

## Checklist

Prior to submitting an application to the Statistics Public Benefit and Privacy Panel, please complete the following checklist.

[Have you assessed the risk associated with the data processing you wish to conduct:](#)

- |                          |                        |   |
|--------------------------|------------------------|---|
| <input type="checkbox"/> | Not yet                | This must be completed as a legal requirement, contact your DPO for your organisation's DPIA form |
| <input type="checkbox"/> | Not completed          | A draft DPIA must be available in the application pack submission to the SPBPP                    |
| <input type="checkbox"/> | Successfully completed | Please supply the draft DPIA with application pack.   |

**More information:** A data protection impact assessment (DPIA) is a legal requirement for high risk or large volume data sharing, this includes the linking of multiple datasets. Completing a DPIA at the initial planning stages of a project will help when it comes to applying for data access via the SPPP application form.

[Have you engaged with your Data Protection Officer about the legal basis and DPIA for your data processing](#)

- |                          |         |  |
|--------------------------|---------|--|
| <input type="checkbox"/> | No      | Please engage with the data protection team within your organisation   |
| <input type="checkbox"/> | Yes     | Please supply the draft DPIA with the application pack documenting this information  |
| <input type="checkbox"/> | Not yet | Your data protection team will assist with the completion of a DPIA and identify the legal basis under data protection legislation to allow you to process the data required |

[Have you engaged with your legal team about the legislation your organisation uses to process data when quoting the legal basis – Public task](#)

- |                          |              |  |
|--------------------------|--------------|--|
| <input type="checkbox"/> | Not required | You are not using public task as the legal basis to process the data   |
| <input type="checkbox"/> | Yes          | Please update all application pack documents with this information.  |
| <input type="checkbox"/> | No           | Your legal team will assist with the legislation your organisation uses when quoting public task as a legal basis to process data. |

**More information:** The legal basis, and legislation required, is that which allows your organisation to process data, this will not be the same as the legal basis or legislation used by the data controller.

Have you engaged with the data controller of the data you are requesting

- No Please engage with the data controllers, they will assist with the availability, limitations on the data you are requesting. They may offer more suitable alternatives to those you initially felt were required.
- Yes Please include details on the front of the application form.
- Not yet Engage with the data controllers of the data you are requesting as soon as you can. This will help avoid any delays with your application due to legal or data misunderstandings.

**More information:** If you are unsure of the most appropriate person to engage with in SG or NRS, please review: [Statistics and research - gov.scot \(www.gov.scot\)](http://www.gov.scot) or [Statistics & Data | National Records of Scotland \(nrscotland.gov.uk\)](http://nrscotland.gov.uk)

Have you engaged with your legal team about the terms and conditions needed for a data sharing agreement (DSA)

- No Please engage with your legal team regarding the general terms and conditions used by the data controllers of the data you are requesting
- Yes Please supply a draft DSA with the application pack.
- Not yet Your legal team will assist with the agreement of the terms and condition required in a DSA

**More information:** A DSA is required by SG and NRS to demonstrate accountability under data protection legislation. This must be in place before they will share their data. The DSA contains general terms and conditions that must be met and agreed by all parties in the data sharing. DSAs are prepared by the data controller of the data being requested.

Will all the research questions require all of the same data being requested:

- No Match the data to the research questions and complete a separate application for those questions which require a different subset of data.
- Yes Please provide justification within the application form
- Not sure Complete a DPIA and map out the data flow

**More information:** Under data protection legislation, only data specific to a projects needs can be shared, e.g. if a research question only requires data for a specific area of Scotland, data for the whole of Scotland will not be supplied.

Will all researchers listed be working on all research questions for the full duration of the study:

- No Match the researchers to the research questions
- Yes Include details within the application form
- Not sure Complete a DPIA and map out the data flow

**More information:** Under data protection legislation, only those who are required access to data should be granted permission.

Are all variables being requested required:

- No Remove those that are not required or have insufficient justification for inclusion in the project.
- Yes Provide detailed justification for all variables being request within the application form
- Not sure Complete a DPIA and map the data flow

**More information:** Under data protection legislation, only data specific to needs can be shared. Some variables requested may be duplication or not relevant to the project needs. Discussions with data controllers should help establish the most relevant for your needs.

Does your research provide any public benefit:

- No Data will not be shared for research that has not public benefit
- Yes Include details within the application form
- Not sure Review the [National Performance Framework](#) to determine if you research maps to the framework