



Data Protection Core Guiding Principles

1. Approach to Data Protection

- 1.1 The Commonwealth Secretariat (hereinafter referred to as “the Secretariat”, “we”, “us”) acknowledges the right to protection of Personal Data and the respect for privacy.
- 1.2 This notice sets out the relevant principles and standards which guide the Secretariat's Processing of Personal Data.
- 1.3 This notice reflects the principles and values in the Commonwealth Charter. It follows best practice to secure human dignity and protection of human rights and fundamental freedoms in the context of a person's right to control his or her Personal Data and in the Processing of such Personal Data.
- 1.4 The right to the protection of Personal Data is not an absolute right: it must be balanced against other rights, interests and fundamental freedoms. For example, the right to data protection must be balanced against the right to freedom of expression, including the right to hold opinions and to receive and impart information.

2. Definitions

- (a) “**Agreed Memorandum**” means the Revised Agreed Memorandum on the establishment and functions of the Commonwealth Secretariat, last revised in 2022;
- (b) “**Process(es/ing/ed)**” means any operation or set of operations performed on Personal Data, such as the collection, storage, preservation, alteration, retrieval, disclosure, making available, erasure, or destruction of, or the carrying out of logical and/or arithmetical operations on such data;
- (c) “**Personal Data**” means any information that relates to¹ an identified or identifiable individual;
- (d) “**Third Party**” means any individual, group of individuals, organisation or other entity which is not part of the Secretariat or its staff nor the Secretary-General.
- (e) “**Working Day(s)**” means normal working days at the Secretariat's United Kingdom headquarters.

3. Data Protection Principles

- 3.1 In order to ensure best practice, the Secretariat has adopted and is guided by the following overarching data protection principles:
 - (i) Legitimacy and fair Processing: Processing must be proportionate to the legitimate purpose pursued and reflect a fair balance between all interests concerned, whether public or private, and the rights and freedoms at stake.
 - (ii) Transparency: Personal Data must be Processed fairly, and in a transparent manner.

¹ When considering whether information relates to a person, we will take a number of factors into account including the content of the information, the purpose or purposes of the processing and the likely impact or effect of the processing on the individual.

- (iii) Purpose limitation and Data minimisation: Personal Data must be collected for explicit, specified and legitimate purposes and not Processed in a manner which is incompatible with those purposes. It must not be excessive in relation to the purposes for which it is Processed.
- (iv) Accuracy: Personal Data must be accurate and, where necessary, kept up to date.
- (v) Retention and Storage Limitation: Personal Data should only be retained for as long as necessary for the purposes for which it was Processed. Once the Personal Data is no longer needed, it should be safely disposed of, archived or anonymised.
- (vi) Security (Integrity and Confidentiality): Personal Data should be Processed in a manner which ensures appropriate data security, including using reasonable and proportionate technical and organisational measures in order to avoid unauthorised or unlawful Processing, loss, destruction of or damage to Personal Data.

4. Requests regarding your Personal Data

- 4.1 The Secretariat has established a process in order for individuals to make requests about their Personal Data.
- 4.2 Individuals are able to:
 - (a) Be informed about the Processing of their Personal Data;
 - (b) Request access to Personal Data;
 - (c) Request to have Personal Data corrected or updated;
 - (d) Request to have Processing of Personal Data restricted;
 - (e) Request to have Personal Data deleted;
 - (f) Object to the Processing of Personal Data; and
 - (g) Where the Personal Data is Processed on the basis of consent, to withdraw consent.

5. Submitting a request regarding your Personal Data

- 5.1 Please use the web form accessible on our [Privacy Policy webpage](#) to make a request regarding your Personal Data.
- 5.2 On receipt of a request, the Secretariat may need to undertake some validation steps. This may require:
 - (a) Verification of identity: We may need to satisfy ourselves that we know the identity of the requester. This is in order to ensure that the Personal Data is not disclosed to an individual who has no right to access it. If a Third Party is making the request on your behalf, it is the Third Party's responsibility to provide evidence of their authority to make the request on your behalf; and/or
 - (b) Clarification of the request: Sometimes the request made may not be clear to the Secretariat. For example, the request may be too broad for us to understand the relevant

action to undertake. In these cases, we may need further clarification from you regarding your request in order to deal with it.

- 5.3 We will aim to respond to your request within 60 working days. Where there is a justifiable reason for not responding to your request within this timeframe, we will write to you within the initial timeframe to explain the reason(s) for the delay and provide you with an updated timeframe. Where a request needs to be validated in accordance with 5.2, the timescales for responding will not begin until we have the relevant means to confirm identification or until we have sufficient clarification of the request.

Rejecting a Request

- 5.4 There may be some limited occasions where it is necessary to reject a request. This is where:
- (a) We cannot authenticate identity in accordance with 5.2(a);
 - (b) We do not receive sufficient information to clarify the request in accordance with 5.2(b);
 - (c) The request is too broad or excessive when balanced against the impact on the Secretariat's resourcing and finances. A request is too broad or excessive when balanced against the impact on the Secretariat's resourcing or finances where the time spent finding the relevant information, reading it and considering and applying appropriate redactions would be likely to take in excess of 100 hours. Where this is the case, the Secretariat may request that you narrow the scope of your request so that it comes within the appropriate limit;
 - (d) Your Personal Data cannot be located as a result of reasonable and proportionate searches; or
 - (e) The request is a repeat of a previous request or is vexatious.
- 5.5 If 5.4 applies to your request, the Secretariat will contact you to let you know the reason why it has rejected your request. This will be done within 60 working days. You have the opportunity to request a review of this decision, in accordance with 5.7 below.

Exemptions

- 5.6 Where 5.4 does not apply, then your request will be considered and actioned. However, you should be aware that there are relevant exemptions from the rights set out at 4.2 which may apply, depending on the circumstances. The exemptions are as follows:
- (a) Disclosing Personal Data would identify another individual (unless that individual has consented or it would be reasonable to provide that individual's Personal Data in the circumstances);
 - (b) Legal professional privilege applies;
 - (c) There is a risk of compromise of the security and/or safety of an individual;
 - (d) There is a risk of a breach of confidentiality/a need to safeguard commercially sensitive information;
 - (e) Personal Data is Processed for research, statistical or archiving purposes;
 - (f) Disclosing the Personal Data prejudices negotiations with the requestor;

- (g) The request relates to diplomatic exchanges with Member Governments, other International Organisations or the Royal Household; or
- (h) The Secretariat considers it necessary² and proportionate³ to withhold or redact Personal Data or otherwise to refuse the request (and these necessary and proportionate grounds for not complying with the request are not outweighed by the requestor's interests, rights and freedoms).

Review

- 5.7 If you are dissatisfied with the Secretariat's response (or with the reasons provided where a response has been rejected in accordance with 5.4), you have the opportunity to request a review, to be submitted within 30 working days of the Secretariat's response. You can send a request for review to privacy@commonwealth.int. Your initial request, the Secretariat's response and the internal approach taken will be reviewed against this notice and relevant policies. The outcome of the review will be communicated to you within 60 working days of the request for a review.

6. Contact information

- 6.1 Should you have any questions about this notice or about our approach to data protection in general, you can contact privacy@commonwealth.int.

7. Other relevant information

- 7.1 This notice was last updated in October 2023. We may need to update this notice from time to time.
- 7.2 The Secretariat is an international organisation established by and enjoying privileges and immunities under the Agreed Memorandum. The Processing of Personal Data in accordance with the Secretariat's policies and guidance is without prejudice to the privileges and immunities of the Secretariat, which privileges and immunities are specifically reserved.

² "Necessary" in this context means reasonable, rather than absolutely or strictly necessary.

³ "Proportionate" means that a pressing social need is involved and that the measure employed is proportionate to the legitimate aim being pursued.