

# Data Protection Impact Assessment: Cloud-Based Data Recovery

## Summary

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**An Bord Um  
Chúnamh Díliúil**  
Legal Aid Board

Providing access to justice since 1979

# Data Protection Impact Assessment for cloud-based disaster recovery.

## Summary

A data protection impact assessment (DPIA) is an appraisal of any high risks for personal data holdings that could arise in a new project being proposed by an organisation. Required by GDPR, a DPIA enables the organisation to identify such risks and how to mitigate them. The Legal Aid Board has recently completed a DPIA to inform the acquisition and use of a cloud-based service to strengthen its data-holding functionality. The DPIA was prepared by the project lead, its IT Unit, and its Data Protection section provided advice as required under GDPR.

The Board compiled the DPIA to assist its proposal to move to a cloud-based disaster recovery site solution for all client, staff, and contractor personal data that it holds. The Board collects such data in the normal course of providing legal services and supporting functions. Moving to a cloud-based disaster recovery system would protect such data by providing the Board with more readily available, reliable, and flexible security and compliance features.

In completing the DPIA this month ahead of issuing a tender competition for a cloud-based service provider, the Board committed to consultation with its existing security vendor as part of the process. Its DPIA also drew on guidance for cloud service use issued by the European Data Protection Board, the Irish Data Protection Commission, the Office of Government Procurement and the Department of Public Expenditure, NDP Delivery, and Reform. That guidance highlighted the importance of keeping data within the EEA or a jurisdiction with similar requirements, setting out clear controller and processor roles over the data, relying on a product that meets international accreditation standards, and having scope for contract reviews/exit where necessary.

In the final stages of the DPIA exercise, the Board considered potential risks around data security, access, breach, integrity, and processing by a third party. The DPIA concluded that these could be sufficiently addressed by commercially available disaster recovery solutions. The final Board choice of a cloud-based service provider will be informed by the published guidance, risks and mitigating elements noted above and as reflected in the DPIA. In line with EU guidance, the DPIA can form the basis for the Board's possible acquisition of further cloud-based services. Even still, the Board is committed to appraising the potential risks and possible mitigations of each new project so as to remain GDPR compliant in all its activities.

### Note

The GDPR does not require an organisation to publish a DPIA. The Board has published this summary of the DPIA so that interested parties can understand the purpose, approach, and considerations it has undertaken to mitigate potential risks, safeguard personal information, and remain data protection compliant.

