



24 March 2010

Dear Member

**Joint letter from the House of Commons administration and IPSA:
sharing of personal information and administration of salaries**

The House administration holds personal information about Members and their staff, for example to administer salaries and other payments. As you know, after the General Election the Independent Parliamentary Standards Authority (IPSA) will be responsible for the payment of Members' and their staff's salaries and expenses, activities conferred on it by the Parliamentary Standards Act 2009.

This letter explains the principles which will govern the sharing of personal information about Members and their staff between the House and IPSA. The accompanying briefing note also gives information about how IPSA will administer the salaries of Members and their staff, and related data handling issues.

Although mainly for your information, please note that you may need to take action at a later stage. For example, you may be asked by the House for your consent to transfer certain personal data; and you may need to make new instructions to IPSA after the Election about certain salary deductions.

General principles

The Clerk of the House is the nominated "data controller" for the House administration, and the Director of Finance and Corporate Services is the data controller for IPSA. As data controller (for the Commons), the Clerk can authorise the sharing of information held by the House administration with a third party, subject to the conditions set out in the Data Protection Act 1998 ('the Act').

IPSA and the House are committed to ensuring that any information shared between them is processed in accordance with the principles set out in the Act. Specifically, information will only be shared where this is necessary for both the House and IPSA to carry out their legitimate business, and where it is of benefit to the individuals who are the subject of that information. The House and IPSA have agreed that we will share only the minimum amount of personal data necessary.

We have also agreed that personal data defined as 'sensitive' by section 2 of the Act – for instance, relating to medical conditions – will only be transferred if this is absolutely essential, and only with the explicit prior consent in writing of the person who is the subject of the information.

Any information that is shared will be held and controlled by IPSA to perform its functions on an ongoing basis. The information will also continue to be held and controlled by the House where it is necessary for it to be retained, e.g. for the auditing of the House's accounts or for other administrative purposes.

The House and IPSA have agreed a security protocol which is in line with best practice. All personal or other sensitive data will be handled by a minimum number of named individuals. Electronic data will be encrypted before transfer by personal delivery to IPSA, and IPSA will sign for receipt. Hard copy data containing personal or other sensitive information will be transferred securely using an approved House agent and signed for on receipt. IPSA will ensure the security of data at all times.

Arrangements for payment of salaries

There is also a specific need to share certain information to ensure continuity and accuracy in salary administration for those Members returned at the Election and their staff, who will be paid by IPSA after the Election. The enclosed briefing note explains in more detail how the House administration and IPSA will share this information, and the approach to specific categories of data. It also gives details about how IPSA will administer such salaries.

If you have any questions about the operation of the Data Protection Act in the House, please contact Bob Castle on x2032. For more information about data that may be shared between the House and IPSA, please contact John Owen on x2293.

For queries about data handling by IPSA, please contact Philip Lloyd at IPSA on 0203 334 0641 (from Monday 29 March 020 7811 6466 – subject to confirmation by BT).

This letter will be made available to Members' staff and their representatives.



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Department of Resources
House of Commons



Philip Lloyd
Director of Finance and Corporate Services
IPSA



Briefing note: Administration of salaries and data handling issues

The House Administration and IPSA are working together to ensure that Members who are re-elected at the General Election, and their staff, have continuity in the payment of their salaries. To achieve this, we will need to share some information so that IPSA can take over the administration of payroll for returned Members and their staff.

Most payroll-related data of this kind is not 'sensitive' personal data as defined by the Act. In a very small number of cases the House makes deductions from salaries in response to a court order, or an order of the Child Support Agency, sent to the House administration or to the Member concerned and forwarded to the House administration. Although these do not constitute 'sensitive' data under the DPA, in these cases, the House administration will contact the individuals concerned, before any sharing of such data with IPSA. The House administration will also contact the Court Service and the CSA to explain that the House is no longer responsible for Members' and Members' staff payroll.

Contracts of employment for Members' staff

In the case of staff of Members who are re-elected, IPSA will require a copy of the contract of employment between Members and their staff as a condition of payment of salary from staffing expenditure. The House currently holds such contracts for Members' staff. Formally, the Member is the data controller for these contracts, but the House administration is able to process such information on behalf of the Member. In line with our aim of ensuring continuity of payment of salary, the House administration will, after the Election, transfer to IPSA copies of contracts of staff who work for Members who have been re-elected. The House's standard staff contracts do not contain sensitive personal data.

Payments to trade unions, etc

Trade union subscriptions, and payments to the Labour Benevolent Fund, are classed as 'sensitive' personal data under the Act. This information will not be shared between the House and IPSA, as IPSA has decided that it will not make such deductions directly from salary. If you currently make such deductions from your salary, you will need to speak to the payee and perhaps instruct your bank, after the Election, to arrange for such payments and subscriptions to be made directly from your bank account. The House will inform organisations to which Members and their staff have made regular payments through payroll deductions that IPSA will in future be responsible for administering Members' and Members' staff payroll, and that it will not be making such deductions from payroll.

Give as you earn

If you currently make payments to charities or other organisations on a "give as you earn" basis through deductions from your salary, you will need to give IPSA a new letter of authority to make such deductions as current deductions will not be transferred automatically from the House's payroll to IPSA. IPSA will be writing to all Members and Members' staff with more details in due course.

Members' Fund

Payments to the Members' fund from Members' salaries will be made automatically by IPSA, as they are now by the House administration.

Pension deductions

If you currently pay pension contributions through deductions from your salary, details of these deductions will be transferred automatically from the House to IPSA.

Queries

If you have any queries about the administration of your salary by the House of Commons, please contact Siobhan Chalmers or Debbie McGuire in the House of Commons on x0596/6130.

For queries about IPSA's administration of salaries, please contact Vicky Castle on 020 3334 0643 (from Monday 29 March 020 7811 6465 – subject to confirmation by BT).