DATE

RECIPIENT NAME

ADDRESS

Dear Sir/Madam

Your Voice in Health & Social Care (YVHSC)is currently contacting all suppliers of services to our company for the purposes of performing a due diligence check in regard to the new General Data Protection Regulation due to come into force on the on the 25th May 2018.

Please note that as per Article 28(1) of the GDPR we can only use a supplier (Data Processor) who is “**providing sufficient guarantees to implement appropriate technical or organisation measures, in such a manner that processing will meet the requirements of this regulation…”.** Therefore, we have compiled a supplier questionnaire (see attached) which we would like your organisation to complete and return to YVHSC. We will carefully review responses from suppliers and make decisions in the very near future, so a reply as soon as possible would be appreciated.

If we are within an extended period contract, which extends beyond 25th May 2018, we will still require a response to the questions attached as well as confirmation that the terms and conditions, on the existing contract, will be amended to contain the specific data privacy wording required by the GDRP legislation, to clarify your organisations obligations and duties to YVHSC under the new legislation.

Thank you,

\_\_\_\_\_\_\_\_\_\_\_\_

**Data Processor Checklist**

Please complete and return to email address \_\_\_\_\_\_\_\_\_\_\_\_

Name of supplier:

Main supplier contact details for all data privacy matters:

|  |  |  |
| --- | --- | --- |
| **REQUIREMENT** | **YES/NO** | **COMMENT** |
| Please confirm what sufficient guarantees you can give YVHSC that demonstrate your understanding and implementation of your obligation, as a processor, under the new GDPR legislation, including any certifications or externally audited processes. |  |  |
| Do your standard contract terms include the new GDPR mandatory provisions? |  |  |
| Do your standard contract terms propagate down, within a formal contract, to your sub contract providers involved in the service to YVHSC? |  |  |
| Are you maintaining Data Processing Records? (as outlined in Article 30 of GDPR) |  |  |
| Please detail all sub-contractors, included in the provision of your service to YVHSC. |  |  |
| Do you have a documented Breach Notification Process to ensure notification to YVHSC within 72hrs? |  |  |
| Do you and your sub processors, providing the service to YVHSC, have a documented process for the deletion of subject’s records, upon request, from both live or archived records and backups of your systems? |  |  |
| Can you confirm our right to have personal data deleted or upon termination of contract at no extra cost? |  |  |
| Does yours and your sub processor/s, involved in the delivery of services to YVHSC, website/software have a data privacy policy and fair processing notice which meet GDPR requirements? |  |  |
| Do your contracts of employment contain confidentiality and gross misconduct clauses, in the context of customers data privacy? |  |  |