List Owner Compliance

Data Controller / Processor Questionnaire

Updated 27/09/2019

When supplying or using data, data controllers, their agents and/or data processors are required to complete this document. Not all questions apply to everyone so please complete all relevant questions.

|  |  |
| --- | --- |
| **1** | **Your Company Information (Agency or List Manager)** |
| 1.1 | Company Name  Click here to enter text. |
| 1.2 | Company Address  Click here to enter text. |
| 1.3 | Company Registration Number  Click here to enter text. |
| 1.4 | Your Name  Click here to enter text. |
| 1.5 | Your Title  Click here to enter text. |
| 1.6 | Your Email  Click here to enter text. |
| 1.7 | Your Telephone Number  Click here to enter text. |
| 1.8 | Is your company a member of any professional or trade bodies? If yes please enter details.  Click here to enter text. |
| 1.9 | Please provide your ICO Registration number below.  Click here to enter text. |
| 1.10 | A Data Processor Agreement (DPA) needs to be in place between all Controllers and Processors. List managers/brokers may be considered as Processors and list owners/users are Controllers. Are you able to provide copies of a DPA between the Controller and Processor if required? Yes  No |

|  |  |
| --- | --- |
| **2** | **Data Controller Information** |
| 2.1 | Company Name  Click here to enter text. |
| 2.2 | Company Address  Click here to enter text. |
| 2.3 | Company Registration Number  Click here to enter text. |
| 2.4 | List/Database Name  Click here to enter text. |
| 2.5 | Specify the channels the data could be used for 3rd party marketing.  Postal  Email  SMS  Telephone |
| 2.6 | Please provide you ICO registration number below.  Click here to enter text. |
| 2.7 | Is your company a member of any professional or trade bodies? If yes please enter details.  Click here to enter text. |
| 2.8 | Will the data be transferred/stored outside of the UK/EU.Choose an item. |
| 2.9 | If yes to 2.8, where will the data be stored? Click here to enter text. |
| 2.10 | If yes to 2.8, what steps has the list user taken to ensure international privacy rules have been adhered to. Examples might include Privacy Shield, Binding Corporate Rules, third party country is deemed to have adequate data protection rules? Click here to enter text. |
| 2.11 | Has your company suffered information security related incidents over the past two years? If yes, please provide details of the breach, your response to the breach and measures you have taken to mitigate it happening again.  Click here to enter text. |
| **3** | **List/Database Information** |
| 3.1 | How is the list compiled? If by more than one channel (online, direct mail, inserts etc.,) please list them below.  Click here to enter text. |
| 3.2 | When was the list first compiled  Click here to enter a date. |
| 3.3 | How often is the list/database updated  Click here to enter text. |
| 3.4 | When was the list/database last updated  Click here to enter a date. |
| 3.5 | Please confirm if you will screen the data supplied against the following suppression services prior to supply. Please note screening against MPS and any industry Deceased suppression files is a requirement of the DMA.  MPS every Choose an item. Last run on Click here to enter a date.  Baby MPS every Choose an item. Last run on Click here to enter a date.  TPS every Choose an item. Last run on Click here to enter a date.  Goneaways every Choose an item. Last run on Click here to enter a date.  Deceased every Choose an item. Last run on Click here to enter a date.  If other suppression services are used, please provide details below.  Click here to enter text. |
| 3.6 | Please describe your procedure for handling unsubscribe/no rental to 3rd party requests from customers/subscribers.  Click here to enter text. |
| 3.7 | Please provide the details of the person responsible for processing data queries such as Subject Access Requests, data removals/updates or complaints.  Name Click here to enter text.  Telephone Click here to enter text.  Email Click here to enter text. |
| 3.8 | Please provide the details of your compliance officer  Name Click here to enter text.  Job title Click here to enter text.  Telephone Click here to enter text.  Email Click here to enter text. |
| 3.9 | What Data Protection training do you offer staff and how often?  Click here to enter text. |
| 3.10 | Do you have automatic unsubscribes in the body of every marketing email you send?  Click here to enter text. |
| 3.11 | By what method do you use to transfer data between you and 1) Processors and Sub- processors 2) 3rd party companies?  Click here to enter text. |

|  |  |
| --- | --- |
| **4** | **Data Subjects Permission when sharing data with 3rd parties** |
| 4.1 | Please indicate below the legal grounds for processing you are using under GDPR/UK Data Protection Act 2018  Choose an item. |
| 4.2 | If using Legitimate Interest, could you provide a copy of your Legitimate Interest Assessment if requested? YES  NO |
| 4.3 | Please indicate below the legal basis for processing based on the marketing channels your data will be used for.   |  |  |  |  |  | | --- | --- | --- | --- | --- | |  | Postal DM | Telephone | Email/SMS | Automated Calls | | Consent | Select | Select | Select | Select | | Legitimate Interest | Select | Select | Select | Select | | Other | Select | Select | Select | Select |   If other, please provide details below.  Click here to enter text. |
| 4.4 | If using Legitimate Interest does your data collection statement define the types of third party organisations or third party offers the data subjects are likely to receive postal marketing communications about? I.e., Charity, Mail Order, Finance, Health etc.,  Choose an item.  If using Consent, are the 3rd parties specifically named? Choose an item. |
| 4.5 | Please provide us with examples of your data collection statements in the form of a screen grab, pdf of a coupon from a catalogue or off the page advertisement. Please provide a sample from each data collection point if more than one. |
| 4.6 | Do your data capture points (order forms, order line, online forms) clearly highlight your Privacy Policy/Data Protection statements? Please provide a link to your privacy policy.  Click here to enter text. |
| 4.7 | If you collect personal information over the telephone, in call centres how do you communicate the potential use of customers’ postal data for 3rd party postal direct marketing? If required are you able to provide a copy of your script? Yes  No |
| 4.8 | When a third party uses your data, do you satisfy yourself that their intended use is in accordance with the Data Protection Act 2018 Choose an item. |

|  |  |
| --- | --- |
| 4.9 | In accordance with Best Practice please confirm if you would allow the list user to print a statement of origin within their communication. If Yes please provide the relevant details below. (This is not a legal requirement however some list users, most Charities for example make this a condition of renting postal lists for third party marketing.  Company/Data Controller Name: Click here to enter text.  Data Protection Officers or Contact: Click here to enter text.  Data Protection contact number: Click here to enter text.  Address to write to: Click here to enter text.  This is an example of a statement of origin: *We hope you don't mind that your name and address were passed to us by XXXX so we could send you our latest catalogue which we believe will be of interest to you using legitimate interest as the legal basis for processing under GDPR/UK Data Protection Act 2018. You can contact XXXX to change your data preferences by calling XXXXXX or www.xxxx* |

|  |  |
| --- | --- |
| **5** | **Authorised Signatory** |
| 5.0 | Sign Here \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Name Click here to enter text.  Position \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date 06/02/2019 |