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Guidance for completing the BPD form – created on 3 October 2012

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GUIDANCE NOTES FOR COMPLETING THE BPDAR FORM

Introduction

This guide provides instructions for completing the **Bulk Personal Data Acquisition and Retention** form.

The BPDAR process is an internal policy authorisation used to authorise acquisition and/or retention of operational data by GCHQ, where the data is:

- Bulk in nature (i.e. not narrowly focused on a particular target), and
- Personal (i.e. deals with individuals and contains real names)¹.

(footnote: ¹ GCHQ agreed with Cabinet Office in 2010, as part of the Review of Agency Handling of Bulk Personal Data, that, to be considered personal data, a dataset has to contain at least the actual names of individuals.)

The purposes of the BPDAR process are:

- To account for GCHQ's acquisition and retention of bulk personal data, so that we can demonstrate to our oversight bodies that a suitably senior and experienced GCHQ officer has considered whether the acquisition and ongoing retention of the data is necessary and proportionate in relation to one or more of GCHQ's authorised purposes under the Intelligence Services Act, and
- To ensure that we have a better knowledge of what bulk personal data we hold and where it is stored.

This guidance should be read in conjunction with [What is Bulk Personal Data?](#)

Steps to Complete

BPDAR number

Relevant team to assign (on the original application) – should be used throughout the period the data is retained.

Date of application

Data Sponsor to complete.

Date of cancellation

Relevant team to complete following advice from Data Sponsor.

Data Store reference

Data Sponsor to complete.

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Data Sponsor (DS)

The Data Sponsor (relevant senior GCHQ official) has overall responsibility for the acquisition, use and retention of the data. He knows what the data is, why GCHQ wants/has it, and what its intelligence value will be/is. He appoints a Data Owner and ensures that the DO carries out his duties (described below). The DS submits the BPDAR form and any renewal application, and is responsible for informing the relevant team of any decision to delete the data. He will also ensure that a successor is identified when the DO moves post and will advise the relevant team of the change.

Data Owner (DO)

The Data Owner is hands-on with the data. He moves the data around: receives it, enters it into repositories and deletes it. He handles it correctly, keeping records of what the data is, where it is, how many copies there are etc. Where a dataset does not already have a covername, the DO is responsible for assigning one and informing interested parties. He provides access to the data and protects it appropriately, applying COIs or otherwise limiting access as required; he ensures that any conditions or restrictions specified by the Authorising Officer are observed. The DO will probably supply much of the information needed by the DS and may even fill in the BPDAR form, but he does not submit the form.

The DS and DO can be the same person, but this is not advisable in normal circumstances. They must both be GCHQ Employees or Residential Integrees.

Section A: Details of data

Dataset name/covername

Should correspond to the relevant database. Also provide SIA partner covername if appropriate.

Data description

Provide a clear and succinct description of what the dataset will contain.

Data source

Likely to be mainly SIS, BSS, OGDs or commercial providers. Could be GCHQ itself.

Agreement/authorisation to supply the data

Include data sharing agreements with OGDs or other Agencies. Specify any relevant legal authorisations (especially if the data is being acquired by GCHQ itself).

Method of supply

For example: DVD, relevant data transport service, Internet download.

Frequency of supply

If known – is the data input likely to be regular or a one-off?

Size of data

If known.

Intelligence case

The Data Sponsor must provide a statement of the intelligence case for acquiring the data, including why he believes it to be necessary and proportionate to hold bulk

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personal data of this nature and scale, and what he expects the likely intelligence benefits will be.

Data storage

Specify relevant database(s) etc [REDACTED]

Proposed retention period

Specify any anticipated/desired retention period. Acceptable to say "not yet known".

Access controls

Who will have access? Provide approximate numbers. Specify any pre-requisites or restrictions applying to access.

Data sharing

Is there any intention to share the dataset more widely (e.g. with foreign partners, SIA Partners, Law Enforcement)?

Section A: Extent of potential intrusiveness

All fields should be filled in to the extent possible. It is recognised that not all details may be known at the time of application. Fields may be updated at renewal time.

A designated person in the relevant team will complete the assessment of intrusiveness and sensitivity.

Section A: Authorisation

The Authorising Officer must be a named individual on the Approvals list for BPDARs (currently, the relevant senior GCHQ official). He is responsible for considering the business case in light of the intrusiveness and sensitivity of the data, and deciding whether the acquisition of the data meets the criteria of necessity and proportionality. He may decide that the sensitivity of the data is such that it requires special handling, in which case he will use the Comments field to record any instructions. If the Data Sponsor is unable to provide sufficient detail to the satisfaction of the Authorising Officer, the latter may authorise the acquisition on an interim basis, but request that the form be resubmitted within a specified period (e.g. within a month following acquisition) when more detail on the content of the data can be provided.

The Authorising Officer will determine whether the data should be categorised as Targeted or Non-targeted Bulk Personal Data. He will also stipulate the period after which the retention of the data should be reviewed (normally 6 or 12 months - with the exact date determined by the scheduling of the Retention Review Panel). The Authorising Officer will then send the completed form to the Data Sponsor and Data Owner, and the latter may proceed to acquire and store the data as agreed. The form will also be sent to the relevant team who will formally record the approval to acquire the data.

Section B: Renewal case (or cancellation)

The Data Sponsor must provide a statement of the value of the data to date (including what intelligence benefit has resulted from exploitation of the data) and why the continued retention of the data is believed to be necessary and proportionate. Is the

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data unique? Could the intelligence benefit be obtained by other means? If access to the data were lost, how difficult would it be to re-establish it?

Any reason for deletion of the data (and hence cancelling of the original authorisation) should be stated. The DS should email the relevant team with details of any decision to delete/remove the data from GCHQ's systems ahead of Retention Review Panel dates.

Section B: Review Panel comments

Members of the Retention Review Panel may use this section to record comments and/or make requests for additional information.

Section B: Outcome of Review Panel

A 6-monthly Retention Review Panel will be held (currently September and March) to ensure that all retention (and, where relevant, continued acquisition) of bulk personal data remains necessary and proportionate. The Review Panel will consider the cases submitted by Data Sponsors and will decide whether datasets should continue to be retained (and acquired). The Review Panel will also specify the next retention review date for each dataset – this may be for 12 months (typically) or 6 months (for especially sensitive data, or where the data's value is still unproven).

Section B: Authorisation for retention

When the Retention Review Panel has reached a decision on the disposition of a bulk personal dataset, a designated person in the relevant team will formally sign off the BPDAR form, either to authorise the continue holding/acquiring of the data or to require its deletion.
