

Data processing agreement between the All-Party Parliamentary Group on Poverty, The Equality Trust and Child Poverty Action Group

The All-Party Parliamentary Group (APPG) on Poverty (referred to as the controller) has agreed to share some personal data with The Equality Trust (TET) and Child Poverty Action Group (CPAG) in their roles as co-secretariat. As such, TET and CPAG will act as third party data processors for the APPG.

This agreement sets out how the processors will handle personal data belonging to the controller, and ensure that both the controller and processors understand their responsibilities.

1. Subject matter

The Equality Trust and Child Poverty Action Group are responsible for managing secretarial data relating to the All-Party Parliamentary Group on Poverty. This includes managing personal data relating to members, officers and subscribers, in addition to collecting, processing and storing data relating to individuals' opinions/experiences, and special categories of data for research purposes.

2. Nature and purpose of the processing

The legal basis of collecting and processing this data may fall under the categories of 'consent' or 'legitimate interest'. The latter refers to administrative and/or research purposes, as outlined in further detail below.

a. Contacting members of the APPG

TET and CPAG jointly manage the personal data of members and officers of the APPG, and are responsible for inviting them to upcoming sessions and keeping them informed about relevant news, events and activities.

b. Opt-in subscription to the APPG on Poverty mailing list

TET and CPAG jointly manage the personal data of those who sign up to the APPG's mailing list in order to keep them informed about upcoming sessions and relevant news, events and activities.

c. Undertaking primary research

TET and CPAG will be involved in collating a variety of data for research purposes, such as collecting evidence for an inquiry.

This may include:

- collecting thoughts, experiences and opinions that will inform the APPG's work, and may also inform TET or CPAG's future campaigning and lobbying activities;

- collecting demographic data to analyse the demographic diversity of research participants;
- using demographic data to filter responses from particular demographic groups to analyse specifically what individuals from a particular background think about an issue;
- keeping research participants informed about the progress and/or outcomes of research they have contributed to;
- gaining opt-in consent to contact research participants about future research opportunities.

3. Type of personal data and categories of data subject

TET and CPAG may process a number of data types on behalf of the APPG on Poverty, including:

- personal data (e.g. full name, email address, phone number, address);
- special categories of data (e.g. racial or ethnic origin, gender identity, religious or philosophical beliefs, trade union membership, disability status, sexual orientation etc.);
- data containing people's thoughts, opinions and experiences relating to the work of the APPG.

Categories of data subject may include:

- officers and members of the APPG;
- subscribers to the APPG mailing list;
- attendees of an APPG affiliated event;
- individuals with lived experience of poverty contributing evidence to the APPG;
- individuals from an academic, political, business, public sector or research background, and/or those representing a voluntary sector organisation, contributing evidence to the APPG;
- research participants of any background.

4. Data access, storage and duration of the processing

Data may be held on TET and CPAG devices, G Suite and MailChimp. Personal data used for the purposes of contacting individuals will be uploaded directly to MailChimp and stored securely there. One staff member from either organisation will have access to personal and sensitive data. These staff are also responsible for the destruction of this data.

Spreadsheets containing personal data for this purpose will be deleted within one year of collection. Research results will be pseudonymised or anonymised within a year of collection, and any data which permits identification of data subjects deleted within this period.

5. Obligations and rights of the APPG on Poverty

The controller is responsible for, and must be able to demonstrate, compliance with the Data Protection Principles of: (1) Lawfulness, fairness and transparency, (2) Purpose limitation, (3) Data minimisation, (4) Accuracy, (5) Storage limitation, (6) Integrity and confidentiality and (7) Accountability.

This may include:

- being able to demonstrate how and when they obtained a data subject's consent to processing their personal data;
- being able to verify parental consent where it is required for the processing of a young person's data;
- removing personal information from the APPG's systems at any time when required to by the data subject and notifying TET and CPAG of this;
- reporting a personal data breach to the ICO under the GDPR if it is likely to result in a risk to people's rights and freedoms, not later than 72 hours after having become aware of it. If there is the likelihood of a high risk to people's rights and freedoms, the APPG will also need to report the breach to the individuals who have been affected;
- paying compensation in the event of damage or distress to an individual as a result of the data controller's negligence when using personal information.

6. Responsibilities and liabilities of TET and CPAG

TET and CPAG must:

- only act on the written instructions of the APPG (unless required by law to act without such instructions);
- ensure that people processing the data are subject to a duty of confidence;
- take appropriate measures to ensure the security of processing;
- only engage a sub-processor with the prior consent of the APPG and a written contract;
- assist the APPG in providing subject access and allowing data subjects to exercise their rights under the GDPR;
- assist the APPG in meeting its GDPR obligations in relation to the security of processing, the notification of personal data breaches and data protection impact assessments;
- delete or return all personal data to the APPG as requested at the end of the contract, and;
- submit to audits and inspections, provide the APPG with whatever information it needs to ensure that they are both meeting their Article 28 obligations, and tell the APPG immediately if it is asked to do something infringing the GDPR or other data protection law of the EU or a member state.

TET and CPAG should also be aware that:

- they may be subject to investigative and corrective powers of supervisory authorities (such as the ICO) under Article 58 of the GDPR;

- if they fail to meet its obligations, they may be subject to an administrative fine under Article 83 of the GDPR;
- if they fail to meet their GDPR obligations it may be subject to a penalty under Article 84 of the GDPR;
- if they fail to meet their GDPR obligations it may have to pay compensation under Article 82 of the GDPR, and;
- nothing within this contract relieves TET or CPAG of their own direct responsibilities and liabilities under the GDPR.

7. Data safeguards

To ensure safety and anonymity, and to protect or reduce risks of potentially negative impacts of processing this data, TET and CPAG will:

- include the option to submit evidence and/or contribute to research anonymously;
- only share data in an anonymised form with third parties for research and/or statistical purposes;
- ensure that personal details are never included alongside comments, and that no individual can be identified by details given about them or by comments they have made. This could include falsifying irrelevant details in order to maintain anonymity;
- obtain written consent from individuals prior to including direct quotations in research that may be shared with third parties;
- only share non-anonymised personal data (i.e. email addresses and names) internally with relevant staff;
- obtain explicit consent from individuals prior to including direct quotations in research that may be shared with third parties;
- obtain explicit consent from individuals prior to signing them up to any of the APPG's mailing lists, and;
- protect individuals' rights by providing information regarding the purpose of the processing, the lawful basis for the processing and any recipients of the personal data at the point of data collection using a tailored Privacy Notice.