

The Forde Inquiry

Privacy Notice

Last updated: 26 June 2020

The Forde Inquiry ("the Inquiry") is an independent investigation into the circumstances and contents of the report entitled "*The work of the Labour Party's Governance and Legal Unit in relation to anti-Semitism, 2014-2019*" (the "Report"). The Inquiry has been commissioned by the National Executive Committee ("NEC") of the Labour Party to whom the Inquiry will report at the end of its work. The Inquiry is the data controller for your personal information. The scope and terms of reference of the Inquiry are set out on our website <https://www.fordeinquiry.org>.

This Privacy Notice explains how the Inquiry will use personal information about you, who it may be shared with and how you can exercise your privacy rights. If you have any questions or concerns about our use of your personal information, then please contact us using the contact details provided at the bottom of this Privacy Notice.

What personal information does the Inquiry collect and what is the legal basis for doing so?

Purposes of collection of personal information

The purposes for which the Inquiry collects and processes your personal information are to investigate and report on the matters set out in its Terms of Reference.

The Panel is issuing a call for evidence to ensure it has an opportunity to receive views from those individuals, Labour Party members and affiliated organisations who have been affected by the Report as well as any other individual or organisation which may wish to make a submission in respect of the Terms of Reference. The call for evidence will be published on the Forde Inquiry website.

This investigation is not a statutory inquiry. The Panel has no power to summon witnesses if they do not wish to appear or submit evidence.

The Panel is intending to use personal information in a number of ways. For example, the Panel will collect and examine information submitted to it in the call for evidence, seek interviews with relevant witnesses, communicate with individuals and provide updates on the progress of the Inquiry.

Personal information may also be used by the Inquiry to comply with the law.

Personal information collected during the course of the Inquiry may be published in the Panel's report into the investigation. Where the Panel considers that it will assist the purpose of the Inquiry, as set out in the Terms of Reference, it may wish to publish personal information of those who have submitted information as part of the call for

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evidence or it may wish to publish the content of interviews with witnesses. You will be notified, prior to publication, if we intend to name you in the final report.

Personal information collected

Personal information is collected, recorded and organised by the Inquiry. Personal information may be requested by the Inquiry from relevant individuals or submitted in response to the Panel's call for evidence.

Personal information processed by the Inquiry can comprise the personal information of:

- Any individual providing evidence in respect of our Terms of Reference;
- Individuals who are identified or identifiable in the Report;
- Individuals who are identified or identifiable as a result of the three other investigations which are taking place in parallel with the Inquiry, namely:
 - the investigation by the Equality and Human Rights Commission under the Equality Act into antisemitism in the Labour Party;
 - the investigation by the UK Information Commissioner into possible breaches of data and privacy law resulting from the leak of the Report; and
 - the internal investigation by the UK Labour Party into the leaking and content of the Report.

The categories of personal information which will be processed in relation to the Inquiry's investigation and report into the matters in the Terms of Reference include:

- Biographical personal information such as name, date of birth, contact details, job description, job history, disciplinary records and findings; and
- Special category personal information such as information relating to race/ethnicity, religious beliefs, political opinions, philosophical beliefs or trade union membership.

Legal basis

The primary legal basis relied on for lawful processing by the Inquiry is Article 6(1)(f) of the General Data Protection Regulation ('GDPR'), processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data.

The legitimate interests in this context include:

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- The ability of the Inquiry to examine and to produce an evidence-based, balanced analysis of the matters relating to the Terms of Reference;
- The ability of the Inquiry to make robust recommendations in relation to the steps which the Labour Party should take so as to ensure that its future structure, management organisation, rules and disciplinary procedures are fit for purpose;
- The interests of the Labour Party in ensuring that its organisation and processes enable it to function effectively in fulfilling its role as the main Party of Opposition in questioning the Government and holding it to account.

Where applicable, personal information may be processed on the basis of the consent of the data subject under Article 6(1)(a) of the GDPR.

Personal information may also be processed on the basis that it is necessary to comply with a legal obligation under Article 6(1)(c) of the GDPR.

In relation to special category personal information, the additional legal bases for processing under Article 9 of the GDPR and s.10 of the Data Protection Act 2018 include:

- Processing is necessary for the purposes of the prevention or detecting of an unlawful act (see paragraph 10 of Schedule 1 to the Data Protection Act 2018);
- Processing is necessary for the purposes of complying with, or assisting other persons to comply with a regulatory requirement (see paragraph 12 of Schedule 1 to the Data Protection Act 2018); or
- (where applicable and appropriate) the data subject has given explicit consent to the processing.

Who we share your personal information with and why

Your personal data may be shared with other individuals or organisations who are taking part in the Inquiry and may ultimately be published in the final report. We will protect your personal information, including removing identifiers and redacting details which could be used to identify you, where we consider that it is useful to do so. This is to ensure that only data necessary for the Inquiry's performance of its functions will be disclosed outside the Inquiry.

During the course of the Inquiry your personal information may be shared with the following groups of individuals:

- The Secretariat and Panel to the Inquiry;
- Other witnesses to the Inquiry, where this is important to examine the evidence and to make relevant findings of fact;
- Third party processors (such as providers of IT infrastructure or services);

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- The public via the Inquiry website or via published reports;
- The NEC of the Labour Party; and
- Any competent law enforcement body, regulatory, government agency, court or other third party where we believe disclosure is necessary (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend our legal rights, or (iii) to protect your vital interests or those of any other person.

Data retention

Your personal information will be held by the Inquiry until its conclusion. At the end of the Inquiry, your personal information will be retained until any relevant limitation periods in relation to the Inquiry have expired. It will then be deleted.

International Transfers

Your data will not be transferred overseas.

Your data protection rights

You have the following data protection rights:

- If you wish to **access, correct, update or request deletion** of your personal information, you can do so at any time by contacting us using the contact details provided under the “How to contact us” heading below.
- In addition, you can **object to processing** of your personal information, ask us to **restrict processing** of your personal information or **request portability** of your personal information. Again, you can exercise these rights by contacting us using the contact details provided under the “How to contact us” heading below.
- Similarly, if we have collected and processed your personal information with your consent, then you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.
- You have the **right to complain to a data protection authority** about our collection and use of your personal information. For more information, please contact the Information Commissioner's Office at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Tel: 0303 123 1113. Email: Casework@ico.org.uk.

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We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

Updates to this Privacy Notice

We may update this Privacy Notice from time to time. When we update our Privacy Notice, we will take appropriate measures to inform you, consistent with the significance of the changes we make. We will obtain your consent to any material Privacy Notice changes if and where this is required by applicable data protection laws.

You can see when this Privacy Notice was last updated by checking the “last updated” date displayed at the top of this Privacy Notice.

How to contact us

If you have any questions or concerns about our use of your personal information, please contact us using the following details: privacy@fordeinquiry.org.

The data controller of your personal information is the Forde Inquiry which is registered with the Information Commissioner's Office (registration number A8711680).