Cytundeb Rhannu Gwybodaeth
Bersonol Cymru
Wales Accord on the
Sharing of Personal Information

# Summary of key changes to WASPI Templates and Guidance Documents for Version 6

This summary document outlines some of the **key** changes which have been made to the WASPI templates and guidance documentation as part of the Version 6 releases for consultation.

Changes to the templates and guidance have been made to align with the introduction of the Data (Use & Access) Act. These changes include references to recognised legitimate interest as a legal basis, data protection complaints and the name change of the ICO where relevant.

Other minor changes, not mentioned in this summary, have been made throughout these documents including grammar, format and wording changes. These alterations also incorporate changes made to align with the draft WASPI UK GDPR Code of Conduct for Information Sharing Protocols.

Other changes include:

### DDA Template

- The glossary of terms and standardisation of wording has been updated to be consistent with other WASPI templates.
- Section 5 has been modified to allow partners to clearly set out what Personal Data is disclosed for the purposes of the agreement.
- The Review, Breaches and Termination sections have been updated to allow more flexibility for organisations.

### DDA Template Guidance

- Inaccurate and inconsistent references to ISPs have been removed.
- Wording has been added to reflect that if any changes to the standard text of this agreement are made, organisations will be required to ensure that the WASPI logo is removed from the documentation.
- Updated links to ICO guidance have been inserted in respect of law enforcement processing.

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**Data Processing Agreement Template**

- An option to add a title of the agreement to cover page has been introduced.
- XIV is a new addition to agreement, allowing an organisation to set out the location of Personal Data.
- Section 7.7 is a new addition to cover data protection complaints.
- Section 9 has had minor changes to wording on International data transfers.
- An additional line has been added in respect of Section 14.1 Indemnity, in response to feedback received from partners,
- Section 8 has been updated to reflect the term of Sub-processor as opposed to sub-contractor.

**Data Processing Agreement Template Guidance**

- Location of data added to Part 1 Front Sheet.
- Section 1.23 added to reflect the new WASPI Data Sub-processing Agreement template available.

**WASPI Data Sub-processing Agreement and Guidance**

**NEW TEMPLATE**

- 8.2.2 of the WASPI Data Processing Agreement template requires Processors to enter "into a written contract with the Sub-processor that contains terms substantially the same as those set out in this Agreement" where authorising a Sub-processor. This WASPI Data Sub-processing Agreement template has been created to align with the existing WASPI Data Processing Agreement template to ensure that terms are substantially the same.
    - Organisations may wish to use this where they are a Processor and have entered into an agreement using the WASPI Data Processing Agreement template.
    - Organisations may also wish to forward this to Processors for them to use when they have entered into an agreement using the WASPI Data Processing Agreement template as a Controller.

**Joint Controller Agreement Template**

- G and H in the table in the Front Sheet separates “Categories of Personal Data” (e.g demographic data, health data, criminal offence information) and “Categories of Data Subjects” (e.g patients, service users, staff, customers/ clients, suppliers)
- Section 13 has been updated to reflect obligations in respect of FOIA/EIR.
- Appendix A Terms and Conditions have been moved to within the core Template itself with references to appendices throughout the template updated accordingly.