

30 September 2024

Reference number: IC-329844-F1F8

Request

You asked us: *"...I am asked to use the Canva application...I have now read that your organization has carried out a DPIA [Data Protection Impact Assessment] on this (28-11-2023). Would you like to share this DPIA with us?..."*

We have understood this to be a request for our DPIA completed when considering to use Canva.

We received your request on 4 September 2024.

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

Our response

Having searched our records, we can confirm that we hold information in the scope of your request. Please find attached a copy of the information you have requested.

Some minor redactions have been made to the requested information. These will now be explained below.

You will see that some third party personal data has been redacted in our response. It is exempt under section 40(2) of the FOIA.

Disclosure of this data would break the first principle of data protection - that personal data is processed lawfully, fairly and in a transparent manner.

There is no strong legitimate interest that would override the prejudice that disclosure would cause to the rights and freedoms of the individuals concerned. So we are withholding the information under section 40(2) of the FOIA.

As well as this, we have withheld an internal email address and an extended links to our internal SharePoint under section 31(1)(g) of the FOIA. We can do this when the disclosure of information *"would, or would be likely to, prejudice...the exercise by any public authority of its functions for any of the purposes specified in subsection (2)."*

In this case the relevant purposes contained in subsection 31(2) are 31(2)(a) and 31(2)(c):

" a. the purpose of ascertaining whether any person has failed to comply with the law," and

"c. the purpose of ascertaining whether circumstances which would justify regulatory action in pursuance of any enactment exist or may arise."

Misuse of internal email addresses that exist to support ICO staff would likely prejudice our ability to perform our regulatory functions. Disclosure of these, and any extended links, would leave us vulnerable to phishing, cyber-attacks, spam, or an increased volume of irrelevant correspondence which it would take us time to process.

The exemption at section 31(1)(g) is not absolute. When considering whether to apply it in response to a request for information, there is a 'public interest test'. We have to consider whether the public interest favours withholding or disclosing the information.

In this case the public interest factor in favour of disclosing the information is:

- Increased transparency in the way in which the ICO conducts its operations.
- Increased transparency about our internal systems.

The public interest factors in maintaining the exemption are as follows:

- Internal email addresses being used inappropriately will reduce the effectiveness and efficiency of our regulatory functions.
- The disclosure of extended links reveals the 'make up' of our SharePoint system. Due to the nature of information this reveals, this information increases our vulnerability to cyber attacks.
- The information of primary relevance to your request is not affected by the redaction of our internal email addresses or extended links.
- The public interest in transparency of email addresses is met by the public provision of other more appropriate means of contacting us. This is because there are other channels that the public can use to contact us and these are publicly available via [our website](#).

Having considered all of these factors we have taken the decision that the public interest in withholding the information outweighs the public interest in disclosing it.

Links to our internal systems have been disabled. This is because they refer to material which is not part of the DPIA itself and would not be accessible from outside of the ICO. It should be noted, these links are not withheld; they are simply disabled.

Links to external websites, which the ICO has created when completing the DPIA, are still active. However, we do wish to advise that while each individual link may not be active, all of the relevant information can still be accessed. For example, the multiple links relating to Canva's sub-processors are not active but the information about them can still be accessed.

Appendixes 2, 3 and 4 have been taken from Canva's website. Any links in these have not been made active as it is not information the ICO has created. Any links within these appendixes will likely be available directly via Canva's website.

This concludes our response.

Next steps

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full [review procedure](#) on our website.

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint](#) through our website.

Your information

Our [privacy notice](#) explains what we do with the personal data you provide to us, and sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely



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