

PERSONAL DATA PROTECTION ACT (PDPA)

— Guidelines for the Social Service Sector —

Overview of PDPA

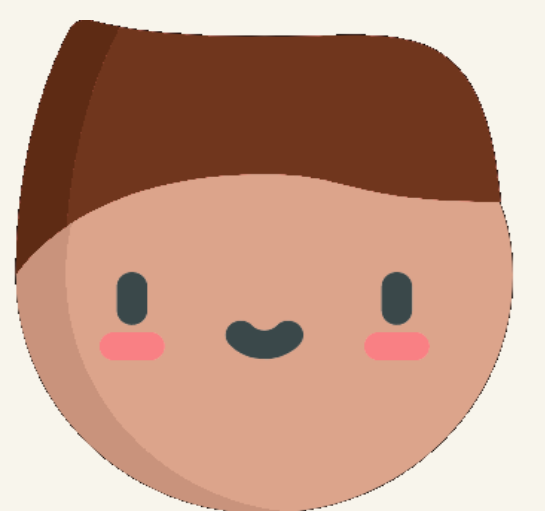


Everyone has been talking about 'PDPA'.
Do you know what it is?



PDPA governs the **collection, use and disclosure** of individuals' personal data by organisations, ensuring that the right of individuals to protect their personal data is respected.¹

These rules are intended to operate as part of Singapore's law. They **do not supersede existing statutes** like the Charities Act.²



I see... so what does PDPA include?

The 2 main sets of provisions in PDPA that organisations are required to comply with are: **data protection** and the **Do Not Call (DNC) Registry**.³



Disclaimer: Direct reference should be made to the PDPA and other legislations for the complete and definitive statement on the provisions of any such legislation.

References

¹ PDPC (Revised 2019). Advisory Guidelines on Key Concepts in the Personal Data Protection Act. Section 2.1

² PDPC. Overview of the PDPA. *Application of the Personal Data Protection Act*. Retrieved from, <https://www.pdpc.gov.sg/Overview-of-PDPA/The-Legislation/Personal-Data-Protection-Act>

³ PDPC (Revised 2019). Advisory Guidelines on Key Concepts in the Personal Data Protection Act. Section 2.1

PERSONAL DATA PROTECTION ACT (PDPA)

Guidelines for the Social Service Sector

Obligations in the PDPA



What obligations in the PDPA do organisations need to comply with? ¹



1. Consent: Obtain consent from individuals to collect, use or disclose their personal data. Allow individuals to withdraw consent.

2. Purpose Limitation Obligation

Ensure that personal data is used for reasonable and appropriate purposes in the circumstances.

3. Notification Obligation

Notify individuals of the purpose(s) for which the organisation intends to collect, use or disclose their personal data before doing so.

4. Access and Correction Obligation

Upon request, provide individuals with their personal data under the organisation, information on the ways the data has been used, and correct any error in the data.

5. Accuracy Obligation

Ensure that the personal data is accurate and complete.

6. Protection Obligation

Protect the personal data under the organisation's possession or control.

7. Retention Limitation Obligation

Cease to retain documents containing personal data once it no longer serves the purpose(s).

8. Transfer Limitation Obligation

Transfer personal data to another country only according to the requirements prescribed under the regulations.

9. Accountability Obligation

Implement policies to meet PDPA obligations and make such information publicly available.

Disclaimer: Direct reference should be made to the PDPA and other legislations for the complete and definitive statement on the provisions of any such legislation.

References

¹ PDPC Singapore. Getting into Compliance. Retrieved from, <https://www.pdpc.gov.sg/dp-professional/getting-into-compliance>

PERSONAL DATA PROTECTION ACT (PDPA)

Guidelines for the Social Service Sector

Application to the Social Service Sector



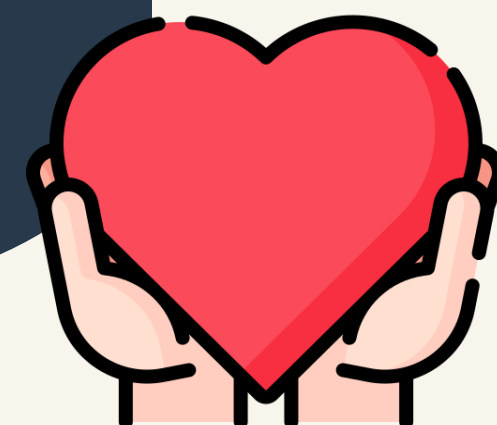
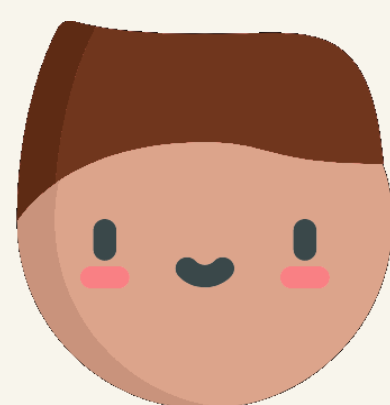
What are some purposes for which I can collect, use or disclose my client's data?



Purposes include

- Evaluating the client's suitability for social services or
- Administering social services to the client

Always remember to collect, use and disclose the personal data with the **client's consent**!¹



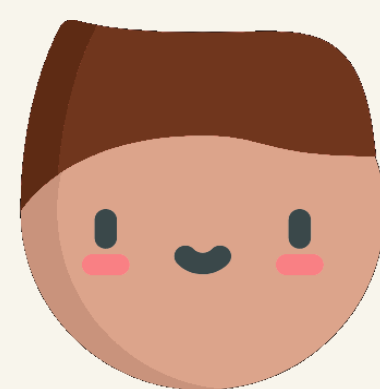
What are some of the best practices to obtain consent from my clients?



Written or recorded consent accessible for future reference



Minimally verbal consent that is documented to include date, time and purpose of consent²



Disclaimer: Direct reference should be made to the PDPA and other legislations for the complete and definitive statement on the provisions of any such legislation.

References

¹ PDPC (2014). Advisory Guidelines for the Social Service Sector. Section 2.1.

² PDPC (Revised 2019). Advisory Guidelines on Key Concepts in the PDPA. Section 12.5, Section 12.6.

Icons: Flaticon - Freepik, Surang

PERSONAL DATA PROTECTION ACT (PDPA)

Guidelines for the Social Service Sector

Obtaining Consent

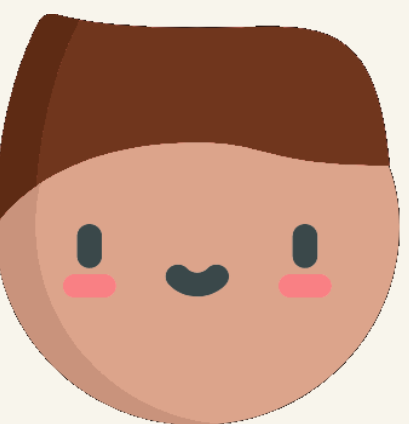


Who is able to give consent?

- ✓ An individual 13 years old or older, provided that he
 - Understood the purpose(s) of providing the data, and
 - Was not forced to provide the data¹
- ✓ When obtaining consent from a minor, social service agencies (SSAs) should take extra precaution (e.g. use simple language) and ensure accuracy of data.²



Are there exceptions when I do not need to obtain consent for the collection, use and disclosure of personal data ?



Yes, consent is not needed when:³

- ✓ The data is necessary for evaluative purposes (e.g. whether the individual is eligible for a grant of financial or social assistance)
- ✓ Consent cannot be obtained in a timely manner (e.g. an emergency that threatens the life, health and safety of the individual)
- ✓ The individual has consented to the disclosure of his personal data by a third party, who can then validly give consent for the use of his data

The full list of exceptions can be found in the second, third and fourth schedules of the PDPA.

Disclaimer: Direct reference should be made to the PDPA and other legislations for the complete and definitive statement on the provisions of any such legislation.

References

¹PDPC (revised 2019). Advisory Guidelines on the Personal Data Protection Act for Selected Topics. Section 7.10.

²PDPC (revised 2019). Advisory Guidelines on the Personal Data Protection Act for Selected Topics. Section 7.12

³PDPC (2014). Advisory Guidelines for the Social Service Sector. Section 2.20, 2.21, 2.22.

PERSONAL DATA PROTECTION ACT (PDPA)

— Guidelines for the Social Service Sector —

Do Not Call (DNC) Registry



I heard about the Do Not Call (DNC) Registry. What is that?



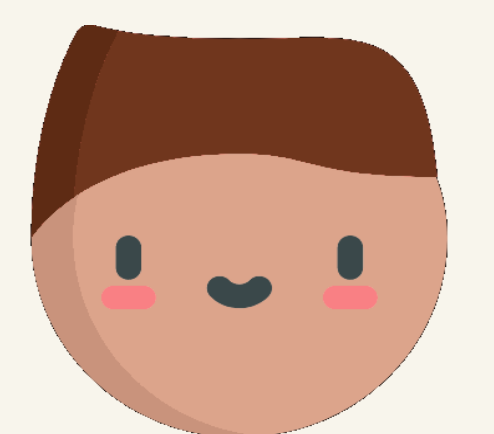
Individuals who register their phone numbers on the DNC Registers **opt out** of receiving **marketing phone calls, text messages, and faxes**.¹



What obligations do organisations have regarding the DNC Registry?

- **Check** whether the phone number is listed on the relevant DNC register(s)²
- **Provide information** on the organisation who sent the marketing message
- **Do not withhold** the calling line identity of the sender of the marketing message³

Exceptions: If the individual has given **clear consent** to the sending of marketing messages to that number, or if the organisation is **exempted**⁴



Disclaimer: Direct reference should be made to the PDPA and other legislations for the complete and definitive statement on the provisions of any such legislation.

References

¹PDPC. Overview of the PDPA. *What is Personal Data?* Retrieved from, <https://www.pdpc.gov.sg/Overview-of-PDPA/The-Legislation/Personal-Data-Protection-Act>

²To use the services on the DNC Registry, you will need to apply for a main account on the DNC Registry website

³PDPC (Revised 2019). Advisory Guidelines on Key Concepts in the PDPA. Section 2.5.

⁴PDPC (Revised 2019). Advisory Guidelines on Key Concepts in the PDPA. Section 2.6.

Icons: Flaticon -Freepik, bqlqn