**Instructions on Completion of the Questionnaire;**

Tenderers must ensure they complete each question of this questionnaire, failure to do so may result in rejection of your Tender as being non-compliant and your exclusion from the tender process.

**Attachments**

Any attachments you propose to include as part of/ in support of your response must contain the name of your Organisation in the title along with the appropriate question number as indicated and enclosed within square brackets at the beginning of the attached document’s file name e.g. [Tenderer x Q23].

Failure to do so may mean the attachment may not be read and therefore may not be taken into consideration as part of your tender response.

|  |
| --- |
| **Company Details** |
| Company Name |  |
| Company Address |  |
| Company Number  |  |

|  |
| --- |
| **Contract /Service Details** |
| Contract Name/Service Description |  |
| Contract Ref |  |

|  |
| --- |
| 1. **General Data Protection Regulations 2018 (GDPR)**
 |
| Please confirm your that your Organisation complies with the Requirements of GDPR 2018?Yes [ ] No [ ]  |

|  |
| --- |
| **2.** **Data Protection Breach (PASS/FAIL)** |
| **2a.** Has a data protection breach been reported to the ICO by your company or a third-party in the last 12 months? Yes [ ] No [ ]  |
| ***If Yes, please complete the table below:***

|  |  |  |
| --- | --- | --- |
| Date Reported  | Breach Detail | Outcome (e.g. no action, undertaking, enforcement, fine)  |
|  |  |  |
|  |  |  |
|  |  |  |

  |
| **2b.** Has your Organisation or any other person who has powers of representation, decision or control in the Organisation been convicted of breaching GDPR 2018?Yes [ ] No [ ] If ‘Yes’ please provide below a summary of the nature of the breach and an explanation of what action (if any) you have taken to prevent a breach from reoccurring.You may be excluded if you are unable to demonstrate to Magenta Living’s satisfaction that appropriate remedial action has been taken to prevent similar unlawful breaches reoccurring |
| ***Insert your response here*** |

|  |
| --- |
| **3. Controller Registration (PASS/FAIL)** |
| As stated in the Specification, the Successful Tenderer(s) **must** be registered as a Controller with the Information Commissioners Office (ICO)  |
| Please confirm your organisation is registered as a Controller with the ICO Yes [ ] No [ ]  |
| If Yes, please state Notification reference/registration number(s) below.***Insert your response here*** |

|  |
| --- |
| **4. Data Protection Officer (DPO) Details**  |
| Please provide the name and position held within your Organisation of your DPOName: Position in company:  |

|  |
| --- |
| **5. Data Requirements (FI)** |
| Please detail the data to be provided by Magenta Living in order for you to fulfil the Contract. Tick (🗸) all that apply

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Property Address |  | Tenancy History |  | Ethnic origin or religion |  |
| Customer Name |  | Disabilities |  | Sexual preference or lifestyle |  |
| Customer Contract Details  |  | DOB, age or gender |  | Other sensitive personal data (special categories of personal data)  |  |
| Asbestos data |  | Details of challenging tenants |  | Details of vulnerable tenants  |  |

 |

|  |
| --- |
| **6. Use of personal data**  |
| Is it your intention to use the personal data provided by Magenta Living for purposes other than servicing the Contract? Yes [ ] No [ ]  |
| If Yes, please state below the additional purpose(s) and the type of data (e.g. name, address, contact details etc) |
| ***Insert your response here*** |

|  |
| --- |
| **7. Policies, procedures and processes** (**PASS/FAIL)** |
| As a minimum your company **must have** the following policies, procedures and processes in place: * Information Security Management
* GDPR Staff Training and Awareness
* Data Retention and Disposal

This is a mandatory requirement. Please note that you may be required to provide evidence to validate your responseFrom the table below, please state which of the policies, procedures and processes your company has in place. ***Please indicate Yes or No (Y/N) to each***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Information Governance | Y/N | Information Security Management – **Mandatory requirement** | Y/N | Business Continuity/Disaster Recovery  | Y/N |
| GDPR Staff Training and Awareness - **Mandatory requirement** | Y/N | Data Retention and Disposal - **Mandatory requirement** | Y/N | Data Breach Incident Management  | Y/N |
| Data Sharing and Transfer | Y/N | Individual Information Rights (Privacy Policy) | Y/N | Management of Processors and Sub-Processors | Y/N |

 |
| If you have answered **No** to any of the **mandatory** required policies, procedures and processes, please provide an explanation below as to how your organisation addresses these requirements.  |
| ***Insert your response here*** |

|  |
| --- |
| **8. Data Management** |
| Under Data Protection the *Contract/Framework Agreement*\* (delete as necessary) specifies the period you are required to retain data.Following this period, you are required to return/delete the information. Please provide details below of how you propose to manage this requirement?   |
| ***Insert your response here*** |

|  |
| --- |
| **9. Data Processing**  |
| Please provide details of where your organisation will be processing Magenta Living’s DataTick (🗸) all that apply

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Own Premises |  | Sub - Contractors |  | Cloud Computing |  | Other (please describe) |  |

  |

|  |
| --- |
| **10. Data Flow**  |
| Please provide a data flow diagram showing how your proposed solution handles Magenta Living’s Data. The more detailed the better. You must ensure as a minimum the below questions are answered. 10.1 Where will the data be stored?10.2 Where are any datacentres located (geographically)?10.3 Who will be accessing the data?10.4 What devices will the data be accessed on and where are they located (geographically)10.5 What frequency will the data need to be updated?10.6 Highlight any areas where data changes from being encrypted data to unencrypted data and vice versa.10.7 Highlight any areas where responsibility for protecting the data is transferred from one party to another.10.8 Identify the level of encryption (cryptographic cypher & key size) in all instances where data is encrypted.10.9 Highlight any change in ICT infrastructure on which the data will be stored. |
| ***Insert your response here*** |

|  |
| --- |
| **11. Data Security**  |
| Please describe how you will keep the personal data provided to you by Magenta Living secure.  |
| ***Insert your response here*** |

|  |
| --- |
| **12. Data Protection Training**  |
| Have you conducted data protection training for your employees and other stakeholders whom will be responsible for delivering this Contract?Yes [ ] No [ ]  |
| If Yes, please state who was trained (i.e. post title, teams) and the most recent date of that training. If no, please state reasons why. |
| ***Insert your response here*** |

|  |
| --- |
| **13. Sub-contractors (Sub – Processors)** |
| Where you propose to sub-contract elements of the Contract, do you have formal contracts in place with your third-parties (sub-processors) that include data protection clauses Yes [ ] No [ ]  |
| If Yes, please broadly state the data protection controls you have in place with sub-processors (i.e. who and what systems). If no, please state why. |
| ***Insert your response here*** |

|  |
| --- |
| **Response completed by** |
| Name: |
| Role in Organisation: |
| Date: |
| Signature: |