

Research into Impact of Greater Diversity in Senior Civil Service Recruitment Panels

Joint data controller memorandum of understanding under Article 26 GDPR

This MOU is made between Cabinet Office and the departments/agencies listed at [Annex A](#), referred to jointly in this document as the Parties. It remains valid until superseded by a revised MOU mutually endorsed by the Parties.

MOU Purpose

The purpose of this MOU is to explain the nature of personal data collected and processed as part of the research into the impact of diverse panel members on Senior Civil Service (SCS) recruitment outcomes, and the roles of the Parties, who are joint-controllers of these data.

Overview

The Cabinet Office has mandated the use of one or more individuals with a disability and/or from an ethnic minority background to be placed on all SCS recruitment panels across all Government departments and agencies. In order to evaluate the impact of having greater diversity on SCS panels, the Cabinet Office is conducting a research project, asking Government departments and agencies to report on assessment outcomes for candidates by ethnicity and disability (for SCS2 and above), and report on the composition of the interview panels (all SCS recruitment). The Cabinet Office will access information about candidate ethnicity and disability for SCS1 vacancies which it already holds in Civil Service Jobs for the purpose of diversity monitoring. The data being collected by Cabinet Office will be at aggregate level, and will need to be de-identified to ensure candidate and panel member privacy and anonymity. Departments and agencies will be asked to compile the aggregate data from individual level data, and then provide the aggregate data via an electronic proforma and then email this across to the Cabinet Office.

Government departments and agencies will be asked to report data on a monthly basis, on all SCS recruitment that has taken place. This will mean that they are required to collect sensitive data, either via internal systems or directly from candidates or panel members, in order to complete the relevant proforma which is sent back to the Cabinet Office. Although the data returns from each department are only aggregate data, Cabinet Office will treat them as personal data because it may in some cases be possible to identify individuals through data Cabinet Office already holds. The data will be collated by Cabinet Office into a single database which will allow the aggregate outcomes from the interviews to be matched to panel composition using the vacancy ID number. Analysis will be conducted on the data, and the outcomes will be shared with the Diverse Leadership Taskforce and other stakeholders.

Candidates and interview panel members will also be asked to complete a feedback questionnaire on their perceptions of the interview process. Individuals

will be able to respond to the questionnaire anonymously. Government departments and agencies will be asked to send out via email the questionnaire links to candidates and interview panel members.

Cabinet Office and employing government department's responsibilities as joint data controllers

Under Article 26 (Joint Data Controllers) Cabinet Office and the departments/agencies will act as joint data controllers, in respect of any personal data pursuant to this MOU. Cabinet Office will only process personal data to the extent necessary to meet the purposes as set out in the relevant Privacy Notices issued by both Cabinet Office and departments/agencies. For Cabinet Office specifically these are:

- to identify the number of SCS vacancies across the Civil Service that have used diverse recruitment panels
- to identify the number of interview panel members from an ethnic minority background or who have a disability (visible or non-visible physical or mental health condition) for each vacancy
- to identify the number of candidates from an ethnic minority background or who have a disability (visible or non-visible physical or mental health condition) for each vacancy
- to identify the success rates for candidates from an ethnic minority background or who have a disability (visible or non-visible physical or mental health condition) for each vacancy
- to analyse the data collected from departments to explore the impact of diverse panels on interview outcomes
- to collect anonymous feedback from candidates and interviewers on perceptions of the interviews
- To report the outcomes to relevant stakeholders in the Civil Service

The Cabinet Office and the departments/agencies will ensure that they have appropriate technical and organisational procedures in place to protect any personal data they are processing. This includes unauthorised or unlawful processing, and protection against any accidental disclosure, loss, destruction or damage.

Cabinet Office will promptly inform departments, and vice versa, of any unauthorised or unlawful processing, accidental disclosure, loss, destruction or damage to any such personal data. All parties will take reasonable steps to ensure the suitability of their staff having access to such personal data.

Specific Cabinet Office responsibilities as joint data controllers:

- Carrying out any required Data Protection Impact Assessment for the research into the impact of diverse panel members on SCS recruitment outcomes

- Collating the departmental candidate and panel member proforma, returned on a monthly basis (where applicable).
- Maintaining and compiling the aggregate database from departmental datasets.
- Following Cabinet Office Data Security Guidance to ensure that the necessary measures are taken to protect personal data.
- Ensuring approved Cabinet Office staff are appropriately trained in how to use and look after personal data, and follow approved processes for data handling.
- Ensuring staff have appropriate security clearance to handle personal information collected as part of the research project.
- Ensuring an appropriate level of technical and organisational security for the personal data, including restricting access to the monthly departmental returns and the database to approved staff only.
- Comply with the data protection principles, and with all relevant data protection legislation.
- Maintaining a Privacy Notice for the research project and adhering to the retention policy and processing purposes stated therein.
- Co-ordinating responses to Subject Access Requests (SAR's) where data is required from multiple organisations or systems.
- Restrict access to the personal data to only those detailed in the 'Recipients' section of the Privacy Notice.
- Providing a data sharing agreement for sharing the research dataset with any separate data controllers.
- Secure transfer of personal data both internally and externally from CO.
- Report any data breaches within Cabinet Office to their Data protection Officer and ICO.
- Comply with the appropriate privacy notice when working with data from Civil Service Jobs.

Specific employing department's responsibilities as joint data controllers:

- Carrying out any required Data Protection Impact Assessment for the research into the impact of diverse panel members on SCS recruitment outcomes for departmental activities.
- Completing the candidate and panel member proforma and sending to the Cabinet Office on a monthly basis (where applicable).
- Following their departmental Security Guidance to ensure that the necessary measures are taken to protect personal data.
- Ensuring staff are appropriately trained in how to use and look after personal data, and follow approved processes for data handling.
- Ensuring staff have appropriate security clearance to handle personal information.
- Ensuring an appropriate level of technical and organisational security for the personal data, including restricting access to the proforma's to

approved staff only and ensuring staff follow approved processes for data handling.

- Comply with the data protection principles, and with all relevant data protection legislation.
- Ensuring that where candidate and panel member proforma's are used for their own departmental purposes that any necessary Privacy Notices are provided to data subjects.
- Responding to data subject requests in respect of research data, such as for access (SARs), rectification or erasure and liaising as necessary with Cabinet Office.
- Secure transfer of personal data both internally and externally from the department.
- Report any data breaches within their organisation to their Data protection Officer and ICO.
- Comply with the privacy notice when working with data from Civil Service Jobs.

Individual rights

GDPR specifies new rights for individuals over the processing of their data. These rights, and the process an individual should follow when making a request, are listed in the Cabinet Office Privacy Notice and relevant departments/agencies Privacy Notice.

In response to any subject access request, Cabinet Office and departments/agencies will undertake a proportionate and reasonable search and respond within one month of the original request. Depending on the details of the request, either Cabinet Office or the department/agency will co-ordinate the collation of data from relevant parties and ensure that the requestor receives a response.

Data breach

Cabinet Office is responsible for reporting any reportable breach within Cabinet Office to their Data Protection Office and the ICO within 72 hours, in consultation with the department/agency's Data Protection Officer. Employing departments are responsible for reporting any reportable data breaches within the department to their Data Protection Officer and ICO within 72 hours, in consultation with the Cabinet Office.

Data Retention

Personal data obtained from the departments/agencies via the proformas will be kept by the Cabinet Office until October 2020. This is to allow sufficient time to collate, analyse and report the data to relevant stakeholders.

Personal data collected from the questionnaires will be kept until October 2020 to allow sufficient time to collate, analyse and report the data to relevant stakeholders.

Publishing this MOU

Cabinet Office will take responsibility for publishing this MOU.

Any questions

Please contact occupationalpsychologyteam@cabinetoffice.gov.uk

Annex A

Attorney General's Office
Crown Prosecution Service
Crown Prosecution Service Inspectorate
Government Legal Department
Serious Fraud Office
Department for Business, Energy and Industrial Strategy
Advisory Conciliation and Arbitration Service
Companies House
Insolvency Service
Met Office
UK Intellectual Property Office
UK Space Agency
Cabinet Office
Crown Commercial Service
Government in Parliament
Government Actuary's Department
National Savings and Investments
Charity Commission
Ministry of Housing, Communities and Local Government
Planning Inspectorate
Queen Elizabeth II Centre
Competition and Markets Authority
Department for Digital, Culture, Media and Sport
Ministry of Defence
Defence Science and Technology Laboratory
Defence Equipment and Support
Royal Fleet Auxiliary
UK Hydrographic Office
Department for Exiting the European Union
Department for International Trade
Department for Education
Education and Skills Funding Agency
Standards and Testing Agency
The National College for Teaching and Leadership
Department for Environment Food and Rural Affairs
Animal and Plant Health Agency
Centre for Environment Fisheries and Aquaculture Science
Rural Payments Agency
Veterinary Medicines Directorate
ESTYN
Food Standards Agency
Foreign and Commonwealth Office
FCO Services
Wilton Park Executive Agency

Department of Health and Social Care
Medicines and Healthcare Products Regulatory Agency
Public Health England
HM Land Registry
HM Revenue and Customs
Valuation Office Agency
HM Treasury
Debt Management Office
Government Internal Audit Agency
National Infrastructure Commission
Office for Budget Responsibility
Home Office
Department for International Development
Ministry of Justice
Criminal Injuries Compensation Authority
Her Majesty's Courts and Tribunals Service
Legal Aid Agency
Her Majesty's Prison and Probation Service
Office of the Public Guardian
The National Archives
National Crime Agency
Northern Ireland Office
Office for Standards in Education, Children's Services and Skills
Office of Gas and Electricity Markets
Office of Rail and Road
Ofqual
Office of Water Services
Scotland Office (incl. Office of the Advocate General for Scotland)
Scottish Government
Accountant in Bankruptcy
Crown Office and Procurator Fiscal Service
Disclosure Scotland
Education Scotland
Food Standards Scotland
National Records of Scotland
Office of the Scottish Charity Regulator
Registers of Scotland
Revenue Scotland
Scottish Courts and Tribunals Service
Scottish Fiscal Commission
Scottish Housing Regulator
Scottish Prison Service
Scottish Public Pensions Agency
Student Awards Agency for Scotland
Transport Scotland
Department for Transport

Driver and Vehicle Licensing Agency
Driver and Vehicle Standards Agency
Maritime and Coastguard Agency
Vehicle Certification Agency
United Kingdom Statistics Authority
UK Export Finance
UK Supreme Court
Wales Office
Welsh Government
Department for Work and Pensions
The Health and Safety Executive