

Position of Digital Association Lewiatan on proposed Template for Data Protection Impact Assessment

We support the objective of a practical and consistent DPIA approach and welcome guidance and standardisation that helps our customers to identify, assess and mitigate risks to data subjects. However, it remains important to ensure that the Template DPIA does not inadvertently lead to DPIAs becoming overly prescriptive technical, contractual, or containing operational catalogues beyond what Article 35 of the GDPR requires. We see this risk if the proposal would be adopted in its current form. This could create unnecessary administrative burdens and may require organizations to disclose sensitive technical and operational information that is not necessary for a DPIA under the current practice. Therefore, we ask the EDPB to review the draft Template DPIA so that the final version remains proportionate and workable for entities subject to the GDPR.

We identified five key issues so far:

1. ***Data processor and sub-processor details should be risk-relevant, not exhaustive or redundant with existing GDPR obligations such as Article 28. The Template DPIA should not require detailed listing of sub-processors, and contractual tasks already addressed through Article 28 of the GDPR. (Section 0.2)***
2. ***The scope of the DPIA should focus on the processing being carried out that is covered by the DPIA. The Template DPIA should only address what is not considered where this is relevant to assessing the necessity of the DPIA. Requiring the documentation of processing that is not covered in the DPIA, and why it is not covered, risks creating an unnecessary inventory of features, configurations, integrations and deployment choices that are outside a particular use case without added value. It is also not prescribed by the GDPR. (Section 0.5)***
3. ***Publication or external sharing of the DPIA should be discretionary. The Template DPIA should not imply that its publication or external sharing is expected, because DPIAs may contain confidential information about our controls, infrastructure, risk assumptions, mitigation strategies, contractual arrangements, system architecture and operational dependencies. (Section 0.5)***
4. ***Architecture and supporting assets should be described at the appropriate level of detail. The Template DPIA should not require granular or exhaustive infrastructure***

details such as asset-level hardware, network components, software modules, technical layers or functions. Requiring that level of detail may be unnecessary for the DPIA and may raise security or confidentiality concerns on our side. (Section 1.3)

5. **Data quality requirements should be contextual.** *The Template DPIA should focus on measures to ensure accuracy rather than requiring prescriptive metrics, thresholds or quantified justifications for each data item without clear added value. (Section 2.2.b)*



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