
Due Diligence Consideration of Prospective Supplier

Corpdata are an established UK B2B data company who have been trading for over 25 years. They update their data only from their UK telephone call centre. They keep evidence of all interactions where preferences are gained, change or are confirmed.

They are Registered in the UK Reg No: 02690712, ICO Reg No: Z5404661, their website is www.corpdata.co.uk where these details have been confirmed. Corpdata have mature requirements, and take care of personal data for allowing access to their data products, and their processes put the data subject, their rights and protection of their data at the centre of their operation. We have a copy of the balancing test performed by Corpdata assessing the legality of supplying the proposed data.

Balancing Test for the Usage of Personal Data

Introduction

This balancing test is to balance the legitimate interest of D&M Creative Ltd to use personal data for direct marketing purposes against the risks to the interests or fundamental rights and freedoms of the data subjects.

This document forms part of the records of D&M Creative Ltd required to demonstrate we have taken due account of the risks involved.

Intended Data Processing

We, D&M Creative Ltd, intend to use data supplied under license by Corpdata Limited. The data will be used to send direct marketing or for prospecting to gain new clients and/or sales. We plan to promote MARKETING & GRAPHIC DESIGN AGENCY to decision makers in UK organisations. The targeting we have used is suitable to identify contacts for whom the direct marketing will be 'professionally relevant'.

The personal data concerned is the contact details for the decision makers including email address, telephone number, job title, address, company name and name. There is no sensitive data involved.

We have identified a need to find new customers and failing to do so will be prejudicial to the interests of the organisation, its members and stakeholders.

Risks to the Interests or Fundamental Rights and Freedoms of the Data Subject

There is a risk that the data subject will not know their data is being used and might feel the use is not transparent and fair. The data subject may be unaware of their rights concerning it's use.

There is a risk the exercising of their rights will not be observed, specifically their rights to access, to rectification, to restriction of processing, to object to processing, to erasure and to data portability.

There is a risk that their data might be transferred to an unsafe territory, and the security of their data may be compromised.

Data subjects' reasonable expectations

During the research process Corpdata explained to the data subject the intended use was to provide the data to other organisations for them to send 'professionally relevant' direct marketing communications.

Corpdata also asked for the contact preferences of the data subject meaning the methods by which the communications could be delivered, specifically post, telephone or email. This means the data subject has been made aware of the potential usage of the data, both in terms of content, and delivery method.

The data subject has also been informed of how Corpdata assess the professional relevance of direct marketing.

Additional safeguards

The data being processed is not of a sensitive nature, and the harm likely to befall the data subject in the case of a data breach is likely to be minor, given that the data concerns them in their work capacity and only relates to their workplace contact details.

We have agreed to be bound by the Corpdata Terms and Conditions of the data license, and understand we are required to comply with all relevant legislation. This means amongst other things we need to:

- provide information to the data subject on first use, as per Article 14 of the GDPR, see 'Appendix 1' below
- only use the data for direct marketing of MARKETING & GRAPHIC DESIGN AGENCY
- to stop marketing to a data subject if requested to do so
- take appropriate measures to keep the data securely
- not have the data processed unless processing is governed by a written contract
- not pass the data into territories without adequate data protection
- not pass the data to other entities either within or outside any group of entities we are a member of
- keep records of all data processing
- apply updates from Corpdata to the data to ensure accuracy
- apply updates from Corpdata to the communication preferences
- respect the changing communication preferences of the data subject
- make data available to the data subject when access is requested
- delete the data when the license expires or is cancelled
- advise Corpdata of any data errors identified

Necessity Test for the Usage of Personal Data

We plan to license and use Corpdata data to gain new customers, so it is necessary to use data not currently available to us.

We have determined that to achieve a profitable return on investment, direct marketing communications should be personalised, so it is necessary to use personal data.

This direct marketing is to be conducted in addition to our other promotional activities, thus there is no alternative that meets the objective.

Conclusion

Given the non-sensitive nature of the data, and the reasonable expectations of the data subject, it seems unlikely the impacts on the data subject of a data breach would be significant. Furthermore the subject is aware of the purposes and methods of data processing and it therefore unlikely to feel it is intrusive.

The legally binding nature of the License and Corpdata Terms and Conditions and the safeguards contained means the likelihood of the a data breach occurring is not very significant.

Therefore, since neither the likelihood nor the likely impact of a data breach is significant, the risks to the interests or fundamental rights and freedoms of the data subject is not very significant and seem outweighed by our legitimate interests.

We find it necessary to use personal data which is new to us.

On balance, we can use data in the way described, and within the boundaries of the License, Terms and Conditions, and legislation.

Appendix 1 - Proposed Text to Inform Data Subject

D&M Creative Ltd is the data controller for this data. D&M Creative Ltd is a company registered in England and Wales, Reg No. 04346336.

The Registered Office of D&M Creative Ltd is: Suite 209, Business First, Empire Way, Liverpool Road, Burnley, Lancashire, BB12 6HH. You can contact D&M Creative Ltd by telephone on 01282685370. The website of D&M Creative Ltd is www.dandmcreative.com.

The data protection officer is contactable by email at d.greenwood@dandmcreative.com or by post or telephone at the details shown above.

D&M Creative Ltd will keep the data about you for as long as it is believed to be accurate and up to date.

The categories of personal data are your name, job title, work email address, company name, work address and work telephone number. You may object to your data being used by us at any time.

We use your data on the legal basis of legitimate interest to create a commercial benefit by promoting **MARKETING & GRAPHIC DESIGN AGENCY** to you by direct marketing. We believe these communications should have a relevance for you in your professional capacity.

You have the right to rectify inaccuracies in the data, to request restriction of processing, to object to processing, to request an electronic copy of the data we hold about you (which we will supply in CSV form) to enable portability, and to request erasure.

You have the right to lodge a complaint with the supervisory authority who is the Information Commissioner's Office (www.ico.org.uk).

The data we hold about you came from Corpdata Limited. Corpdata Limited are keen to ensure your communication preferences are respected. Corpdata Limited Registered Office is: Corpdata House, 6 Den Crescent, Teignmouth, Devon, TQ14 8BQ. You can contact Corpdata by telephone on 01626 777400, by fax on 01626 777500 or by email on enquiries@corpdata.co.uk. The Corpdata website is www.corpdata.co.uk.