

DPIA Checklist

A PRACTICAL SCREENING & ASSESSMENT GUIDE

MUCHANGI PATRICK & ASSOCIATES ADVOCATES
Data Privacy • AI Governance • Digital Regulation

EXECUTIVE SUMMARY

Section 31 of the Data Protection Act, 2019 and the Data Protection (General) Regulations, 2021 require a Data Protection Impact Assessment (“DPIA”) to be carried out before undertaking processing that is likely to result in a high risk to the rights and freedoms of data subjects, including new technologies, large-scale processing, systematic monitoring and profiling.

This checklist has been prepared by Muchangi Patrick & Associates Advocates to guide organisations through the screening, assessment and documentation stages of a DPIA, from threshold identification to sign-off and periodic review.

This checklist is a diagnostic tool, not a substitute for legal advice. Organisations identifying material gaps should seek a full compliance audit before relying on the results for governance or regulatory reporting purposes.

HOW TO USE THIS CHECKLIST

For each of the twenty-four requirements below, the assessor should record one of the following four ratings, supported where necessary by a brief explanatory note:

YES — Fully compliant with the requirement.

PARTIAL — Some compliance, but improvements are required.

NO — Not compliant; the requirement is unmet.

N/A — Not applicable to the processing activity under review.

DPIA SCREENING & ASSESSMENT

N O.	DPIA REQUIREMENT	YES	PARTIAL	NO	N/A	NOTES
01	Screening assessment conducted to determine whether a DPIA is required	☐	☐	☐	☐	
02	Processing involves new technologies or novel uses of personal data	☐	☐	☐	☐	
03	Processing involves large-scale processing of personal data	☐	☐	☐	☐	
04	Processing involves systematic monitoring of a publicly accessible area	☐	☐	☐	☐	
05	Processing involves special (sensitive) categories of personal data at scale	☐	☐	☐	☐	
06	Processing involves profiling or automated decision-making with legal or significant effects	☐	☐	☐	☐	

N O.	DPIA REQUIREMENT	YES	PARTIAL	NO	N/A	NOTES
07	Processing involves personal data relating to children	☐	☐	☐	☐	
08	Processing involves matching or combining datasets from different sources	☐	☐	☐	☐	
09	Processing involves transfer of personal data outside Kenya	☐	☐	☐	☐	
10	Nature, scope, context and purposes of the processing described	☐	☐	☐	☐	
11	Necessity and proportionality of the processing assessed	☐	☐	☐	☐	
12	Data minimisation principles applied to the processing design	☐	☐	☐	☐	
13	Risks to the rights and freedoms of data subjects identified	☐	☐	☐	☐	
14	Likelihood and severity of identified risks assessed	☐	☐	☐	☐	
15	Measures to mitigate identified risks documented	☐	☐	☐	☐	
16	Data Protection Officer consulted on the assessment (where applicable)	☐	☐	☐	☐	
17	Views of data subjects or their representatives sought (where appropriate)	☐	☐	☐	☐	
18	Processors and third parties involved in the processing identified	☐	☐	☐	☐	
19	Technical and organisational security measures assessed and documented	☐	☐	☐	☐	
20	Residual risk after mitigation evaluated	☐	☐	☐	☐	
21	DPIA outcome and recommendations documented in a formal report	☐	☐	☐	☐	
22	Senior management or data controller sign-off obtained	☐	☐	☐	☐	
23	Prior consultation with the ODPC undertaken where high residual risk remains	☐	☐	☐	☐	
24	DPIA scheduled for periodic review or review upon material change to	☐	☐	☐	☐	

N O.	DPIA REQUIREMENT	YES	PARTI AL	NO	N/A	NOTES
	processing					

COMPLIANCE SCORE

Aggregate the ratings above to determine the organisation's overall compliance posture:

SCORE	RATING
22 - 24	Excellent
17 - 21	Good
10 - 16	Fair
0 - 9	Immediate Remediation Required

PRIORITY ACTIONS

Corrective actions identified during the assessment should be recorded and tracked to closure below:

PRIORIT Y	ACTION	RESPONSIBLE OFFICER	TARGET DATE
HIGH			
HIGH			
MEDIUM			
MEDIUM			
LOW			

OVERALL ASSESSMENT

Overall DPIA Compliance Rating:

☐ EXCELLENT	☐ GOOD	☐ FAIR	☐ POOR
------------------------------------	-------------------------------	-------------------------------	-------------------------------

AUDITOR'S NOTES

NEED HELP CONDUCTING A DPIA?

This checklist provides a high-level screening tool only. For processing activities that trigger a mandatory DPIA, Muchangi Patrick & Associates Advocates offers:

- ✦ Data Protection Compliance Audits
- ✦ Data Protection Impact Assessments (DPIAs)
- ✦ AI Governance Assessments
- ✦ Privacy Programme Development
- ✦ Data Breach Response Advisory
- ✦ Virtual Data Protection Officer (vDPO) Services
- ✦ Executive & Board Training

www.dataprivacyadvocates.co.ke