

Annual Civil Service Employment Survey

Joint data controller memorandum of understanding under Article 26 GDPR

This memorandum of understanding (MOU) is made between Cabinet Office and the employing departments 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 It remains valid until superseded by a revised MOU mutually endorsed by the Parties.

Variation of the MoU

No variation of this MoU shall be effective unless it is in writing and signed by both Parties.

Termination of the MoU

This MoU does not constitute a legally binding contract, and may be terminated at any time by agreement or by either Party giving one month's notice to the other Party of its intention to terminate. This MoU may be terminated by either Party with immediate effect if the other Party does not comply with its terms.

MOU Purpose

The purpose of this MOU is to explain the nature of personal data collected and processed as part of the Annual Civil Service Employment Survey (ACSES), and the roles of the Parties, who are joint-controllers of these data.

Overview

The ACSES dataset holds information on all Civil Servants employed across government departments and their agencies. The data is updated on an annual basis by employing organisations, sourced from information held by the organisations. The information is collated at Cabinet Office into an amalgamated cross government dataset of civil servants.

The dataset contains both personal information and sensitive personal information. The data are classified as Official-Sensitive. Further detail on the data collected can be found in the 'Your data' section of the [Privacy Notice](#).

Cabinet Office and employing organisations responsibilities as joint data controllers

Under Article 26 (Joint Data Controllers) Cabinet Office and the employing departments

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 employing departments. For Cabinet Office specifically these are:

- Designing, implementing and evaluating cross civil service workforce policies including estimates of any associated workforce costs;
- Monitoring diversity and equality information including representation and pay and reporting it both internally as well as in the public domain;
- To report and publish management and statistical information in a non- identifiable aggregated format including diversity monitoring information;
- To monitor and report management and statistical information to officials across the Civil Service and for use in the public domain including diversity monitoring information;
- Providing analysis and evidence for professional and functional leads across the civil service for those staff in their professions/functions;
- To monitor and understand the career paths of different groups through the Civil Service.
- To identify particular skills and experience to aid in workforce planning and to facilitate the targeting of talent management or other development initiatives;
- To analyse patterns of attrition for different groups within the civil service;
- For cross civil service workforce planning purposes;
- To monitor the effectiveness and competitiveness of Civil Service reward packages.
- To enable Cabinet Office, senior officials and Ministers to respond to government select committees, Parliamentary questions and other bodies;
- To support the National Audit Office in meeting its objective of accountability of public service and public service improvement;
- To support the Office for Budget Responsibility in its economic and fiscal forecasting of the UK public finances; and
- Support the Cabinet Office in its management of the Civil Service compensation scheme.

The parties 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, or accidental disclosure, loss, destruction or damage. Cabinet Office will promptly inform employing departments, and vice versa, of any unauthorised or unlawful processing, accidental disclosure, loss, destruction or damage to any such personal data. Both 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 ACSES

dataset for related Cabinet Office activities.

- Commissioning the annual departmental datasets from departments.
- Maintaining and compiling the amalgamated ACSES database from departmental datasets.
- Following Cabinet Office Information Assurance processes to ensure that the necessary measures are taken to protect personal data.
- Ensuring approved 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 held as part of the database.
- Ensuring an appropriate level of technical and organisational security for the personal data, including restricting access to the database to approved staff only.
- Comply with the data protection principles, and with all relevant data protection legislation.
- Maintaining a PDPR (Personal Data Processing Record) and Privacy Notice for the ACSES dataset and adhering to the retention policy and processing purposes stated therein.
- Responding to data subject requests in relation to the ACSES dataset, such as for access (SARs), rectification or erasure and liaising as necessary with the employing department.
- Restrict access to the personal data to only the officials detailed in the 'Recipients' section of the [Privacy Notice](#).
- Providing a data sharing agreement for sharing the ACSES dataset with any separate data controllers.
- Secure transfer of personal data both internally and externally from CO.

Specific employing department's responsibilities as joint data controllers:

- Carrying out any required Data Protection Impact Assessment for the ACSES database for departmental activities.
- Updating their departmental dataset and providing the dataset to Cabinet Office on an annual basis.
- 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 database 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 the ACSES dataset is used for their own departmental purposes that any necessary Privacy Notices are provided to data subjects.
- Responding to data subject requests in respect of departmental ACSES 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.

Individual rights

GDPR specifies 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 employing departments Privacy Notice.

In response to any subject access request, Cabinet Office and departments 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 employing department will co-ordinate the collation of data from relevant parties and ensure that the requestor receives a response.

Personal data breach

Cabinet Office is responsible for reporting any breach within Cabinet Office in accordance with the data protection legislation.

Employing departments are responsible for reporting any notifiable personal data breaches within the department in accordance with the data protection legislation.

Both parties will notify the other about any data breaches affecting ACSES data.

Publishing this MOU

Cabinet Office will take responsibility for publishing this MOU.

Annex A

List of organisations

Accountant in Bankruptcy
Advisory Conciliation and Arbitration Service
Animal and Plant Health Agency
Attorney General's Office

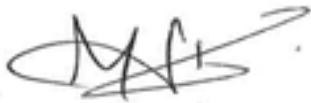
Cabinet Office
Centre for Environment Fisheries and Aquaculture Science
Charity Commission
Companies House
Competition and Markets Authority
Criminal Injuries Compensation Authority
Crown Commercial Service
Crown Office and Procurator Fiscal Service
Crown Prosecution Service
Crown Prosecution Service Inspectorate
Debt Management Office
Defence Equipment and Support
Defence Science and Technology Laboratory
Department for Business, Energy and Industrial Strategy
Department for Digital, Culture, Media and Sport
Department for Education
Department for Environment Food and Rural Affairs
Department for Exiting the European Union
Department for International Development
Department for International Trade
Department for Transport
Department for Work and Pensions
Department of Health and Social Care
Disclosure Scotland
Driver and Vehicle Licensing Agency
Driver and Vehicle Standards Agency
Education and Skills Funding Agency
Education Scotland
ESTYN
FCO Services
Food Standards Agency
Food Standards Scotland
Foreign and Commonwealth Office
Government Actuary's Department
Government in Parliament
Government Internal Audit Agency
Government Legal Department
Government Property Agency
Her Majesty's Courts and Tribunals Service
Her Majesty's Prison and Probation Service
HM Land Registry
HM Revenue and Customs
HM Treasury

Home Office
Insolvency Service
Institute for Apprenticeships and Technical Education
Legal Aid Agency
Maritime and Coastguard Agency
Medicines and Healthcare Products Regulatory Agency
Met Office
Ministry of Defence
Ministry of Housing, Communities and Local Government
Ministry of Justice
National Crime Agency
National Infrastructure Commission
National Records of Scotland
National Savings and Investments
Northern Ireland Office
Office for Budget Responsibility
Office for Standards in Education, Children's Services and Skills
Office of Gas and Electricity Markets
Office of Rail and Road
Office of the Public Guardian
Office of the Scottish Charity Regulator
Water Services Regulation Authority
Ofqual
Planning Inspectorate
Public Health England
Queen Elizabeth II Centre
Registers of Scotland
Revenue Scotland
Royal Fleet Auxiliary
Rural Payments Agency
Scotland Office (incl. Office of the Advocate General for Scotland)
Scottish Courts and Tribunals Service
Scottish Fiscal Commission
Scottish Government
Scottish Housing Regulator
Scottish Prison Service
Scottish Public Pensions Agency
Serious Fraud Office
Social Security Scotland
Standards and Testing Agency
Student Awards Agency for Scotland
Submarine Delivery Agency
Teaching Regulations Agency
The Health and Safety Executive

The National Archives
Transport Scotland
UK Export Finance
UK Hydrographic Office
UK Intellectual Property Office
UK Space Agency
UK Supreme Court
United Kingdom Statistics Authority
Valuation Office Agency
Vehicle Certification Agency
Veterinary Medicines Directorate
Wales Office
Welsh Government
Welsh Revenue Authority
Wilton Park Executive Agency

Martin Stopher

Head of Workforce Statistics and Analysis, Cabinet Office

A handwritten signature in black ink, appearing to read 'M. Stopher', with a long horizontal stroke extending to the right.