



Department for
Digital, Culture
Media & Sport



TO2018/05792/DC
18 April 2018

Dear Parliamentarians,

We are writing with regard to the new data protection laws being introduced by the Data Protection Bill and to update you on the support available to you and your offices.

We want to reassure you that the requirements of the new laws are neither complex nor burdensome if you are compliant with the current laws and regulations. The new legislation will continue to enable the processing of personal data by Parliamentarians in the course of their duties. The Data Protection Bill preserves existing legal rights for elected officials to process personal data in support of casework, political activities, democratic engagement and when exercising Parliamentary privilege. This is achieved by a combination of different aspects of the Bill including clause 8 and, in relation to the processing of sensitive data such as political opinions, paragraphs 23-25 Schedule 1 for example covers elected representatives responding to requests.

Parliamentarians are regularly responsible for properly handling personal data in the course of duties in the House and in constituencies. These responsibilities are not new, they have been part of UK law for many years, enshrined in the 1998 Data Protection Act. That Act sets high data protection standards and many of the essential principles of it are reflected in the new General Data Protection Regulation. As such, the Regulation does not impose significant new duties on Parliamentarians.

The core principles remain the same: you should understand what information you hold and for what purpose; you should have a lawful basis to use personal data; you should keep and use personal data securely; and you should know what to do if you do inadvertently breach the rules. Nearly all of the practical steps necessary to comply with the new law remain the same.

The Information Commissioner's Office (ICO) have produced a range of accessible, straightforward advice for small organisations and have updated their guidance for elected officials including a new FAQ document, which we have enclosed with this letter.

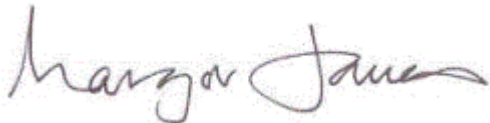


Furthermore, DCMS and ICO officials are working with House Authorities to produce a number of tangible and tailored case studies to demonstrate how your most common activities including casework operate within the law.

A number of Parliamentarians have also raised concerns about the impact of the new laws on political campaigning. Rules on electronic marketing messages (including email and text) are guided by the Privacy and Electronic Communications Regulations 2003, rather than data protection law. **These regulations have not changed.**

Some of your staff may have already attended third party training procured by the House Authorities. Following your staff's feedback, House Authorities have undertaken to update the training, ensuring it is tailored to your needs. We would advise your staff to attend training once it has been updated.

Yours sincerely

A handwritten signature in blue ink that reads "Margot James". The signature is written in a cursive style with a large initial 'M'.

Margot James MP
Minister for Digital and the Creative Industries

A handwritten signature in blue ink that reads "Elizabeth Denham". The signature is written in a cursive style with a large initial 'E'.

Elizabeth Denham
Information Commissioner