survey, and uses the best national address data sources (including local authority and Royal Mail (Postcode Address File) lists). We have access to AddressBase under the Public-Sector Mapping Agreement¹⁶ and have signed a Memorandum of Understanding with GeoPlace agreeing to work closely together to ensure the quality of the census address list. Each address included in AddressBase has a unique property reference number.

Assistance

An Assisted Digital provider will support individuals in completing their online census questionnaire. The provider will provide venues, devices and staff to assist those who wish to complete their census online but are unable or would struggle to do so without help. The aim is to boost online response rates among the digitally disconnected. The provider of this service will provide general security training as well as role-specific training to their staff.¹⁷

¹⁴ <https://www.ons.gov.uk/aboutus/whatwedo/statistics/requestingstatistics/approvedresearcherscheme>

¹⁵ <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

¹⁶ <https://www.ordnancesurvey.co.uk/business-and-government/public-sector/mapping-agreements/public-sector-mapping-agreement.html>

¹⁷ <https://www.goodthingsfoundation.org/projects/census-support-service>

A Census Contact Centre will support the public during the census. Contact centre employees will undergo security training and have the necessary security clearances to work in their role. The performance of the contact centre will be monitored by ONS employees. They will process names and addresses, and requests for help, via telephone, email, webchat, short message service (SMS) and social media. They will also capture census responses from a small proportion (currently anticipated to be up to 500,000) of households over the telephone. Questionnaire responses provided over the phone will be securely recorded on the online questionnaire. Once the questionnaire has been submitted, the contact centre will no longer have access to the content of the questionnaire. Interpretation services will be provided via a three-way conversation with a contact centre advisor, interpreter and respondent. The contact centre will be utilised for assistance with certain aspects of the questionnaire or help with overall completion.

Incident management

During the course of the census operation, field staff may feel they need to make a record of an incident, where they feel the record may safeguard another member of field staff or a member of public. In these circumstances, minimal personal data may be collected by field staff after an incident has occurred. Incidents will be logged on the Census Incident Management system. The types of incidents that could be recorded include issues of safety about attending an address or the loss of technical equipment.

An incident will be logged on a digital form which will be allocated a unique reference number within the Census Incident Management System. The request form will be made up of a mixture of questions / data fields, where the field staff can select a response from a preselected list and add text or images to a free text box.

All information that is submitted within the Census Incident Management System will be stored within the incident record and the audit history will be updated that an action has taken place. Access to the information within the incident will be restricted by role profile of the employees. There will be further restrictions for access to sensitive information.

The system will be used by field staff to record incidents in the field during the census period. Processes will be in place to ensure that the minimum amount of personal data is recorded, without impacting the usefulness of the information. Access to details of an incident will be restricted to those who need to view the data for business purposes. Training will be given to all staff with access to the system. Based on the recorded information, a decision can be made on any further action required.

Field staff will be able to use codes to record information about properties or households where they feel it would be beneficial. The codes allow us to make decisions about future contact with an address during the census operation. For example, a code could be used to indicate that an address cannot be found. The codes will only be processed where there is a clear benefit to statistical production or to protect the wellbeing of the interviewer or respondent. Training will be provided to staff, with an explanation as to the circumstances in which the codes should be applied. The data will only be held for the duration of the census operation (expected to run until May 2021) unless there is an overriding need to hold the data for longer, such as a legal requirement.

We will have robust internal incident management procedures in place to ensure that operational or security incidents are managed effectively. We have dedicated teams to manage any security incidents or data subject requests.

7. Principles relating to the processing of personal data

This section describes how the processing of personal data collected in the 2021 Census complies with the principles relating to the processing of personal data within Article 5 of the General Data Protection Regulation (GDPR).

GDPR Article 5(1)(a) - Personal data shall be processed lawfully, fairly and in a transparent manner

Lawful

The authority for ONS to undertake a census in England and Wales is set out in primary legislation within the Census Act 1920, subsequently updated by the Statistics and Registration Service Act 2007.

The details to be provided on questionnaires are set out in the Schedule to the Census Act 1920. Further legislation allows for questions on religion, sexual orientation and gender identity if collected on a voluntary basis.

The Census Act 1920 requires secondary legislation to be made prior to each census.

The Census Order (England and Wales) Order 2020 prescribes:

- the date of the census;
- who is required to make census returns; and
- the topics to be included on the census questionnaires.

The Census (England) Regulations 2020 and The Census (Wales) Regulations 2020 prescribe:

- the questionnaires that will be used, including facsimile copies of the paper questions and descriptive content for the online questionnaires;
- the questionnaire tracking system and the use of UACs;
- the information that will be provided to respondents;
- the process for the delivery and return of questionnaires; and
- the procedure for non-response.

Under data protection legislation, at least one lawful basis for processing the personal data must apply. For processing information provided on census questionnaires and other operational data, the lawful condition is:

- GDPR Article 6(1)(e) – processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

The Statistics and Registration Service Act 2007 permits us to create, promote and publish statistics. The creation of statistics that benefit that public are one of the central functions of the Authority.

The Census Act 1920 and relevant secondary legislation requires us to undertake the census to meet our functions. For data collected on census questionnaires, we also use the following condition:

- GDPR Article 6(1)(c) – processing is necessary for compliance with a legal obligation to which the controller is subject

Under data protection legislation, at least one lawful basis for the processing of special category personal data must apply. For processing personal data provided on census questionnaires and other operational data, the lawful condition is:

- GDPR Article 9(2)(g) – processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subjects.

The following condition is also used to process personal data from census questionnaires:

- GDPR Article 9(2)(j) – processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Outputs produced by processing special category data will not identify individuals and the data will be used for statistical purposes only. No decisions about individuals will be made based on the processing.

Respect for confidential personal information is embedded in the Code of Practice for Statistics and is a fundamental principle of the UKSA.

Fair

Privacy information, explaining how we process the personal data we collect during the census, will be published on the ONS website and be sent to households receiving the paper questionnaire prior to census day. We also have a dedicated page on the ONS website, presenting how we use personal data obtained from surveys.

Any household or communal establishment that receives a paper questionnaire will receive a paper version of the privacy information. Households or communal establishments that receive a UAC will be provided with a link to the privacy information on the census.gov.uk website.

Equality and human rights analysis have been undertaken alongside consideration of privacy impacts. An Equality Impact Assessment¹⁸ for the 2021 Census has been published on the GOV.UK website.

Personal data collected within the census will be used for statistical purposes only. No decisions will be made about an individual based on what they provide on their census questionnaire.

Measures have been implemented to minimise the risk of the unintended disclosure of personal data from a census questionnaire within a household or communal establishment. Particularly sensitive questions, such as those about sexual orientation and gender identity, are voluntary. Anyone will be able to request an individual questionnaire so as not to disclose their personal data.

Transparent

In 2010, the UK Statistics Authority asked the National Statistician and ONS to review the future provision of population statistics in England and Wales to inform the government and Parliament about the options for the next census. For the following three years, ONS researched new ways of counting the population, reviewed practices in other countries, engaged with a wide range of users, commissioned an independent review of methodology and completed a three-month public consultation.

In December 2018, the White Paper outlining our recommendations for Census 2021 was published on the GOV.UK website.¹⁹ Subsequently, the secondary legislation for the census was laid before Parliament in 2020.

Information about the 2021 Census is regularly published on the ONS website and the dedicated 2021 Census website.

Privacy information will be provided to survey respondents to ensure that they are informed about how we are processing their personal data and for reassurance that their data will be kept safe and secure. The privacy information will include:

- details about ONS and our contact details;
- details about how to contact the Data Protection Officer;
- details about how to contact the Information Commissioner's Office;
- the purpose of the census;
- the period that the personal data will be stored;
- the rights of data subjects under data protection legislation; and
- the legal basis for conducting the census.

Privacy information will be available on the census website to allow all survey respondents to access the information, including during online completion of a questionnaire.

¹⁸

<https://www.ons.gov.uk/file?uri=/census/censustransformationprogramme/legislationandpolicy/updatedcensusequalityimpactassessmentmarch20201.pdf>

¹⁹ <https://www.gov.uk/government/publications/the-2021-census-of-population-and-housing-in-england-and-wales>

The UKSA Data Protection Policy²⁰ is available on the ONS website, accompanying our information for survey respondents.

The policy:

- applies to all UKSA/ONS staff and contractors and others working on behalf of the Authority, including field staff;
- applies to all functions and activities undertaken by the Authority that involve the processing of personal data; and
- highlights the roles and responsibilities for data protection within the Authority.

The policy outlines our commitment to:

- ensure data protection practices are built into our business processes;
- ensure the transparency of data processing;
- maintain the rights of data subjects; and
- ensure compliance with data protection law.

A census awareness campaign will take place in the build-up to the 2021 Census. Numerous support channels will be available to provide respondents with the opportunity to ask questions about the census.

GDPR Article 5(1)(b) - Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes

Purpose of the processing

The purpose of collecting census data is provide an accurate count of the population and to provide a complete picture of the nation. It allows for the accurate comparison of different groups across the UK, because the same questions are asked of everybody. The census provides information that government needs to develop policies, plan and run public services, and allocate funding.

Personal data collected from the census will be processed for this statistical purpose and appropriate safeguards are in place for the security of the personal data. No decisions will be made about individuals based on the collected data.

There is a clear purpose for processing other personal data during the census operation, that will assist with the production of statistics and will safeguard individuals. Information collected on census questionnaires will only ever be used for statistical or research purposes.

GDPR Article 5(1)(c) - Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes

We are aware of potential public concerns about the census being intrusive. Extensive consultation has taken place to decide on the questions that will be asked during the census and we have striven to strike a balance between user needs and the amount of data collected.

²⁰ <https://www.ons.gov.uk/file?uri=/aboutus/transparencyandgovernance/dataprotection/dataprotectionpolicy.pdf>

We undertook a formal consultation exercise to inform the case for the inclusion of census topics and response options for the 2021 Census. This was supported by extensive testing with the public of the proposed questions, ongoing stakeholder engagement to ensure user needs are being met and peer review by relevant topic experts. This ensures that the content of the census will meet user needs and be of high statistical quality.

The personal data collected in the census is defined in law within the Census Act 1920. The Act also allows us to collect data on any other matters to which it is desirable to obtain statistical information with a view to ascertaining the social or civil condition of the population, subject to approval by Parliament. Details of the topics are set out in the Census Order, and no data will be collected that is not specified within census legislation.

It is possible that during the census, duplicate responses will be received for an individual. To ensure the principle of data minimisation, individual responses will overwrite responses for the same individual provided on the household questionnaire.

Some personal data may be processed where it is felt necessary to record for the purposes of safeguarding individuals. In these instances, the minimum amount of personal data will be held to achieve the purposes and it will only be held for as long as it is required.

All operational personal data will be held for as long as it is required to achieve the necessary purpose and will be held within the guidelines of our data retention policies. The practice of data minimisation will be followed to ensure we are not processing personal data that is not required for the specific purpose for which it was obtained.

GDPR Article 5(1)(d) – Personal data shall be accurate and where necessary, kept up to date

Due to the important role the census plays in future planning for the UK, we will endeavour to ensure that census data is as accurate as possible. An address-checking and questionnaire tracking system will help to ensure that addresses are not missed from the census.

The data forms a statistical snapshot of population having no relevance to decisions affecting an individual. There is no requirement to keep personal data collected for statistical purposes up to date, because to do so would have a negative impact on the production of statistics.

GDPR Article 5(1)(e) - Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes

Where personal data are processed for statistical purposes, they may be held for longer periods where this is a clear purpose for retention. In these circumstances, appropriate safeguards need to be in place to ensure the protection of the data.

Paper questionnaires will be destroyed in line with government security guidelines. We will keep a dataset of copies of responses, from both the scanning process and from the online service, for The National Archives. These data will be held securely and controlled under the policy of keeping England and Wales census returns closed for 100 years.

This policy minimises the risk of disclosing information about people who are still living and protects an individual's living descendants.

While census records remain in the custody of the Statistics Board, they are permanently closed by until the Statistics Board releases them to The National Archives to be released as historical public records.

All operational personal data will be held for as long as it is required to achieve the necessary purpose and will be held within the guidelines of our data retention policies.

Incident/accident records will be reviewed at the end of the census operation and personal data will be deleted where there are no further legal requirements to hold the data.

GDPR Article 5(1)(f) - Personal data shall be processed in a manner that ensures appropriate security of the personal data

Census data will be held in a secure environment operated by ONS, access to which will be strictly controlled in accordance with the relevant legislation. All ONS sites require security checks before entering the premises. Access is granted via a security pass containing the employee's name and photograph. All non-ONS visitors to the site are required to be escorted by an employee.

Many elements of census services have a physical aspect either within an ONS site or that of an external supplier. A physical security check performs a similar assessment on implemented security building and perimeter controls. The check identifies potential weaknesses in the physical perimeter, building, and intruder detection systems that could be exploited such as fence-hopping, tailgating, bypassing physical access controls and social engineering opportunities.

Two levels of assessment are performed for physical security:

- An internal assessment of ONS and supplier sites based on the Centre for the Protection of National Infrastructure (CPNI) standards.
- An independent physical security penetration test of ONS sites performed by a contracted specialist organisation.

All ONS staff have a Baseline Personnel Security Standard (BPSS) check when they join ONS. Employees that work with personal data on a regular basis undertake a higher level of security scrutiny:

- Counter-Terrorist Check (CTC) for people occasionally working with sensitive data.
- Security Check (SC) for people regularly working with sensitive data, especially in bulk through large extracts or entire data sets.
- Developed Vetting (DV) for people regularly working with sensitive data and in additional sensitive roles such as security, senior leadership or specific data management roles.

GDPR training sessions have taken place across all ONS sites since 2017. It is a requirement for all ONS staff to complete mandatory security awareness training each year.

We have a Data Protection Officer to oversee data protection compliance across the organisation, along with legal, data protection and security teams.

We have reviewed some key respondent journeys that reflect how a respondent completes their questionnaire. For example, online, by paper and with assistance. These journeys illustrate the way that the different workstream components deliver an element of the end-to-end census service. Security threats are mapped against each journey to inform on risk and its management. This presents an overall level of confidence that the end-to-end security is implemented for each journey.

8. Identifying and assessing risk and mitigations

The following table presents the various risks associated with processing personal data in the 2021 Census. We then identify ways that we can reduce the overall risk.

Source of risk and nature of potential impact on individuals			
No.	Risk and potential impact	Mitigations in place	Reduced risk?
1	<p>Online questionnaires</p> <p>There is a risk that a cyber-attack or hacking (for example) could lead to a loss of personal data collected via the online questionnaire.</p> <p>There is a risk that the census website and online questionnaire could be subject to a Distributed Denial of Service Attack that could impact the online service and result in the loss of partially completed questionnaires.</p> <p>This could result in the loss or malicious access to, personal data from census questionnaires, where partial completion of questionnaires has taken place and information is not submitted in one session.</p>	<p>Online questionnaires</p> <p>Government Digital Service design, National Cyber Security Centre (NCSC) guidance, and industry standard security requirements have been used to build the online platform securely by design. There has been extensive interaction with NCSC, the Centre for the Protection of National Infrastructure (CPNI) and the Government Digital Service (GDS), as well as cyber security consultancies.</p> <p>Audits and penetration testing of online systems have been undertaken, including an independent security review.</p> <p>Comprehensive security programmes are in place designed to reduce the risk of compromise to the delivery of the census. Strong controls are in place to detect and respond to threats that may impact the census.</p>	<p>Yes</p> <p>Low risk rating</p>

<p>2</p>	<p>Unique Access Codes</p> <p>There is a risk that loss, misplacement or guessing of a Unique Access Code (UAC) could result in unauthorised access to partially completed questionnaires.</p> <p>This could result in partially completed census questionnaires (including details about other household members) being visible to other individuals.</p>	<p>Unique Access Codes</p> <p>Each UAC will contain a unique 16-character numeric code for accessing the questionnaire. The length of the code reduces the risk of the code being guessed or hacked.</p> <p>We have made clear in our communication with the public that UACs should be protected and kept secure.</p> <p>We have made clear in our communication with the public, what people can do if they have concerns about security/privacy.</p> <p>Once questionnaires have been submitted, answers will no longer be visible via the UAC.</p>	<p>Yes</p> <p>Low risk rating</p>
<p>3</p>	<p>Paper questionnaires</p> <p>There is a risk that paper questionnaires could be lost in any part of the journey from questionnaire completion to the Questionnaire Management supplier.</p> <p>This could result in the loss of personal data. This could range from one questionnaire being lost in the post to a large number of questionnaires. Although the census is expected to be completed predominantly online, we will still be sending paper questionnaires to around 11% of households and anyone will be able to request a paper questionnaire.</p>	<p>Paper questionnaires</p> <p>The contracted Post Back supplier, Royal Mail, have safeguards in place to prevent malicious use of any mail item. Opening mail is an offence for Royal Mail employees.</p> <p>We have advised the public to post back paper questionnaires as soon as they are complete to reduce the chances of the questionnaires going missing.</p> <p>Any incidents impacting on paper questionnaire returns will be reported promptly to ONS staff by the Royal Mail, jointly investigated and appropriate action taken.</p>	<p>Yes</p> <p>Low risk rating</p>
<p>4</p>	<p>Management of questionnaires</p> <p>There is a risk that the storage of questionnaires by ONS and its suppliers could be compromised.</p>	<p>Management of questionnaires</p> <p>Data from census questionnaires will be processed and held in the UK.</p>	<p>Yes</p> <p>Medium risk rating</p>

	<p>For example, a hacker could try and exploit weaknesses in storage systems.</p> <p>This could result in the loss of a personal data and reputational damage to ONS.</p>	<p>Robust physical security controls are in place to ensure the personal data are held securely.</p> <p>All staff working on the Census Programme receive formal security awareness training. Access to information from questionnaires will be limited to ONS staff that have the necessary level of security clearance.</p>	
5	<p>Storage of personal data for statistics</p> <p>There is a risk that the platform for the statistical processing of all respondent data from the census could be compromised if implemented controls are circumvented without detection.</p> <p>This could result in the accidental or malicious disclosure of personal data.</p>	<p>Storage of personal data for statistics</p> <p>Processes to grant access to the data are managed within ONS and require approval from the Information Asset Owner (IAO). An IAO is a senior manager within ONS that has overall responsibility for the management and security of an information asset.</p> <p>All information assets held are recorded on an Information Asset Register. The register is managed by the Knowledge and Information Management team who ensure that assurance of the assets is undertaken on a regular basis.</p> <p>Staff have up-to-date Security Check (SC) vetting and will have agreed to the terms of use for accessing the platform. Users will only have access to the specific data needed for their role, be it identifiable or de-identified data.</p> <p>Many security policies and procedures have been developed to support the operation and administration of the system. Special attention has been given to controlling and recording</p>	<p>Yes</p> <p>Medium risk rating</p>

		<p>access to the data. This includes flows of information into and out of the system for analytical and evaluation purposes as well as the transfer of data between this system and other ONS secure facilities. Any requirement to export data must be reviewed and approved in accordance with standard procedures. All outputs from the system will be checked to ensure that statistical disclosure control standards are upheld.</p> <p>Security controls within DAP are developed from appropriate recognised security standards and guidance from within Government (Cabinet Office, National Cyber Security Centre, Centre for the Protection of National Infrastructure) and international standards and best practice (ISO 27001, National Institute of Standards and Technology, Information Security Forum).</p>	
6	<p>Census responses</p> <p>There is a risk that data collected within households and communal establishments could inadvertently provide people within those households/establishments, with previously unknown personal data about an individual.</p> <p>There is a risk that when a householder completes a household questionnaire on paper or online, the individual responses for the other members of the household will be visible to another individual using the same UAC or paper questionnaire.</p>	<p>Census responses</p> <p>Respondents will be able to request an individual questionnaire if they wish to enable them to respond privately. Therefore, if there was personal data that a respondent wished to record but did not want to reveal to other household members, there is a process for this.</p> <p>People that want to provide an individual response can do so without the other members of the household being aware. They can request a UAC to be provided via text or for an individual paper questionnaire to be sent by post in an unmarked envelope.</p>	<p>Yes</p> <p>Low risk rating</p>

	<p>There is a risk that where a respondent is unable to answer a census questionnaire on their own, and it is completed on their behalf or with assistance, this may reveal personal data that the respondent did not wish to disclose. For example, if it is not made clear that certain questions on the census are voluntary.</p> <p>This could result in revealing personal data that an individual wanted to remain private.</p>	<p>Sensitive questions on sexual orientation and gender identity are voluntary. This reduces the risk of people having to reveal certain information if they do not feel comfortable in doing so.</p> <p>The voluntary nature of the questions will help to reduce disclosure risks. The questions are limited to persons aged 16 years and over.</p> <p>An Equality Impact Assessment for the 2021 Census has been published. The assessment is an evaluation of our proposed questions for the census and our proposed operation of the census. The assessment looks at how our proposals meet our due regard to meet the requirements of the Public-sector equality duty.</p> <p>We will mitigate disclosure risks by providing good guidance to people completing forms for others.</p>	
7	<p>Statistics</p> <p>There is a risk that individuals could be identified within the statistics produced, including through the release of microfata to accredited researchers.</p> <p>This could result in the wrongful disclosure of personal data via a public platform.</p>	<p>Statistics</p> <p>The personal data provided on a census questionnaire is only used for statistical purposes. The statistics produced will not identify any individuals.</p> <p>Statistical disclosure control measures will be taken to prevent the release of statistical information that identifies characteristics about an individual person, household or group of people.</p> <p>We have an exemplary record of safeguarding confidentiality. We produce statistics on a variety of topics that are published frequently on the ONS website. In</p>	<p>Yes</p> <p>Low risk rating</p>

		<p>all cases appropriate disclosure control methods will be applied to ensure that we continue to uphold our commitments to protect privacy.</p> <p>Secure de-identified microdata files are protected by the highest level of access limitation and are available only to those assigned by ONS as Accredited Researchers via the Secure Research Service.</p> <p>The Accredited Researcher Scheme is used by the ONS to grant access to de-identified microdata. Certain criteria are required to be met before access to data is granted:</p> <ul style="list-style-type: none">• Researchers must be able to demonstrate the appropriate knowledge and experience necessary for handling personal information and demonstrate a commitment to protecting and maintaining confidentiality of data.• Researchers must have successfully completed a Safe Researcher training course, run by ONS, the UK Data Service, the Administrative Data Research Network or HMRC.• Researchers must sign and adhere to an Accredited Researcher Declaration. The declaration states that researchers will only use personal information obtained under the	
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		scheme, for statistical purposes only.	
8	<p>Operational data</p> <p>There is a risk that operational data processed during the census operation will be compromised. The types of operational data include information about individuals, households or incidents, that will assist us with the operation of the census or safeguard members of the public and staff. If it is deemed necessary to record this data, the incident will be recorded and stored.</p> <p>There is a risk that additional personal data may be recorded about an incident that is not required. There is a risk that the system holding the records could be misused.</p> <p>This could result in the incorrect staff obtaining information about incidents that have occurred during the operation of the census that may contain personal data.</p>	<p>Operational data</p> <p>For incidents during the census operation, any information recorded, including personal data, will relate to the specific incident and be deemed necessary by the raiser as being required for the resolution of the incident.</p> <p>The principle of data minimisation will be adopted, ensuring there is reasonable justification for recording the information. Staff will receive data protection training prior to undertaking their role.</p> <p>The system for holding the data has been built to enable personal data to be restricted to specific users. Login and password details will be required to access the system.</p>	<p>Yes</p> <p>Low risk rating</p>
9	<p>Assistance</p> <p>There is a risk that services for the assistance of the public during the census are compromised.</p> <p>There is a risk that personal data could be wrongfully disclosed at an event run by the Assisted Digital provider. For example, individuals may be able to overhear conversations when assistance is being provided.</p> <p>This could result in the loss of personal data.</p>	<p>Assistance</p> <p>Contact centre staff have undergone security vetting prior to their employment.</p> <p>All Contact centre staff working on the census will receive appropriate security and awareness training.</p> <p>Personal data will not routinely be held by the contact centre as its main purpose is to provide advice to the public.</p>	<p>Yes</p> <p>Low risk rating</p>

		<p>For telephone completion, contact centre staff will only have access to the personal data of the respondent whilst they complete the online questionnaire on behalf of the respondent. Once the questionnaire is submitted, they will no longer have access to the personal data.</p> <p>All those involved in providing the Assisted Digital service will receive training, guidance and appropriate materials from ONS to ensure they understand their roles and the importance of data security.</p>	
10	<p>Employees</p> <p>There is a risk that a member of field staff will publicise addresses that they have visited</p> <p>There is a risk that information held on field staff devices could be disclosed.</p> <p>There is a risk that electronic devices are lost or stolen, or paper questionnaires that have been collected by the member of staff are lost or stolen.</p> <p>This could result in the loss of personal data.</p>	<p>Employees</p> <p>There will be different training requirements for each of the field staff roles. Training will relate to the tasks carried out at each level of field operation, with a focus on the tools and materials they will use to carry out their roles. The training will also help them understand and maximise their ability to get a response on the doorstep. There is a specific GDPR module as part of this training.</p> <p>As part of the field staff training, they will be advised that if they are provided with a completed census questionnaire, the questionnaire should be posted at the earliest opportunity.</p> <p>There will be a management chain within the field force to ensure that staff complete their work appropriately. Their work will be overseen by ONS.</p> <p>All temporary staff will be required to sign a form of undertaking to ensure that they are aware of the</p>	<p>Yes</p> <p>Low risk rating</p>

		confidentiality requirements and the penalties for non-compliance with the requirements.	
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Annex A – Definitions

Controller - the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data

Data subject – any identified or identifiable natural person

UK General Data Protection Regulation – Regulation (2016/679) of the European Parliament and Council of the European Union on the protection of natural persons with regard to the processing of personal data and on the free movement of such data. The GDPR is retained in domestic law now the EU Exit transition period has ended

Personal data - any information relating to an identified or identifiable natural person

Processing - any operation or set of operations which is performed on personal data, such as collection, recording, organisation, structuring, storage, adaptation, alteration, retrieval, consultation, use, disclosure, combination, restriction, erasure or destruction

Processor - a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller

Special categories of personal data - personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, the processing of genetic data, biometric data, data concerning health, sex life or sexual orientation

The Data Protection Legislation – the term used within the Data Protection Act 2018 to define the full suite of data protection legislation applicable in England and Wales

Annex B - Human Rights Impact Assessment

For compliance with the Human Rights Act 1998²¹, all public authorities must ensure that everything they do is compatible with the Convention rights within Schedule 1 of the Act, unless an Act of Parliament makes that impossible.

Convention rights within the Human Rights Act 1998	Potential impact on human rights	Proportionality (a public authority must interfere with that right as little as possible, only going as far as is necessary to achieve the desired aim) Fairness
Article 8 – Right to respect for a private and family life	<p>Processing of private and sensitive data.</p> <p>Risk of disclosure arising from third-party involvement in completing the census questionnaire on a respondent's behalf in certain circumstances.</p>	<p>A public authority may enquire into a person's private life where they have the legal authority to do so. A public authority can also do this where it is necessary for any of these aims:</p> <ul style="list-style-type: none"> • in the interests of national security, • public safety or the economic well-being of the country, • for the prevention of disorder or crime, • for the protection of health or morals, or • for the protection of the rights and freedoms of others. <p>We have the legal authority to conduct the census. The content and plans for the census were scrutinised by Parliament through secondary legislation (Census Order and Census Regulations).</p>

²¹ <https://www.legislation.gov.uk/ukpga/1998/42/contents>

		<p>In July 2012, a High Court judge rejected a legal challenge by two individuals regarding the legislation governing the census. The individuals argued that the legislation was incompatible with Article 8 of the Human Rights Act 1998.</p> <p>The judge agreed with the Government's submission that:</p> <ul style="list-style-type: none">• the Data Protection Act 1998,• the ONS policy of resisting disclosure (save where ordered by a Court), and• the obligation on ONS to act consistently with convention rights <p>provided sufficient protection of census data to comply with Article 8.</p> <p>This was also tested in a court of law in 2002 when it was found that the census was compatible with Human Rights legislation.</p> <p>Interference with this right through the requirement to supply the data on the census is justified because the data is needed for the design of public services in a way that furthers the enjoyment of human rights and combats discrimination. The results of the census will be used to plan work which is necessary to help advance public safety and the economic well-being of the country, the protection of health, and the protection of the rights and freedoms of the population.</p>
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		<p>Failure to ask some of these questions could threaten the purpose of the census, since it could limit any analysis to help identify disadvantages suffered by groups that could be identified by those questions.</p>
	<p>Security of data</p>	<p>It is our priority to keep personal data secure and ensure personal privacy.</p> <p>Security measures include:</p> <ul style="list-style-type: none"> • A Data Protection Impact Assessment. • The use of individual questionnaires and unique access codes. • Collaboration with internal and external security experts. • Adherence to government security guidelines. • Appropriate training of staff in secure handling and storage of personal data.
	<p>Physical intrusion i.e. field staff</p>	<p>The 2021 Census will be predominantly online, with unique, individual access codes sent by letter to households prior to census day.</p> <p>Field staff will ensure that response rates are as high as possible. Field staff will provide respondents with assistance where required.</p> <p>Completion of the census is mandatory. Field staff are there to encourage and help households complete their returns. This</p>

		cannot realistically be achieved solely via correspondence.
	The choice of questions and/or response options may not include something important to an individual respondent. This could mean they will see the census as not providing them with the same benefit as it does to others.	<p>The primary driver of the census is to provide users with relevant statistics. The census has been informed by a programme of consultations, evidence gathering and research.</p> <p>There needs to be a balance between the extent to which detailed information is gathered and operational concerns. For example, achieving high response rates, the effect on willingness of respondents to complete the census and the likely accuracy of data recorded.</p> <p>“Write-in” option boxes have been included where appropriate to enable people to provide a full response where their response does not fall in to one of the available options.</p>
	Failure to identify or adequately record groups e.g. the homeless and other hard to count groups. This could limit the usefulness of census data for this group and reduce the justification for Article 8 interference.	Efforts will be made to reach all these groups, for example: by targeted engagement with specific communities (such as the Roma Community); and working closely with charities to implement plans to enable the homeless to participate. There will also be substantial publicity work and liaison with local authorities about hard-to-reach groups.
	Inadequate arrangements to assist people who have difficulty completing the census (for example owing to disability or to language issues). This	<p>Assistance with the completion of questionnaires includes:</p> <ul style="list-style-type: none"> • A census translation service

	<p>could limit the usefulness of census data for this group and reduce the justification for Article 8 interference.</p>	<ul style="list-style-type: none"> • An Assisted Digital service will aid people who may have difficulty in completing their questionnaire online • A contact centre to provide advice, assistance, provide UACs and paper questionnaires • Responses can be provided by telephone • Field staff can assist people in completion
	<p>Including a question on sexual orientation will require disclosure of highly sensitive information. This carries risks of accidental “outing” of individuals. There would be risks associated with asking this question of younger members of households (for example, under 16s), where orientation may be fluid.</p>	<p>“Outing” risks are mitigated by the option of requesting an individual questionnaire. Limiting question responses to people aged 16 years and over will remove risks for younger people.</p> <p>In addition, individuals can ask for an individual questionnaire to complete without others in the household knowing. This questionnaire would overwrite the details given in the household questionnaire.</p> <p>Our testing showed that there is a user need for this data and that this question was publicly acceptable.</p>
	<p>Including a question on gender identity could require disclosure of highly sensitive information. There are difficulties with designing a question which uses language reflecting the range of possible responses (the Equality Act 2010 characteristic is</p>	<p>We held a topic consultation which revealed a clear requirement for information on gender identity for policy development and service planning, in particular about the provision of health services. This data is also required for monitoring equality.²² Stakeholder engagement showed support for asking the</p>

²² <https://www.ons.gov.uk/census/censustransformationprogramme/questiondevelopment/sexandgenderidentityquestiondevelopmentforcensus2021>

	<p>Gender reassignment, which is relatively narrowly defined). There are risks that inclusion of this question could have a negative impact on the data on sex, and that the question could offend or prove unacceptable to some members of the public. Each of these potential outcomes could threaten the usefulness of census data in other areas, reducing the justification for including this question.</p>	<p>question to those aged 16 years and over only.</p> <p>The introduction of the Equality Act 2010 further strengthens the user requirement for those with the protected characteristics of gender reassignment. Research showed that there are currently no administrative sources that record transgender, including non-binary, identities for the whole population, and, therefore we cannot meet the user need through administrative data.²³</p> <p>This question has been tested along with the sex question. The research and testing showed that the best data for both the sex question and gender question would be to have a binary sex question with a note to say that a question on gender would follow.</p>
	<p>Including a question on sex is not new and represents a lower risk than questions on sexual orientation or gender identity.</p>	<p>Collecting data on sex is proportionate because data on sex is a crucial marker for other census data in establishing disadvantage between men and women. Collecting data on sex is a legal requirement within section 1 of the Schedule of the Census Act 1920.</p>
	<p>Selection of response options on ethnicity raises issues of equality of choice. Ethnicity has been the subject of a question for many years, and the number of ethnicities provided with a tick-box option has grown over time.</p>	<p>Collecting data is useful for formulation of public policy and the design of good services at a local level. Article 14 risks can be dealt with by applying non-discriminatory criteria to make choices. Choice will be made based on established user need.</p>

²³ <https://www.ons.gov.uk/census/censustransformationprogramme/questiondevelopment/2021censustopicresearchupdatedecember2018>

	<p>There is growing pressure to include more options, as ethnic minority groups recognise that being identified clearly in census returns is useful in ensuring good service design that serves communities localities.</p>	<p>There were 55 requests for a new ethnic tick box for the 2021 Census. We could not add all the new tick boxes requested. All the requests were evaluated and a new tick box for Roma was added. However, everyone will be able to identify their identity as they wish. A new search as you type facility and “write in” box will be available. This will further mitigate risk to smaller groups.</p> <p>We have also offered to work with the different groups and communities to promote the search as you type / write in option and to promote that everyone can identify as they wish.</p> <p>A longer set of tick-box options would be impractical within the limits of the census questionnaire.</p>
<p>Article 9 – Freedom of thought, conscience and religion</p>	<p>None</p>	<p>Freedom of religion is not affected by the question on religion. Even where a lack of “adequate” response options for religion is cited, freedom to be of that religion and to practice that religion is not threatened.</p> <p>Everyone can identify as they wish. Search as you type and “write-in” options are also available, so respondents are at liberty to record any religion they wish.</p> <p>The religion question is voluntary.</p>

Article 10 – Freedom of expression	None	<p>Responses to the census are used for statistical purposes only. Lack of a response option will not prohibit freedom of expression.</p> <p>“Write-in” options for many questions, are also available throughout the questionnaire.</p>
Article 14 – Prohibition of discrimination	Addressed in Article 8 considerations	A full Equality Impact Assessment has been undertaken to ensure that we are meeting our public-sector equality duty.
Schedule 1, Part 2, the First Protocol, Article 1 – Protection of property	None	This is only relevant if our software would interfere with the household technology of respondents in some way (i.e. allow malware in or otherwise damage them). This article is not engaged due to the security mitigation highlighted within this assessment.