

# **Data Protection Impact Assessment for the National Neonatal Audit Programme (England, Northern Ireland, Scotland, Wales and the Isle of Man)**

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Date Completed	Version	Summary of changes
23/11/2020	0.1	Draft as part of PIA meeting- following change to data flow
26/11/2020	0.2	JE edits to draft
27/11/2020	0.3	Further edits to draft by RCPCH Head of IG
04/12/2020	0.4	Update following CAG application and verification of storage
01/03/2021	0.5	Update following confirmation of section 251 approval and HSC-PBPP application
01/04/2021	0.6	Review by Head of Information Governance, RCPCH and further updates by RW in consultation with IS team.
01/04/2021	1.0	Head of Information Governance final review and sign off
28/03/2022	1.1	Annual review by NNAP PM Rachel Winch, to incorporate Scottish data flow and amendments to English and Welsh data flow under Section 251.
04/07/2022	1.2	Review and amendments by Rachel Winch (NNAP PM), and Adele Picken (Head of Information Governance).
01/08/2022	1.3	Amendments by Rachel Winch (NNAP PM) following HSC-PBPP feedback, with review by Adele Picken (Head of Information Governance).
15/12/2023	1.4	Annual review by NNAP PM Rachel Winch. Updated to reflect exemption to National Data Opt Out (NDOO), proposed flow to data to UKHSA and linkage to SGSS by UKHSA, the introduction of a Microsoft PowerBI data dashboard to share open and restricted access reporting, addition of the Isle of Man, and retrospective Scottish data.

March 2025	1.5	Review by NNAP PM Rachel Winch and Adele Picken, Head of Information Governance.
March 2026	1.6	Review by NNAP PM Rachel Winch and Adele Picken, Head of Information Governance. Updated to reflect: <ul style="list-style-type: none"> <li>• Changes to the Restricted Access Dashboard (RAD)</li> <li>• Linkage between NMPA and NNAP datasets for England, Scotland and Wales (under development)</li> <li>• Addition of Health and Social Care Trusts in Northern Ireland to the NNAP.</li> <li>• Changes to the privacy notice to bring consistency of wording between national versions, and to include Northern Ireland.</li> </ul>

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## Screening questions

Please complete the following checklist:

	Section	Yes or No	N/A	Comments
1.	Does your project involve any automated decision making, evaluation or scoring including profiling and predicting using information about a person? Does the outcome from your project decide who gets access to services?	N		
2.	Does your project involve any sensitive information or information of a highly personal nature?	Y		
3.	Does the proposal involve any data concerning vulnerable individuals who may be unable to easily consent or oppose the processing, or exercise their rights?  This group may include children, employees, mentally ill persons, asylum seekers, or the elderly, patients and cases where there is an imbalance in the relationship between the position of the individual and the controller.	Y		
4.	Does your project involve any innovative use or applying new technological or organisational solutions? This could include biometric or genetic data, the tracking of individuals' location or behaviour?	N		
5.	Does your project match data or combine datasets from different sources?	Y		
6.	Does your project collect personal data from a source other than the individual without providing them with a privacy notice ('invisible processing')?	N		
7.	Does your project process data that might endanger the individual's physical health or safety in the event of a security breach?	Y		
8.	Is this a new project? Or have the requirements for your project changed since its initiation? Are you sharing new information or linking to new datasets that were not part of the original project specification. Have you added any new audit streams to your project?	Y		Existing project with linkage to a new dataset.

## Data Protection Impact Assessment

This Data Protection Impact Assessment (DPIA) template and guide is a tool which can help organisations identify the most effective way to comply with their data protection obligations and meet individuals' expectations of privacy. This tool will help organisations which process personal data to properly consider and address the privacy risk that this entails.

DPIA can be used alongside existing project management and risk management methodologies.

Conducting a DPIA is now a legal requirement under the [GDPR](#) (General Data Protection Regulation) which will start on the 25<sup>th</sup> May 2018 and the new UK Data Protection Act. By completing a DPIA, this will help to ensure that your project is compliant with GDPR and UK data protection legislation. This document will be updated if further ICO guidance is published or there is change in legislation.

A DPIA is the basis of a “privacy by design” approach, to help meet privacy and data protection expectations of customers, employees and other stakeholders. A DPIA is intended to be prospective and proactive and should act as an early warning system by considering privacy and compliance risks in the initial design and throughout the project.

### Purpose and benefits of completing a DPIA

- A DPIA is a process which assists organisations in identifying and minimising the privacy risks of new projects or policies.
- Conducting a DPIA involves working with people within the organisation, with partner organisations and with the people affected to identify and reduce privacy risks.
- The DPIA will help determine the appropriate controls needed to protect personal data i.e. technical, procedural and physical.
- The DPIA will help to ensure that potential problems are identified at an early stage, when addressing them will often be simpler and less costly.
- Conducting a DPIA should benefit organisations by producing better policies and systems and improving the relationship between organisations and individuals.
- The ICO may often ask an organisation whether they have carried out a DPIA. It is often the most effective way to demonstrate to the ICO how personal data processing complies with Data Protection legislation.

### Supplementary guidance

- [Data Protection Impact Assessment under GDPR guidance](#)
- ICO's conducting [privacy impact assessments code of practice](#)
- The [ICO's Anonymisation: managing data protection risk code of practice](#) may help organisations to identify privacy risks associated with the use of anonymised personal data.
- The [ICO's Data sharing code of practice](#) may help organisations to identify privacy risks associated with sharing personal data with other organisations.
- The [ICO's codes of practice on privacy notices](#), as well as other more specific guidance, will also help an organisation to focus DPIAs on those issues.
- The Government Data Programme has developed a [Data Science Ethical Framework](#) to help organisations understand the benefits and risks of using personal data when developing policy. The

Framework can be used as part of the process to help you describe information flows and identify privacy risks and solutions.

### **DPIA methodology and project information.**

At what stage in the project did you conduct this DPIA? E.g. planning stage, changes to the existing project, in retrospect.

The DPIA is reviewed and updated to reflect all significant changes to the existing project, as detailed in the version control log.

Describe the overall aim of the project and the data processing you carry out

The NNAP assesses whether babies admitted to neonatal units in England, Northern Ireland, Scotland, Wales and Isle of Man receive consistent high-quality care. We identify areas for quality improvement in relation to the delivery and outcomes of care.

### **DPIA Consultation**

We advise you to consult with as many relevant people as possible (both internal and external stakeholders) while conducting this assessment, consultation is an important part of a DPIA and allows people to highlight privacy risks and solutions based on their own area of interest or expertise. Consultation can take place at any point in the DPIA process and may include the project management team, Data Protection Officer, designers, IT provider, procurement team, data processors, communications team, patients, stakeholders, corporate governance and compliance teams, researchers, analysts, statisticians and senior management.

You must consult with the Data Protection Officer regarding the impacts on privacy. Please state below that you have.

If you decide against seeking the views of data subjects or their representatives e.g. this would be disproportionate or impracticable, then the justification must be made clear in the box below. In the box below name the stakeholder group, date consulted and how consulted. Please insert another box if you consulted with many different stakeholder groups.

Key neonatal clinical professions and specialties are involved in the design and delivery of the NNAP via their representation on the NNAP M&DG and Board.

The NNAP Project Board is comprised of representatives nominated by key stakeholder organisations, including BAPM, Bliss, Neonatal Networks, Neonatal Critical Care CRG, Neonatal Nurses Association and the Neonatal Society as well as parent, neonatal trainee and regional clinical representatives.

The NNAP Project Board are consulted and kept informed about all changes to the design and delivery of the NNAP, and risks and issues are reported to the Board on a quarterly basis.

A focus group of parents with experience of neonatal care, and individuals who experienced neonatal care as infants, was held in collaboration with Bliss to consult on the NNAP application for exemption from the National Data Opt Out in England. The application for exemption was made at the request of the NNAP M&DG and Board, and was supported by feedback from the focus group.

The NNAP consults with a parent representatives, neonatal nurses and network representatives to ensure that the information it provides for parents is fit for purpose and communicated in the most appropriate way. As a result of feedback from these representatives and from the Confidentiality Advisory Group (CAG) at the Health Research Authority (HRA), the NNAP have restructured it's privacy notice and developed a short animation which links to further detail.

The NNAP M&DG and Board have been involved in the design of the PowerBI data dashboard, and the data dashboard has been reviewed by a multidisciplinary stakeholder group.

To further enhance opportunities to seek the views of data subjects and their representatives, the NNAP have established a Parent Partnership Group (PPG).

## Publishing your DPIA report

Publishing a DPIA report is not a legal requirement but you should consider publishing this report (or a summary or a conclusion) and you should send it to your stakeholders. Publishing the DPIA report will improve transparency and accountability, and lets individuals know more about how your project affects them. Though there may be a need to redact/remove sensitive elements e.g. information on security measures.

State in the box below if you are going to publish your DPIA. If so, please provide hyperlink to the relevant webpage if this has been done already or insert the date you intend to publish it.

Published on the NNAP pages of the RCPCH website, at: <https://www.rcpch.ac.uk/resources/national-neonatal-audit-programme-transparency-open-data>

Please describe how personal information is collected, stored, used and deleted. Use your data flow map and information asset register to help complete this section. Explain what personal information is used, what it is used for, who it is obtained from and disclosed to, who will have access and any other necessary

information. Completing this section can help identify potential ‘function creep’, unforeseen or unintended uses of the data for example data sharing. Please see NNAP data flow map: <https://www.rcpch.ac.uk/work-we-do/clinical-audits/nnap/data-flow#data-flow-in-the-nnap>

<b>Processing activity description</b>	<b>Type of data involved</b>	<b>Data flow</b>	<b>Controller/processor</b>
Clinical data entered by neonatal units on BadgerNet system	Personal and Special Category data (identifiable)	Neonatal unit to System C.	Data controller: NHS Trust/Health Board Data Processor: System C
Clinical data stored by System C on BadgerNet system	Personal data and Special Category (identifiable)	None.	Data processor: System C Data controller: NHS Trust/Health Board
Neonatal Dataset SQL Database created within the System C Microsoft Azure environment containing full neonatal dataset extracted from BadgerNet (not accessible by RCPCH)	Personal data and Special Category (identifiable)  Data relating to Northern Ireland is pseudonymised.	None.	Data processor: System C Data controller: NHS Trust/Health Board
NNAP Database synchronised to a 'mirror' NNAP SQL server database on RCPCH Azure hosting infrastructure	Personal data and Special Category (identifiable)  Data relating to Northern Ireland is pseudonymised.	System C to RCPCH	Data processor: RCPCH Data controller: HQIP
<b>Pending:</b> Subset of NNAP dataset sent to UKHSA for linkage with SGSS data (English data only).	Personal data and Special Category (identifiable)	RCPCH to UKHSA	Data processors: RCPCH, UKHSA Data controllers: HQIP/NHSE, UKHSA
<b>Pending:</b> Pseudonymised, linked NNAP-SGSS data sent to RCPCH (English data only).	Pseudonymised, sensitive	UKHSA to RCPCH	Data processors: RCPCH, UKHSA Data controllers: HQIP/NHSE, UKHSA
<b>Pending NMPA data linkage:</b> RCPCH send NNAP dataset identifiers for births in England to NHS England.	Personal data and Special Category (identifiable)	RCPCH to NHSE (English data)	Data processors: RCPCH, NHSE (English data) Data controllers: HQIP, NHSE,
<b>Pending NMPA data linkage:</b> NHSE create a bridging file of NNAP pseudo-ID and NMPA pseudo-ID and return it to RCPCH.	Pseudonymised, sensitive	NHSE to RCPCH (English data)	Data processors: RCPCH, NHSE (English data) Data controllers: HQIP, NHSE
<b>Pending:</b> RCPCH send pseudonymized NNAP data to RCOG (NMPA).	Pseudonymised, sensitive	RCPCH to RCOG (English data)	Data processors: RCPCH, RCOG Data controllers: HQIP, NHSE
<b>Pending:</b> RCOG send pseudonymized NMPA data to RCPCH (NNAP).	Pseudonymised, sensitive	RCOG to RCPCH (English data)	Data processors: RCPCH, RCOG Data controllers: HQIP, NHSE
Quarterly or monthly neonatal unit reports shared with neonatal unit and respective	Anonymised, aggregated, small number masking not applied.	RCPCH to neonatal units and networks	Data processor: RCPCH Data controller: HQIP/NHS England (for English data)/

networks only. Data quality and completeness episode lists shared with neonatal units responsible for the data. Shared via PowerBI data dashboard (restricted access)	Episode lists – Pseudonymised - BadgerNet ID (hospital identifier) only, no other patient identifiable information.		Digital Health and Care Wales (for Welsh data)
Re-extracted, cleaned data used to develop tables and statistical outputs for NNAP reporting, including PowerBI data dashboard (open access).	Pseudonymised/ limited access deidentified becomes anonymised and aggregated data (non-identifiable)	RCPCH	Data processor: RCPCH Data controller: HQIP/NHS England (for English data)/ Digital Health and Care Wales (for Welsh data)

<b>If NNAP data is linked or onward shared (England only)</b>			
(England) If NNAP data is to be linked or shared, the RCPCH send list of NHS numbers to NHSD for national opt out programme check	Personal data and Special Category (identifiable)	RCPCH to NHS Digital	Data processor: RCPCH Data controller: NHS Digital Data controller: HQIP
(England) NHSD send list of NHS numbers to RCPCH, removing any that have opted out under the national opt out	Personal data and Special Category (identifiable)	NHS Digital to the RCPCH	Data processor: RCPCH Data controller: NHS Digital Data controller: HQIP
(England) Opt outs removed and data cleaned.	Personal data and Special Category (identifiable)	None.	Data processor: RCPCH Data controller: HQIP

## Transferring personal data outside the European Economic Area (EEA)

If personal data is being transferred outside of the EEA, describe how the data will be adequately protected (e.g. the recipient is in a country which is listed on the Information Commissioner’s list of “approved” countries, or how the data is adequately protected).

Not applicable – data will not be transferred outside of the EEA.

## Justification for collecting personal data

Personal data must be adequate, relevant and limited to what is necessary in relation to the purposes for which those data are processed. In certain circumstances it may be unlawful to process information not described in the [transparency information](#) (privacy notice/fair processing material) which informs individuals how their personal data is being used.

It may not be necessary to process certain data items to achieve the purpose. They may be irrelevant or excessive leading to risk of non-compliance with the Data Protection Act.

In the tables below list and justify personal data items needed to achieve the lawful aim of a project that requires information on individuals and their personal characteristics. Insert as many more lines that you need. Work through the table of items and decide whether or not you should be collecting the information, examine each data field and decide if you need it.

There are two sections in the table below, one for personal data and one for personal sensitive data items.

Data Categories [Information relating to the individual's]	Is this field used?	N/A	Justifications [there must be justification for collecting the data items. Consider which items you could remove, without compromising the needs of the project]
<b>Personal Data</b>			
Name	N		
NHS number/CHI number	Y		<p>BABY - Used as a baby’s unique national identifier in a neonatal episode and will allow the RCPCCH to de-duplicate the NNAP dataset, linking care episodes for a baby that may occur in multiple neonatal units and follow up care provided in other hospitals.</p> <p>MOTHER - Used as a mother’s unique national identifier and ensures that twins, triplets and other multiple births can be identified as associated with a single mother which is important for certain NNAP audit measures.</p>
Address	N		
Postcode	Y		Used to establish LSOA deciles (DataZone & SIMD in Scotland) derived through the postcodes so that deprivation will form one of the background matching variables when estimating treatment effect for the NNAP mortality reporting measure.
Date of birth	Y		MOTHER - Used as one of the background matching variables when estimating treatment effect for the NNAP mortality reporting measure.

<b>Data Categories</b> [Information relating to the individual's]	<b>Is this field used?</b>	<b>N/A</b>	<b>Justifications</b> [there must be justification for collecting the data items. Consider which items you could remove, without compromising the needs of the project]
			BABY - Used as part of the criteria to derive the analysis for NNAP audit measures which have time-bound elements where the time between admission and delivery of the care process forms part of the success criteria, an example being "Does an admitted baby born at less than 32 weeks gestational age have a first temperature on admission which is both between 36.5–37.5°C and measured within one hour of birth?".
Date of death	Y		BABY - Used as part of the criteria to derive the analysis for the Mortality to discharge in very preterm babies audit measure which asks, "Does a baby born at less than 32 weeks gestational age die before discharge home, or 44 weeks post-menstrual age (whichever occurs sooner)?".
Age	Y		MOTHER – Calculated from date of birth. Used as one of the background matching variables when estimating treatment effect for the NNAP mortality reporting measure.
Sex	Y		Used as one of the background matching variables when estimating treatment effect for the NNAP mortality reporting measure.
Marital Status	N		
Gender	Y		Used as one of the background matching variables when estimating treatment effect for the NNAP mortality reporting measure.
Living Habits	Y		Smoking status for matching analysis
Professional Training / Awards	N		
Income / Financial / Tax Situation	N		
Email Address	N		
Physical Description	N		
General Identifier e.g. Hospital No	Y		Unique GUID to identify a single neonatal admission for an infant.  The infant's EntityID is used to connect admission and demographic details to daily summary forms and other ad-hoc events recorded in relation to the infant (Rop Screenings, Sepsis screening, Developmental data, etc.).
Home Phone Number	N		
Online Identifier e.g. IP Address/Event Logs	N		
Website Cookies	N		
Mobile Phone / Device No	N		
Device Mobile Phone / Device IMEI	N		

<b>Data Categories</b> [Information relating to the individual's]	<b>Is this field used?</b>	<b>N/A</b>	<b>Justifications</b> [there must be justification for collecting the data items. Consider which items you could remove, without compromising the needs of the project]
No			
Location Data (Travel / GPS / GSM Data)	N		
Device MAC Address (Wireless Network Interface)	N		
<b>Sensitive Personal Data</b>			
Physical / Mental Health or Condition	Y		Of mother and baby. Used to compare outcomes for babies.
Sexual Life / Orientation	N		
Family / Lifestyle / Social Circumstance	Y		Smoking status or previous pregnancies, or index of deprivation (linked to postcode) for analysis.
Offences Committed / Alleged to have Committed	N		
Criminal Proceedings / Outcomes / Sentence	N		
Education / Professional Training	N		
Employment / Career History	N		
Financial Affairs	N		
Religion or Other Beliefs	N		
Trade Union membership	N		
Racial / Ethnic Origin	Y		Used as one of the background matching variables when estimating treatment effect for the NNAP mortality reporting measure.
Biometric Data (Fingerprints / Facial Recognition)	N		
Genetic Data	N		
Medical Treatment	Y		Required for analyses (steroids, magnesium sulphate etc)

## Data quality standards for personal data

**In the box below, describe how you will ensure that personal data is accurate and kept up to date.**

The RCPCH receive a live sync of a subset of the data stored on the BadgerNet system run by System C. This means that the RCPCH has access to the most up to date version of the data, and any changes or corrections made to the patient record are reflected in the NNAP live data sync.

Versions of the identifiable data will be saved on the Azure server at regular (quarterly or monthly) intervals with version controls applied. The identifiable data will not be copied and stored anywhere else, apart from the back up. For Northern Ireland, these data are pseudonymised prior to sharing with the RCPCH.

Pseudonymised versions of the database will be saved on the RCPCH Microsoft Azure server at regular (quarterly or monthly) intervals for analysis at a given snapshot in time.

The NNAP team provides monthly-updated data quality and completeness reporting for Health Boards/Trusts so that they can review and correct their data. Changes made are reflected in their next report via the live data sync.

## Individual's rights

If your project uses personal data you must complete this section.

If your project uses personal data you must state how fairness and transparency will be achieved e.g. privacy notices on websites, posters, and leaflets. The information must be provided in a concise, transparent, intelligible and easily accessible form, using clear and plain language. Any information provided to children should be in such a clear and plain language that the child / vulnerable person can easily understand.

In the box below, please define the way you have ensured that individuals are aware of the rights, if they request those rights how will they achieve them? For example if an individual requests a copy of their information held by you, describe how you would do this. You can insert any relevant policy or process guides in the appendix at the end of this document if they are not already available on your website. This section does not refer to the personal information held about your audit staff.

Please see NNAP parent information leaflet: <https://www.rcpch.ac.uk/about-us/privacy-hub/NNAP>

Individuals' rights (where relevant)	Describe how you ensure individuals are aware of these rights	Describe how you would do this	Please copy and paste section of document that states the individuals rights
Individuals are clear about how their personal data is being used.	Included in the privacy notice.	Published on our website, distributed electronically to neonatal units.	Not applicable.
Individuals can access information held about them	Included in the privacy notice.	If a parent makes an SAR on behalf of their child to NNAP we will forward this onto the Trust/Health Board providing their care. We have a specific procedure for dealing with rights requests in relation to clinical audits and this will be followed.	<b>Right of access:</b> The personal data we hold about you is provided by your Trust/Health Board. We can let you know which categories of data we collect but you will need to contact your unit directly for a copy of your personal data as they are data controllers of your patient record.
Request erasure (right to be forgotten) in certain circumstances, making clear that it does not apply to an individual's health or care record, or for public health or scientific research purposes	Included in the privacy notice.	As the data is being processed for a public interest, this right does not apply. If we receive a request, we will respond to this affect. Any requests relating directly to the patient record will be forwarded to the Trust/ Health Board. We have a specific procedure for dealing with rights	<b>Right to erasure and right to object:</b> The right of erasure does not apply to this audit because your data is being processed for the purposes of performing a task in the public interest, which in this case is for ensuring high standards of quality and safety health care. However, if you want to opt out of future audit rounds, please let your Trust/Health Board know and they will remove you from the submission so that we don't receive the data.  <b>Isle of Man</b>

		requests in relation to clinical audits and this is outlined in this procedure.	To action any of these rights or if you have any queries related to your privacy, please contact the Manx Care Data Protection Officer at: <a href="mailto:DPO-ManxCare@gov.im">DPO- ManxCare@gov.im</a> .
Rectification of inaccurate information	Included in the privacy notice.	Forward the request to the Health Board/Trust who are data controller of the patient record. We have a specific procedure for dealing with rights requests in relation to clinical audits and this will be followed.	<b>Any requests to amend or update your personal data should be sent to your unit as data controller.</b> If we receive any requests, we will forward these to the unit.  <b>Isle of Man</b>  To action any of these rights or if you have any queries related to your privacy, please contact the Manx Care Data Protection Officer at: <a href="mailto:DPO-ManxCare@gov.im">DPO- ManxCare@gov.im</a> .
Restriction of some processing	Included in the privacy notice.	Forward the request to the Trust /Health Board who are the data controller of the patient record. We have a specific procedure for dealing with rights requests in relation to clinical audits and this will be followed.	Any requests for restriction of processing should be sent to your NHS Trust/Health Board/Manx Care (IOM only)and they will inform us where applicable.  <b>Isle of Man</b>  To action any of these rights or if you have any queries related to your privacy, please contact the Manx Care Data Protection Officer at: <a href="mailto:DPO-ManxCare@gov.im">DPO- ManxCare@gov.im</a> .
Object to processing undertaken on some legal bases	Included in the privacy notice.	Forward the request to the Trust/ Health Board who are the data controller of the patient record.	<b>Right to Erasure and Right to Object</b>  The right of erasure does not apply to this audit because your data is being processed for the purposes of performing a task in the public interest, which in this case is for ensuring high standards of quality and safety health care. However, <b>if you want to opt out of future audit rounds, please let your Trust/Health Board know</b> and they will remove you from the submission so that we don't receive the data.  <b>Isle of Man</b>  To action any of these rights or if you have any queries related to your privacy, please contact the Manx Care Data Protection Officer at: <a href="mailto:DPO-ManxCare@gov.im">DPO- ManxCare@gov.im</a> .

Complain to the Information Commissioner's Office;	Included in the privacy notice.	Published on our website, distributed electronically to neonatal units. Individual can contact the ICO directly with a complaint via the email provided on our privacy notice to them.	<p><b>England and Wales:</b> You do also have the right to lodge a complaint with the Information Commissioner's Office (ICO) at <a href="mailto:casework@ico.org.uk">casework@ico.org.uk</a> if you have concerns about the way your baby's personal data are being handled.</p> <p><b>Scotland:</b> You do also have the right to lodge a complaint with the Information Commissioner's Office (ICO) – Scotland at <a href="mailto:Scotland@ico.org.uk">Scotland@ico.org.uk</a> if you have concerns about the way your baby's personal data are being handled.</p> <p><b>Northern Ireland:</b> You do also have the right to lodge a complaint with the Information Commissioner's Office (ICO) Northern Ireland at <a href="mailto:ni@ico.org.uk">ni@ico.org.uk</a> if you have concerns about the way your baby's personal data are being handled.</p> <p><b>Isle of Man:</b> You do have the right to lodge a complaint with the UK Information Commissioner's Office (ICO) at <a href="mailto:casework@ico.org.uk">casework@ico.org.uk</a> if you have concerns about the way your baby's personal data are being handled.</p>
Withdraw consent at any time (if processing is based on consent)	Not applicable.	Not applicable.	Not applicable.
Data <a href="#">portability</a> (if relevant)	Not applicable.	Not applicable. Data is not collected directly from the data subject, part of a contract or based on consent.	Not applicable.
Individual knows the identity and contact details of the data controller and the data controllers data protection officer	Included in the privacy notice.	Published on our website, distributed electronically to neonatal units.	Healthcare Quality Improvement Partnership (HQIP) is the data controller of the National Neonatal Audit Programme (jointly with NHS England for English data and Digital Health and Care Wales for Welsh data) and can also be contacted if you have any questions about how your information is being used for the audit. Please direct any queries for the Healthcare Quality Improvement Partnership Data Protection Officer to: <a href="mailto:communications@hqip.org.uk">communications@hqip.org.uk</a> .
In which countries the data controller is	Included in the privacy notice.	Published on our website, distributed	<b>England, Wales:</b>

<p>processing their personal data. For data transfers outside the EU, a description of how the data will be protected (e.g. the recipient is in an 'adequate' country / how a copy of the safeguards can be obtained.</p>		<p>electronically to neonatal units.</p>	<p>The NNAP publishes data in anonymised, aggregated form. No individual babies are identified in any of our reports.</p> <p>Data will only ever be shared with the approval of HQIP. For HQIP to approve the request, the requestor must be able to demonstrate compliance with stringent data protection policies and arrangements and the aims of the research must be approved, as per HQIP's guidance to applicants.</p> <p>For England only, we also share data with and receive data from the UK Health Security Agency (UKHSA) for the purpose of reporting rates of bloodstream infections in neonatal units.</p> <p>For more information about how data might be shared, please see the HQIP NCAPOP privacy notice: <a href="https://www.hqip.org.uk/about-us/privacy-notice/">https://www.hqip.org.uk/about-us/privacy-notice/</a>.</p> <p>Personal data shall not be transferred to a country or territory outside the UK unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data. No individual babies are identified in any of our reports.</p> <p><b>Scotland:</b></p> <p>The NNAP publishes data in anonymised, aggregated form. No individual babies are identified in any of our reports. The NNAP does not share identifiable or pseudonymised data from Scottish services with others.</p> <p>Personal data shall not be transferred to a country or territory outside the UK unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.</p> <p><b>Northern Ireland:</b></p> <p>The NNAP publishes data in anonymised, aggregated form. No individual babies are identified in any of our reports. In addition, the NNAP does not receive data that identifies individual babies in Northern Ireland.</p>
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			<p>Personal data shall not be transferred to a country or territory outside the UK unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.</p> <p><b>Isle of Man:</b></p> <p>The NNAP published data in anonymised, aggregated form. No individual babies are identified in any of our reports.</p> <p>Manx Care will share your personal data with the NNAP audit which is based in the UK. As the UK is deemed adequate by the EU, they are also deemed adequate by the Isle of Man, so no further steps are required to ensure the transfer of your data from the Isle of Man to the UK. This is because the UK is considered to have equivalent data protection legislation in place which will provide the same level of protection to your data as it would receive in the Isle of Man.</p> <p>Data will only ever be further shared with the approval of HQIP. For HQIP to approve the request, the requestor must be able to demonstrate compliance with stringent data protection policies and arrangements and the aims of the research must be approved, as per HQIP's guidance to applicants.</p> <p>Once NNAP receive your data, personal data shall not be transferred to a country or territory outside the UK unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.</p>
<p>To know the <a href="#">legal basis</a> under which their information is processed. Is there a clear legal basis for the processing of personal data? If so, what is the legal basis?</p>	<p>Included in the privacy notice.</p>	<p>Published on our website, distributed electronically to neonatal units.</p> <p>We are processing under schedule 6(e) and schedule 9(i) of UK GDPR.</p>	<p><b>England and Wales:</b></p> <p>The NNAP has section 251 approval to collect patient identifiable data in England and Wales without explicit patient consent as its aims are in the public interest since the audit will help improve standards of neonatal care, ensuring that high standards and quality of neonatal care continue. To find out more about section 251 approval, visit the Health Research Authority website.</p>

		<p>Processing is permitted under the General Data Protection Regulation (GDPR) on the following legal bases:</p> <p><b>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.</b> This is justified through commissioning arrangements which link back to NHS England and the Welsh Government.</p> <p><b>Article 9 (2) (i) processing is necessary for reasons of public interest in the area of public health.</b> This is justified as the NNAP aims to drive improvements in the quality and safety of care and to improve outcomes for patients.</p> <p>We also protect your privacy rights by providing you with the ability to choose for your data to not be included in the audit.</p> <p><b>Scotland:</b></p> <p>The NNAP has approval from the Public Benefit and Privacy Panel for Health and Social Care (HSC-PBPP) to process patient identifiable data without explicit patient consent as its aims are in the public interest since the audit will help improve standards of neonatal care, ensuring that high standards and quality of neonatal care continue. To find out more about Public Benefit and Privacy Panel for Health and Social Care approval, visit the HSC-PBPP website.</p> <p>Processing is permitted under the UK General Data Protection Regulation (UK GDPR) on the following legal bases:</p> <p><b>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.</b> This is justified through commissioning arrangements which link back to the Scottish government.</p> <p><b>Article 9 (2) (i) processing is necessary for reasons of public interest in the area of public health.</b> This is justified as the NNAP aims to drive improvements in the quality and safety of care and to improve outcomes for patients.</p>
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			<p>We also protect your privacy rights by providing you with the ability to choose for your data to not be included in the audit.</p> <p><b>Northern Ireland:</b></p> <p>Currently, there is no legal basis under the common law duty of confidentiality that Northern Ireland can rely on in order to share personally identifiable data. For this reason, only pseudonymised data from Northern Ireland will be shared with the RCPCH for the NNAP.</p> <p><b>Isle of Man:</b></p> <p>The NNAP data sharing has been approved by the Isle of Man Department of Health and Social Care and the Isle of Man Information Commissioner.</p> <p>Processing is permitted under the Isle of Man GDPR and LED Regulations 2018 on the following legal bases:</p> <ul style="list-style-type: none"> <li>• Applied 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, inter alia, Manx Care.</li> <li>• Applied GDPR Article 9(2)(h) processing is necessary for the purposes of ... the management of health or social care systems and services on the basis of Union law (as applied to the Island by or under the authority of an Act of Tynwald) or Manx law... and under Schedule 2, Regulation 12, Part 2(2)(f) the management of health care systems or services or social care systems or services...of the GDPR and LED Implementing Regulations 2018 to fulfil the statutory obligation placed upon Manx Care, prescribed under Section 23 of the Manx Care Act 2021 namely, as to improvement in quality of services.</li> <li>• Public interest under the common law duty of confidentiality, reinforced by the Manx Care Act and the NHS Act 2001 which mandate Manx Care to provide the function around improvement of health and social care on behalf of the Isle of Man Dept. of Health and Social Care.</li> </ul>
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To know the purpose(s) for the processing of their information.	Included in the privacy notice.	Published on our website, distributed electronically to neonatal units.	We use information about your baby's care to help neonatal units in England, Wales, Scotland, Northern Ireland and the Isle of Man to improve the care and outcomes for other babies.
Whether the provision of personal data is part of a statutory obligation and possible consequences of failing to provide the personal data.	Not applicable	Not applicable- there is no statutory obligation for parents to provide their baby's data to the NNAP audit.	Not applicable
The source of the data (where the data were not collected from the data subject)	Included in the privacy notice.	Published on our website, distributed electronically to neonatal units.	Neonatal unit staff enter your baby's information onto a secure electronic record system named BadgerNet. All neonatal units share information from these electronic records with the National Neonatal Audit Programme (NNAP) project team within the RCPCH, via another processor, System C, who manage the BadgerNet system used by neonatal units to record clinical data.
Categories of data being processed	Included in the privacy notice. Data dictionary.	Published on our website, distributed electronically to neonatal units.  Full data dictionary published on our website.	This includes sensitive personal data, including NHS or CHI Number (Baby and Mother), Date and time of admission to neonatal care (Baby), Date and time of discharge from neonatal care (Baby), Date and time of birth (Baby), Date of death (Baby), Date of birth (Mother), Ethnicity (Mother), Gender (Baby), Postcode of usual address (Mother) and information about the care that mum and baby received and any related health conditions. The NNAP project team only uses the information for the purpose of the National Neonatal Audit Programme to monitor and try to improve standards of patient care.  For Northern Ireland, only pseudonymised data is shared with the NNAP. This means that data that could identify a person, such as those types of data described above, are changed or masked before they are shared. This means that the NNAP team at the RCPCH cannot identify people in the data that is shared with them.
Recipients or categories of recipients	Included in the privacy notice.	The College may receive data access requests. (England and Wales) Any requests to access data will require a completed DARs	<b>England and Wales:</b>  The NNAP publishes data in anonymised, aggregated form. No individual babies are identified in any of our reports. Data will only ever be shared with the approval of HQIP. For HQIP to approve

		<p>request form. For Scotland, Isle of Man and Northern Ireland, no identifiable or pseudonymised data will be shared.</p>	<p>the request, the requestor must be able to demonstrate compliance with stringent data protection policies and arrangements and the aims of the research must be approved, as per HQIP’s guidance to applicants. For England only, we also share data with and receive data from the UK Health Security Agency (UKHSA) for the purpose of reporting rates of bloodstream infections in neonatal units.</p> <p>For more information about how data might be shared, please see the HQIP NCAPOP privacy notice: <a href="https://www.hqip.org.uk/about-us/privacy-notice/">https://www.hqip.org.uk/about-us/privacy-notice/</a>.</p> <p>Personal data shall not be transferred to a country or territory outside the UK unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data. No individual babies are identified in any of our reports.</p> <p><b>Scotland and Northern Ireland:</b> The NNAP publishes data in anonymised, aggregated form. No individual babies are identified in any of our reports. The NNAP does not share identifiable or pseudonymised data from Scottish services with others.</p> <p>Personal data shall not be transferred to a country or territory outside the UK unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.</p> <p><b>Isle of Man:</b></p> <p>The NNAP published data in anonymised, aggregated form. No individual babies are identified in any of our reports.</p> <p>Manx Care will share your personal data with the NNAP audit which is based in the UK. As the UK is deemed adequate by the EU, they are also deemed adequate by the Isle of Man, so no further steps are required to ensure the transfer of your data from the Isle of Man to the UK. This is because the UK is considered to have equivalent data</p>
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			<p>protection legislation in place which will provide the same level of protection to your data as it would receive in the Isle of Man.</p> <p>Data will only ever be further shared with the approval of HQIP. For HQIP to approve the request, the requestor must be able to demonstrate compliance with stringent data protection policies and arrangements and the aims of the research must be approved, as per HQIP's guidance to applicants.</p> <p>Once NNAP receive your data, personal data shall not be transferred to a country or territory outside the UK unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.</p>
The source of the personal data	Included in the privacy notice.	Published on our website, distributed electronically to neonatal units.	Neonatal unit staff enter your baby's information onto a secure system for electronic records. All neonatal units share information from these electronic records with RCPCH.
To know the period for which their data will be stored (or the criteria used to determine that period)	Included in the privacy notice.	Published on our website, distributed electronically to neonatal units.	<p>The NNAP team at the RCPCH acts as the data processor on behalf of the Healthcare Quality Improvement Partnership (HQIP), who have contracted us to carry out this audit, and are data controllers for the NNAP data.</p> <p>(England and Wales only) HQIP are joint data controllers with NHS England for English NNAP data and with Digital Health and Care Wales (DHCW) for Welsh NNAP data. The RCPCH will hold the NNAP data for as long as it is commissioned to deliver the NNAP project by HQIP.</p> <p>All data will be deleted or transferred back to HQIP within two weeks of the end of our contract. If HQIP commissions the RCPCH to deliver the NNAP under a new or extended contract, then the data will be retained for the period of the new contract.</p>
The existence of, and an explanation of the logic involved in, any automated processing that has a significant effect on data subjects (if applicable)	Not applicable.	Not applicable.	Not applicable.

## Privacy Risks

### Types of Privacy risks

- Risks affecting individuals or other third parties, for example; misuse or overuse of their personal data, loss of anonymity, intrusion into private life through monitoring activities, lack of transparency.
- Compliance risks e.g. breach of the GDPR
- Corporate risks (to the organisation), for example; failure of the project and associated costs, legal penalties or claims, damage to reputation, loss of trust of patients or the public.

### Risks affecting individuals

Patients have an expectation that their privacy and confidentiality will be respected at all times, during their care and beyond. It is essential that the impact of the collection, use and disclosure of any patient information is considered in regards to the individual's privacy.

In the box below insert the number of individuals likely to be affected by the project. This could be the number of unique patient records your project holds now and how many more records you anticipate receiving each year.

Each year, the NNAP receives information about approximately 100,000 babies, with annual fluctuations.

**Please complete the table below with all the potential risks to the Individuals of the information you hold on them, your corporate risks and compliance risks.**

When completing the table you need to consider if:

- Inadequate disclosure controls increase the likelihood of information being shared inappropriately.
- The context in which information is used or disclosed can change over time, leading to it being used for different purposes without people's knowledge.
- Measures taken against individuals as a result of collecting information about them might be seen as intrusive.
- The sharing and merging of datasets can allow organisations to collect a much wider set of information than individuals might expect.
- Identifiers might be collected and linked which prevent people from using a service anonymously.
- Vulnerable people may be particularly concerned about the risks of identification or the disclosure of information.
- Collecting information and linking identifiers might mean that an organisation is no longer using information which is safely anonymised.
- Information which is collected and stored unnecessarily, or is not properly managed so that duplicate records are created, presents a greater security risk.
- If a retention period is not established information might be used for longer than necessary.

## Corporate and compliance risks

In the table, list the corporate risks to your organisation which could include reputational damage, loss of public trust, financial costs and data breaches. Below these, insert any compliance risks.

Possible corporate risks include:

- Non-compliance with the DPA or other legislation can lead to sanctions, fines and reputational damage.
- Problems which are only identified after the project has launched are more likely to require expensive fixes.
- The use of biometric information or potentially intrusive tracking technologies may cause increased concern and cause people to avoid engaging with the organisation.
- Information which is collected and stored unnecessarily, or is not properly managed so that duplicate records are created, is less useful to the business.
- Public distrust about how information is used can damage an organisation's reputation and lead to loss of business.
- Data losses which damage individuals could lead to claims for compensation.

Examples of compliance risks include:

- Non-compliance with the common law duty of confidentiality
- Non-compliance with the GDPR.
- Non-compliance with the Privacy and Electronic Communications Regulations (PECR).
- Non-compliance with sector specific legislation or standards.
- Non-compliance with human rights legislation.

## Managing Privacy and Related risks

There are many different steps you can take to reduce a privacy risk. For example

- Devising retention periods which only keep information for as long as necessary and planning secure destruction of information.
- Implementing appropriate technological security measures.
- Ensuring that staff are properly trained and are aware of potential privacy risks.
- Developing ways to safely anonymise the information when it is possible to do so.
- Producing guidance for staff on how to use new systems and how to share data if appropriate.
- Using systems which allow individuals to access their information more easily and make it simpler to respond to subject access requests.
- Taking steps to ensure that individuals are fully aware of how their information is used and can contact the organisation for assistance if necessary.
- Selecting data processors that will provide a greater degree of security and ensuring that agreements are in place to protect the information which is processed on an organisation's behalf.
- Producing data sharing agreements which make clear what information will be shared, how it will be shared and who it will be shared with.

Use your project plan and a detailed explanation of information flows to identify more precisely how a general risk may occur. For example, there may be particular points in a process where accidental disclosure is more likely to happen.

The DPIA actions should be added to into your project plan and risks added to your contract review documentation.

## Privacy Risks and Actions Table

Please see appendix 2 for additional guidance on completing this table

What are the potential risks to the individuals whose personal data you hold?	Likelihood of this happening 1 Very unlikely 2 Unlikely 3 Possible 4 Likely 5 Very Likely (See guidance below for definition))	Impact 1 -Insignificant 2-Minor 3-Moderate 4-Major 5-Catastrophic (See guidance below for definition)	Overall risk score (likelihood x impact = score)	Will risk be accepted, reduced or eliminated?	Mitigating action to reduce or eliminate each risk OR Where risk is accepted give justification.	Explain how this action eliminates or reduces the risk	Expected completion date	Responsible owner
Non-compliance with UK GDPR principle a-not having lawful grounds for processing. This could lead to a sanction by the ICO with a monetary fine and damage to RCPCH reputation	2	3	6	<b>Reduced</b>	<p>The legal basis for using this information is that it allows us to carry out a task that is in the public interest. In respect of the NNAP the public interest is protected through ensuring that high standards and quality of neonatal care continue.</p> <p>In this case, the legal bases for processing under UK GDPR are Article 6 (1) (e) and Article 9 (2) (i). This is outlined in the privacy notices and also included in the Section 251 application (England and Wales) and HSC-PBPP application</p>	We have informed data subjects via the privacy notice of the legal grounds for processing. We have also had this assessed as part of the CAG section 251 application (England and Wales) and HSC-PBPP application (Scotland). The accountability requirement is fulfilled by documenting this in the RCPCH ROPA.	Already in place	NNAP Project team

					<p>(Scotland). The legal grounds for processing and the public interest argument are documented on the RCPCH ROPA.</p> <p>For the data linkage with UKHSA and the data linkage with NMPA, the same legal grounds apply.</p> <p>Section 251 and HSC-PBPP approval annual review and renewal dates are recorded in the project plan. DPIA undertaken with annual review and oversight by RCPCH IG team. HQIP consultation and early risk management discussion.</p> <p>Isle of Man: Legal bases as described in the privacy notice.</p> <p>Northern Ireland: No legal basis exists, therefore pseudonymised data only will be transferred.</p>			
Individuals have the right to be informed about how their data will be used including any push notifications or cookies if an online service. Failure to inform them can lead to inadequate consent (legal grounds for processing), sanctions by the ICO, fines and reputational damage.	2	3	6	<b>Reduced</b>	The privacy notice includes all the required information under the UK GDPR. This is on the website and circulated to participating neonatal units, who will be responsible for further dissemination. The privacy notice is aimed at parent/carers. There are no push	The Privacy notice has been distributed to all neonatal units and is available on the RCPCH website so that it is easily accessible to all parent/carers of data subjects.	Complete	NNAP Project Team

					notifications or cookies used on the system. Consent is not required for this processing activity.			
Design by default- data minimisation, only retaining the information necessary for the specified purpose for which it is collected. The more data that is processed, the more risk there is data being compromised which can lead to sanctions by the ICO and reputational damage as well as data subject damage and distress. Principle c- data should be adequate and limited to what is necessary.	2	2	4	<b>Reduce d</b>	The data dictionary will be reviewed and any changes signed off by the NNAP Project Board. Only this data will be extracted from Badgernet.  For NI, data will be pseudonymised prior to sharing.	By considering each data category and providing justification, only the limited amount of data for the purpose of the audit will be collected where it is necessary.	Complete, with regular review	NNAP Project Team
If data is not securely deleted, it is at risk of being lost, stolen or accessed without authorisation. This would be a breach of principle f of UK GDPR and could lead to a sanction by the ICO, a fine and reputational damage.	2	2	4	<b>Reduce d</b>	A copy of the specified data will be transferred by System C to RCPCH. The data will be stored by RCPCH on a separate server, segregated from all other data and stored on its own designated server/area so that it can easily be extracted and deleted when required. NHS guidelines will be followed for destruction. As part of the procurement process, the RCPCH will ensure that the data can be destroyed using multi pattern pass data wiping using a commercially licenced tool, not freeware, in line with NHS Digital guidelines.	Data will be destroyed in line with NHS Digital guidelines. A certificate of destruction will provide detail of the destruction method used and evidence of destruction. By segregating the data, it will be possible to delete the data fully.		NNAP Project Team

					When deleted, a certificate of destruction will be completed to detail how the destruction has been undertaken.			
If data is not securely transferred, it is at risk of being stolen, lost or damaged. This could lead to ICO sanctions, fines and reputational damage as well as substantial damage and distress to the data subjects if the information falls into the wrong hands.	2	3	6	<b>Reduce</b>	RCPCH IS and IG have been consulted on the data flow decisions to ensure secure transfer options are selected where required. A mirror instance of the NNAP dataset is created on the RCPCH Microsoft Azure server via SQL to SQL sync to the System C Microsoft Azure server. A pseudonymised version of the NNAP data will be created within the RCPCH Azure environment and it is this pseudonymised version of the data that the NNAP project team will work with. Reports, tabular data and pseudonymised patient episode lists provided by the RCPCH to the responsible trust on a quarterly or monthly basis for the purposes of data quality and completeness checks. These patient lists will contain BadgerNetID and additional information about the status and completeness of data fields strictly limited to that required for purpose of	By consulting experts, information security and information governance considerations will be incorporated.		NNAP team

ensuring data quality and completeness and will relate to patients cared for by that trust only. The data flow has also been approved by CAG.

These reports and patient episode lists will be available on a PowerBI app. Access to this app will be managed by “planned invite”. A user will be added into the Azure Active Directory as a guest user. Once a guest user has been added, they can be seen within PowerBi and have reports shared with them. Inviting of guest users will be controlled by an administrator, and checks will be in place to ensure legitimate need for access. Users will only be able to access reports relating to their own neonatal unit within a Trust/Health Board. The administrator can redact access if necessary. A Microsoft account is required to access the reports, therefore they are password restricted.

Microsoft SharePoint will still be used on an ad-hoc basis to respond to data queries from

Trusts/Health Boards.  
SharePoint uses the Office 365 cloud which is certified to the highest security standard (ISO 27001) and has servers located in the EU, complying with Chapter V of the UK GDPR. Users can only access workspaces if they are invited by the workspace owner, who can control access permissions and redact access if necessary. A username and password are required to log in to the site which is set individually by each user. MFA is also enabled. The site is compliant with UK data protection legislation (currently Data Protection Act and UK GDPR) in that it allows the secure and safe transfer of personal and sensitive data.

Data will be shared between UKHSA and RCPCH as csv files using secure file transfer with at least AES-256 encryption such as Egress or using a secure file transfer protocol (sFTP). For linkage between NNAP data and UKHSA datasets, the NNAP csv files will be downloaded to

					<p>a UKHSA internal secure file server. From this file server, custom scripts (in relevant software for example R, Stata, SQL) will process the data ready for linkage with internal UKHSA datasets. Permission to access the UKHSA server will be granted by the administrator of the server on a case-by-case basis.</p> <p>The RCPCH will upload the data to the dedicated NNAP Microsoft Azure server managed by the RCPCH.</p> <p>NMPA: tbc</p>			
<p>If staff do not have appropriate training and levels of data protection awareness, this will be non-compliance with principle f of UK GDPR which could lead to sanctions by the ICO, fines and reputational damage.</p>	2	3	6	<b>Reduce d</b>	<p>All RCPCH staff are required to undertake mandatory Data Protection and Information Security eLearning Training when they start at the college as well as a refresher every year. R&amp;QI staff are also required to annually undertake the MRC online data protection training. For HSC-PBPP all staff who have access to the data will have completed MRC online training every 3 years. The college's DPO/Head of IG has a Data Practitioners Certificate and undertakes</p>	<p>By staff being aware of their data protection responsibilities they are less likely to cause a breach.</p>	Ongoing	<p>NNAP team/ RCPCH Head of IG</p>

					regular refresher training.  UKHSA will be responsible for ensuring staff have received appropriate training.			
Inappropriate access permissions are set on the system putting the data at risk of being lost, stolen or accessed without authorisation. Non-compliance with principle F also could lead to ICO sanctions, reputational damage and a fine	2	3	6	<b>Reduce</b>	<p>Access will be based on the principle of least privilege. Authorised users are documented in the NNAP System Level Security Policy which will be reviewed annually by the NNAP team. The NNAP server, hosted on Microsoft Azure, has been audited by an independent auditor and IP restrictions and password protection put in place to prevent inappropriate access. Any requests for access will need to be approved by the NNAP Project Manager.</p> <p>For PowerBI reports, access will be managed by “planned invite”. A user will be added into the Azure Active Directory as a guest user. Once a guest user has been added, they can be seen within PowerBi and have reports share with them. Inviting of guest users will be controlled by an administrator,</p>	By using the principle of least privilege, access to data is only given where necessary. By assigning responsibility to the NNAP Project Manager, access can be monitored.	Ongoing	NNAP project team

and checks will be in place to ensure legitimate need for access. Users will only be able to access reports relating to their own neonatal unit within a Trust/Health Board. The administrator can redact access if necessary. A Microsoft account is required to access the reports, therefore they are password restricted.

If using SharePoint for reporting: Users can only access workspaces if they are invited by the workspace owner, who can control access permissions and redact access if necessary. A username and password is required to log in to the site which is set individually by each user. MFA is also enabled.

UKHSA: Data will be shared between UKHSA and RCPCH as csv files using secure file transfer with at least AES-256 encryption such as Egress or using a secure file transfer protocol

					(sFTP). Data will be stored on secure servers. Only authorised persons will have access to the data. Access will be password protected.  NMPA: tbc how access will be managed.			
Duplicated copies of the same information stored in two different places	2	2	4	<b>Reduced</b>	The RCPCH server is a mirror of the Badgernet server and it allows for 'live' updates. Versions of the identifiable data will be saved on the Azure server at regular (quarterly or monthly) intervals with version controls applied. The identifiable data will not be copied and stored anywhere else, apart from the back up. Pseudonymised versions of the database will be taken from saved on the RCPCH Microsoft Azure server at regular (quarterly or monthly) intervals for analysis at a given snapshot in time. Only authorised staff will have access. SharePoint will only be used to share responses for bespoke queries so there will be no duplication.		Ongoing	

					<p>UKHSA: This linkage project reduces unnecessary duplication of data capture by its design. Once ingested by the RCPCH, data received from UKHSA will be subject to the same controls as other NNAP data to reduce the risk of duplicated information.</p> <p><b>NMPA: tbc how we will ensure no duplicates.</b></p>			
Inappropriate grounds for disclosure could lead to information being accessed by those who shouldn't access it and could lead to reputational damage, ICO sanction and fines	2	3	6	<b>Eliminated</b>	<p>All new data sharing agreements are reviewed by the RCPCH Data Protection Officer. Any access requests (England and Wales) will need to be made via a DARs request form and access approved by HQIP and the NNAP project manager. Only aggregated non-identifiable data is published publicly.</p> <p>There will be a data sharing protocol which will be backed up by a data sharing agreement between UKHSA and RCPCH and for the NMPA.</p>	To ensure that the DSA is fit for purpose	As and when necessary	NNAP project team/ RCPCH DPO
If data is not securely stored, it is at risk of being stolen, lost or damaged. This could lead to ICO sanctions, fines and reputational damage as well as substantial damage and distress to the data subjects if the	1	5	5	<b>Reduced</b>	<p>Server storage has been selected in consultation with IG and IS and is ISO 27001 certified storage. Data is segregated from the main college network and</p>	By segregating the data on our servers, this provides additional security to the data by reducing the risk of a data		

<p>information falls into the wrong hands</p>					<p>stored on a separate server. Only non-identifiable data will be stored on the College servers, except for Episode Lists containing BadgerID and other non-identifiable information. Access to the server is restricted to those who require it for supporting the audit and maintenance of the server. Pen tests will be undertaken regularly on the system. The RCPCH completes an annual DSP Toolkit.</p> <p>Power BI: Stores data in Microsoft Azure and integrates the information protection and compliance tools of Microsoft 365. It also delivers security via multiple layers resulting in end-to-end protection. All data persisted within Power BI is encrypted by default using managed keys. Customer data is stored in Azure SQL Database and is fully encrypted using Azure SQL's Transparent Data Encryption. Power BI also</p>	<p>breach. If the college systems were compromised, this data may not be affected. This will also ensure that the data can be deleted with the required mechanisms and other data not impacted. By having secure storage, this reduces risk of data breach.</p>		
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					<p>requires all incoming HTTP traffic to be encrypted using TLS 1.2. Power BI is certified to the highest standard ISO 27001 and our server is located within the Azure datacentre of our region in the UK South. When data is shared with UKHSA, it will be downloaded to a UKHSA internal secure file server. Permission to access the UKHSA server will be granted by the administrator of the server on a case-by-case basis. Permitted user job roles are listed in the DSP. NNAP will inform UKHSA of any role changes.</p> <p>When the pseudonymised data is returned to the RCPCH, it will be uploaded to the dedicated NNAP Microsoft Azure server, managed by the RCPCH.</p> <p><b>NMPA: tbc</b></p>			
If data is transferred outside of the EU without adequate protection, the data will not have the same level of protection as it does	2	2	4	<b>Eliminated</b>	The NNAP team will check with any processors that they do not, and none of their sub-processors (including support	By not transferring any personal data outside of the UK, this eliminates		NNAP project team

in the UK. If there is not an adequacy safeguard in place, this will be non-compliance with Chapter V of UK GDPR and could lead to a fine, ICO sanction and reputational damage					services) will transfer any personal data outside of the UK. The RCPCH will not transfer any identifiable data outside of the UK. Any contracts the college has with subprocessors will include UKGDPR Article 28 clauses and HQIP flow-down contractual clauses.	the risk of an international transfer.		
There is no consent for the use of cookies - data is being collected without appropriate legal grounds. This could lead to ICO sanctions, reputational damage and a fine	1	2	2	<b>Eliminated</b>	NNAP online use cookies. There is a notification of cookie use on the platform. Most of these are necessary for the site to function. It also uses analytical cookies to improve user experience, highlight issues and gather statistical information. A cookie policy is available and there is a consent mechanism.	By ensuring there is an appropriate consent mechanism in place, this will ensure consent is gained before any cookies are used, where necessary.		NNAP project team
If there is a data security breach and appropriate procedures are not in place, the data controller will not be able to reach its legal requirements for reporting to the ICO and could face a further fine as well as reputational damage	2	3	6	<b>Reduced</b>	If there is a data breach, RCPCH will follow its Security Breach Procedure. All RCPCH staff are made aware of the security breach procedure as part of the Data Protection training. The NNAP Project Manager will also ensure all members of the team are aware of the procedure and what to do in the event of a security breach. Any contracts with subprocessors will include provisions	By having adequate procedures in place, action can be taken promptly to contain the situation and reduce the risk of further damage and distress.	As and when necessary	NNAP Project team/ Head of IG

					<p>for reporting breaches promptly to RCPCH. RCPCH will inform HQIP of any breaches at a reportable level in line with their contract and HQIP as data controller will make the decision as to whether the breach is reportable to the ICO.</p> <p>The UKHSA and RCPCH data sharing protocol sets out expectations in relation to security breach procedures.</p> <p>NMPA; tbc</p>			
<p>Online services directly targeting product/service to children or likely to be used by children is not compliant with the ICO Code of Practice on Age Appropriate Design. This could lead to breach of UK GDPR and an ICO sanction, reputational damage and fines as well as have a negative substantial impact on children and young people by not apply appropriate safeguards to protect their privacy rights</p>	0	0	0	<b>Eliminated</b>	<p>There are no online services targeting products or services to children.</p>	N/A	N/A	<p>NNAP Project team</p>
<p>Data collection seen as intrusive by individuals due to the opt out rather than consent approach.</p>	2	2	4	<b>Reduced</b>	<p>Renewal of public information leaflet which includes all information required by UK GDPR. This will provide information for parents on how they can opt out of their baby's</p>	<p>Communicates the purpose and legal basis for processing data.</p>	<p>Already in place</p>	<p>NNAP project team</p>

					data being used in the audit. It will clearly explain the purpose of processing the data and the legal justification. Exemption from the Opt Out is supported by CAG.			
Where the legal grounds for processing is consent, individuals have the right to withdraw this consent at any time and the data must not be further processed. Where there is no mechanism in place for the individual to withdraw consent and no process to action and document the withdrawal of consent this will be in breach of principle a of UK GDPR- not having lawful grounds for processing. The individual will also not be able to action their right to object and will not have been fully informed about the processing. This could lead to a sanction by the ICO with a monetary fine and damage to RCPCH reputation.	0	0	0	<b>Eliminated</b>	Consent is not relied upon in this instance.	N/A	Alternative legal grounds already in place	NNAP Project Team
Undertaking direct marketing without appropriate legal grounds leading to non-compliance of UK GDPR and PECR could lead to ICO sanctions, reputational damage and fines	0	0	0	<b>Eliminated</b>	No direct marketing is undertaken. If there are any plans to market the audit in the future, the RCPCH IG team will be consulted.	N/A	N/A	NNAP Project team
System for opt out is not robust enough	2	3	6	<b>Reduced</b>	In England, the NNAP has received an exemption from the NDO, meaning that opt-outs do not need	By following guidance from the NHS, the national opt out will be appropriately	Completed	NNAP project team

					<p>to apply to data flowing to the RCPCH for the purposes of the NNAP. A mechanism exists for parents/carers to opt their baby out of the NNAP at an individual level. This is explained in the privacy notice.</p> <p>If NNAP data is to be linked or shared, the RCPCH will send a list of NHS numbers to NHS Digital (England) who will then send a list of NHS numbers with anyone who has opted out to be removed. This will be done using a MESH mailbox.</p> <p>National data-opt does not apply to other UK nations and the Isle of Man. A mechanism exists on the Badgernet clinical system to capture local requests for their data to not be processed for the purpose of the NNAP.</p>	applied and captured.		
There are not appropriate sub-processor contracts in place and there has been no due diligence checks on these leaving the College in breach of Article 28 of UK GDPR	2	3	6	<b>Eliminated</b>	Article 28 contractual clauses are included in the contract between HQIP and RCPCH. There will be UK GDPR Article 28 contractual clauses in the contract between RCPCH and any of the sub-processors used. This will include ensuring that any further sub-	This will ensure that Article 28 contracts are in place with any party that processes the personal data and that any sub-processors are contractually bound to equivalent data	RCPC H/HQIP contract in place, all subcontract renewals in place by April 2025	NNAP project team

					processors used are also contractually bound to comply with equivalent data protection clauses as agreed between the RCPCH and HQIP. Any sub-processors which have access to the identifiable data, will be contractually required to evidence DSP toolkit submission on an annual basis. This will include any back up providers. Any new suppliers will also undergo an appropriate due diligence process as part of the college's tender process.	protection requirements as between RCPCH and HQIP.		
					The NNAP team will ensure that any new contracts or renewals will be reviewed by the RCPCH DPO and the Head of Governance to ensure compliance.			
					RCPCH will hold any contracts with sub-processors but the NNAP team will ensure that HQIP have oversight of any contracts with sub-processors.			
Non-compliance with Article 28- to have appropriate data controller/processor contractual clauses in place could lead to an ICO sanction, a fine and reputational damage	2	3	6	<b>Eliminated</b>	The RCPCH and HQIP contract will include UK GDPR Article 28 contractual clauses. RCPCH will also be contractually required to evidence a DSP			

					<p>toolkit. The NNAP team will ensure that the RCPCH Head of IG and Head of Governance will review any contracts.</p>			
<p>The scope of the project changes and this PIA is not reviewed- this could lead to serious risks that are not appropriately mitigated and could lead to ICO sanctions, reputational damage and fines</p>	2	3	6	<b>Accepted</b>	<p>There will be an annual review of this PIA. If there are any changes in process this PIA will be reviewed with the IG team. Processes and guidance will be reviewed on a regular basis and with any change to the project methodology. If the audit team are considering merging datasets, they will first talk to the DPO about the UK GDPR implications and whether we need to make any changes to the privacy notice or reconsider our legal grounds for processing.</p>	<p>Ensures timely review of communication and processes if there is a change in the project.</p>	As needed.	NNAP project team
<p>Non-compliance with principle e of UK GDPR- data must not be kept for longer than necessary. Failure to comply could lead to ICO sanctions, reputational damage and fines</p>	2	2	4	<b>Accepted</b>	<p>Data will be kept until the end of the contract with HQIP and then deleted as requested by HQIP.</p> <p>RCPCH retains college retention schedules to document retention as well as holding regular clear out days to review information.</p>	<p>Ensures regular review if there are any changes to IG permissions or project methodology .</p>	NA	NNAP project team
<p>Back ups are kept for longer than necessary and are not kept securely so the data is at risk of being breached or of failure to comply with principle e of UK</p>	2	2	4	<b>Reduced</b>	<p>The dedicated NNAP Microsoft Azure Server, which hosts identifiable data, is backed-up every 5-10 minutes and</p>			NNAP Project team

GDPR- data must not be kept for longer than necessary. This could lead to ICO sanctions, reputational damage and fines					back-ups are stored for 7 days.  PowerBI and Sharepoint storage are also hosted on a Microsoft Azure sever.			
Server data storage is sub-contracted out by the processor and there is no control or checks in place to ensure they are offering adequate security and the College is able to retain suitable control over the data. This could lead to non-compliance with principle f, having appropriate security in place	2	3	6	<b>Reduced</b>	The data is stored on a dedicated NNAP Microsoft Azure server. RCPCH IS set up the server with the support of System C to ensure appropriate controls and checks are in place. The set up will be appropriately tested to ensure correct security settings and access permissions are set up before going live. The technical set up will be documented by the NNAP team in a System Level Security Policy with support from RCPCH IS and will include who will have responsibility for pen tests and admin access.  PowerBI and Sharepoint storage are also hosted on a Microsoft Azure sever.	An independent audit has been carried out and remedial works undertaken to ensure that the server is compliant with ISO27001 and UK Official and UK NHS standards.	Complete	NNAP Project Team
Non-compliance with principle d of UK GDPR- data must be kept up to date and accurate. Failure to comply could lead to ICO sanctions, reputational damage and fines	1	2	2	<b>Accepted</b>	The NNAP is an annual audit, in which new data is used every calendar year. During the audit year, the NNAP provides quarterly data quality	Neonatal units and networks are given the opportunity to quality assure data regularly.		NNAP project team

					<p>reports of aggregated data so that neonatal units and networks can check the quality of the data they submit to the audit.</p> <p>Data quality and validation checks are carried out on the data prior to analysis for the national report.</p>	Data quality and validation process assures quality of final annual data.		
If individuals cannot action their privacy rights , this will mean non-compliance with article 13-22 of UK GDPR and could lead to ICO sanctions, reputational damage and fines	2	2	4	<b>Accepted</b>	<p>The RCPCH has a specific documented procedure for dealing with rights requests in relation to clinical audits. The NNAP Project Manager will ensure that audit staff are aware of this procedure and know what to do with a request. The IG team will update the procedure to reflect the changes to the collection of patient data.</p> <p>As the data used is directly from the patient record, any requests will be forwarded to the trust/health board, who are the data controller for the patient record and are able to do appropriate verification checks.</p> <p>As the data is being processed for a public interest, the right to erasure does not apply.</p>	RCPCH will forward on requests straight to the trust/health board to deal with these as they are the data controller of the information and therefore responsible for making these decisions. By informing data subjects via the privacy notice, they will be aware of their rights and how to action them.		NNAP project team

					<p>The privacy notice will detail each of the rights and how to action them.</p> <p>The contract between HQIP and RCPCH will clarify responsibility for dealing with any rights requests received in relation to the audit. The Information Sharing Agreement between Scottish Health Boards and HQIP also clarifies responsibility for dealing with any rights requests in relation to the audit for Scottish data. Any additional information sharing agreements, such as with UKHSA, will include clarification of responsibilities in relation to rights requests.</p>			
UK GDPR outlines certain requirements in relation to automated decision making and profiling. If the profiling or decision making is solely automated organisations must also comply with Article 22 of UK GDPR. Failure to comply with the requirements set out in the UK GDPR, could lead to ICO sanctions, reputational damage and fines.	0	0	0	<b>Eliminated</b>	There is no automated decision making or profiling used to make decisions that might affect the data subject. If this is used in the future, this PIA will be reviewed with the RCPCH DPO.	N/A	N/A	NNAP Project Team
If staff are not appropriately trained	1	3	3	<b>Reduced</b>	HQIP have a process for raising	Although it is low		NNAP Project

<p>in safeguarding practices and are not appropriately vetted, this could put the safety of the children we work with in jeopardy. It is important that personal data relating to children is only shared with those who have received appropriate training internally and only with those who are justified in having access to it to safeguard the CYP we work with. It is important we have the documentation to evidence appropriate staff training and vetting if a safeguarding concern is raised to show we have taken appropriate safeguarding steps. As well as the damage and distress this can cause to the CYP, if we are unable to evidence this, the organisation could face sanctions as well as serious reputational damage.</p>					<p>serious concerns relating to the data, the NNAP Project Manager will ensure the NNAP Project team is aware of this. There is no direct contact with patients and so there are very unlikely to be safeguarding issues raised. Furthermore, it usually takes around 5 months until the data is viewed by RCPCH so it is unlikely any safeguarding concerns will not have been picked up.</p>	<p>likelihood, there is a process in place so that appropriate action can be taken if needed.</p>		<p>t Team</p>
<p><b>Corporate risks &amp; compliance risks</b></p>	<p>Information Governance risks are reviewed quarterly at the Data Protection Committee meeting and this feeds into the review of risks at SLT level. They are therefore updated on a quarterly basis. These risks are recorded internally.</p>							