

Appropriate Policy

Special category and criminal conviction personal data

1. This policy sets out how the Manston Independent Inquiry (the 'Inquiry') will protect special category and criminal convictions personal data.
2. It meets the requirement at paragraph 5 of Schedule 1 to the Data Protection Act 2018 that an appropriate policy document is in place where the processing of special category personal data and criminal offence personal data is necessary for reasons of substantial public interest and for the purpose of exercising a function conferred upon the Chair by a Minister of the Crown.
3. For further information about how the Inquiry will collect and use your personal data, the purposes for which it is collected, the legal basis for processing personal data, special category and criminal offence personal data and your rights under data protection laws please refer to the Inquiry's Privacy Notice.

Procedures for securing compliance

4. The Inquiry's procedures for ensuring that it complies with the data protection principles (set out in Article 5 of the General Data Protection Regulation ('GDPR')) are as follows:

Principle 1: Lawfulness, fairness and transparency

5. Principle 1 requires that personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject.
6. The Inquiry will:
 - ensure that personal data is only processed where a lawful basis applies, and where processing is otherwise lawful;
 - only process personal data fairly, and will ensure that data subjects are not misled about the purposes of any processing;
 - ensure the transparency of processing, including through the information provided in the Privacy Notice published on the Inquiry's website;

- take responsibility for complying with the UK GDPR, at the highest management level and throughout our organisation, overseen by an experienced data protection officer;
- Only process personal data fairly and will ensure that data subjects are not misled about the purposes of any processing. The Inquiry has published details about the way in which it will process personal data in its Privacy Notice and in this document;
- adopt and implement a data protection policy that underpins data protection by design, ensuring that all personal data is protected by appropriate measures throughout its lifecycle;
- Put additional technical and organisational measures in place for special category data; and
- document and monitor our data processing activities, through the use of data protection impact assessments and related documentation, and through regular audits of higher risk processes.

Principle 2: Purpose limitation

7. Principle 2 requires that personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is inconsistent with those purposes.

8. The Inquiry will:

- only collect personal data for specified, explicit and legitimate purposes to discharge its Terms of Reference, and will inform data subjects what those purposes are in its published Privacy Notice;
- not use personal data for purposes that are incompatible with the purposes for which it was collected, and if we do use personal data for a new purpose that is compatible, we will inform the data subject first.

Principle 3: Data minimisation

9. Principle 3 requires that personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

10. The Inquiry will:

- not ask for personal information that is not potentially required, or potentially necessary for the Inquiry to deliver its terms of reference
- only collect and/or disclose the minimum personal data that it needs for the purpose for which it is collected and/or disclosed.
- ensure that the data it collects is adequate and relevant
- periodically review the information we hold and delete data that is no longer needed

Principle 4: Accuracy

11. Principle 4 requires that personal data shall be accurate and, where necessary, kept up to date.

12. The Inquiry will ensure that personal data is accurate and kept up to date where necessary by taking particular care where its use of the personal data has a significant impact on individuals. Where the Inquiry becomes aware that personal data is inaccurate or out of date, having regard to the purpose for which it is being processed, the Inquiry will take every reasonable step to ensure that inaccurate data is erased or rectified without delay. A record will be maintained of mistakes or requests for data rectification.

Principle 5: Storage limitation

13. Principle 5 requires that personal data shall be kept in a form which permits the identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.

14. The Inquiry will ensure it knows what personal data is held, document the reasons for holding it, how long it needs to keep it for and why, be transparent about how long we keep information, by publishing details in its Privacy Notice, and clearly identify any personal data that needs to be kept for public interest archiving.

15. The Inquiry will only keep personal data in identifiable form until the conclusion of the Inquiry. At the end of the Inquiry, some of the personal data will be transferred for the purposes of retention of the Inquiry records by the National Archives in accordance with

the Public Records Act 1958, where it will be available for historical research. Personal data that is not required for archiving purposes will be securely destroyed.

Principle 6: Integrity and confidentiality

16. Principle 6 requires that data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

17. The Inquiry will ensure that personal data is shared only with those who are required to see it as part of the Inquiry's work (which may include the public). The Inquiry will, at all times, consider whether the processing or disclosure of such data is necessary for its proceedings and functioning.

18. The Inquiry will ensure that appropriate organisational and technical measures are in place to protect personal data. These will include disclosure and redaction protocols that govern the protection of personal data. It will also put in place appropriate technical, physical and managerial procedures, including training, to safeguard and secure the information that it collects about individuals. These processes ensure that only personal data necessary for the Inquiry's performance of its functions will be disclosed outside of the Inquiry. Third parties or contractors that the Inquiry engages with will only process your personal data on the Inquiry's instructions or with its agreement and where they do so they have agreed to treat the information confidentially and to keep it secure.

Accountability

19. The Inquiry's Chair, Sophie Cartwright KC, is the Data Controller and shall be responsible for, and be able to demonstrate compliance with the UK GDPR principles. The Secretary to the Inquiry is the Senior Information Risk Owner for the Inquiry who is responsible for ensuring that the Inquiry is compliant with these principles. The Inquiry will:

- ensure that records are kept of all personal data processing activities and that these are provided to the Information Commissioner on request;
- carry out a Data Protection Impact Assessment for any high-risk personal data processing, and consult the Information Commissioner if appropriate;

- appoint a Data Protection Officer to provide independent advice and monitoring of the Inquiry's personal data handling and ensure that this person has access to the Chair and Secretary to the Inquiry;
- have appropriate data protection policies in place; and
- have internal processes in place to ensure that personal data is only collected, used or handled in a way that is compliant with data protection law.

Data controller's policies as regards to retention and erasure of personal data

20. The Inquiry will ensure, where personal data, special category or criminal convictions personal data is processed, that:

- there is a record of that processing, and that that record will set out, where possible, the time limits envisaged for erasure of the different categories of personal data;
- where it no longer requires personal data, special category or criminal convictions personal data for the purpose for which it was collected, it will delete it or render it permanently anonymous;
- data subjects receive (through the Inquiry's Privacy Notice) full privacy information about how their data will be handled, the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period.

Further information

21. For further information about the Inquiry's compliance with data protection laws, please contact: info@manston-independent-inquiry.uk.

22. This version of the Appropriate Policy was published on 09 July 2025. This policy will be periodically reviewed and may be updated.