

Purpose limitation

Clients are responsible for ensuring their own compliance with various laws and regulations, including the European Union General Data Protection Regulation. Clients are solely responsible for obtaining advice of competent legal counsel as to the identification and interpretation of any relevant laws and regulations that may affect the clients' business and any actions the clients may need to take to comply with such laws and regulations. The products, services, and other capabilities described herein are not suitable for all client situations and may have restricted availability. Merative does not provide legal, accounting or auditing advice or represent or warrant that its services or products will ensure that clients are in compliance with any law or regulation.

This document is intended to provide guidance to help you in your preparations for GDPR readiness. It provides information about features of this offering, and aspects of the product's capabilities, that may help your organization with GDPR requirements. This information is not an exhaustive list, due to the many ways that clients can choose and configure features, and the large variety of ways that the product can be used in itself and with third-party applications and systems.

The GDPR and purpose limitation

The Article 29 Data Protection Working Party, in their document Opinion 03/2013 on purpose limitation (WP 203), give the following definition of purpose limitation:¹

“The concept of purpose limitation has two main building blocks: personal data must be collected for 'specified, explicit and legitimate' purposes (purpose specification) and not be 'further processed in a way incompatible' with those purposes (compatible use)”.

The GDPR states that “Personal data shall be...collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes” (Article 6: Lawfulness of processing).

The following are some of the key requirements that may come into consideration in relation to purpose limitation as set out by Articles 13 and 14 of the GDPR:

- *“When the data has been collected from the data subject the controller shall, at the time when personal data are obtained, provide the data subject with...the purposes of the processing for which the personal data are intended as well as the legal basis for the processing.” (GDPR Article 13)*

¹ 2 April 2013, the Article 29 Data Protection Working Party (WP29), an independent European advisory body on data protection and privacy, adopted and published Opinion 03/2013 on purpose limitation (the Opinion). <https://www.lexology.com/library/detail.aspx?g=ddf0de93-3ced-4887-bebd-af3ed8f62aa2>

- *“Where personal data have not been obtained from the data subject, the controller shall provide the data subject with... the purposes of the processing for which the personal data are intended as well as the legal basis for the processing ...within a reasonable period after obtaining the personal data, but at the latest within one month, having regard to the specific circumstances in which the personal data are processed.” (GDPR Article 14)*
- *“Where the controller intends to further process the personal data for a purpose other than that for which the personal data were obtained, the controller shall provide the data subject prior to that further processing with information on that other purpose and with any relevant further information.” (GDPR Article 13)*

Please refer to the [GDPR](#) for the full text of the Articles 6, 13 and 14

See also the following sections of the regulation that are relevant to purpose limitation:

- Recital 32 Conditions for consent
- Recital 45 Fulfilment of legal obligations
- Article 6 Lawfulness of processing
- Article 47 Binding corporate rules

Social Program Management (SPM) and purpose limitation

SPM provides customisable functionality that allows customers to provide their clients with multi-channel access to the customer’s products and services.

SPM can be used for the following purposes relating to purpose limitation:

- Presenting the purpose specification on collection of data to the case worker or [citizen account holder](#) who enters the data.
- Communicating a purpose specification to a data subject where the data was entered by a caseworker or another citizen account holder, on the data subject’s behalf.
- Communicating a change to a “purpose of processing” to a data subject.

Presenting the purpose specification on data entry

Customers can present the purpose specification on any screen where client data can be entered in Social Program Management or Universal Access.

- **Intake/Registration of a Client:**
 - Caseworkers can register a client in SPM prior to completing any triage, screening or application on that client’s behalf.
 - The out of the box behaviour is to present the case worker with a User Interface Meta-data ([UIM](#)) where the case worker can enter the client data.
 - UIMs and their associated resources can be customised to meet the customer’s needs.
 - Case workers can subsequently record client information as items of evidence on the person case or other cases of different types, of which the client is a member.

- When the evidence type is static, it has an associated static UIM, which can be customised to meet the customer’s needs.
 - When the evidence type is [dynamic](#), the screens will be [dynamic UIM](#). See the Knowledge Centre [Dynamic Evidence Editor](#) section for details on how to design the user interface for a dynamic evidence type. Additional information can be provided using online help. To enable online help for dynamic evidence, refer to this [documentation](#).
- **Creation of a Citizen Account**
 - Clients can set up their own [Citizen Account](#) through the Universal Access portal.
 - These clients are not considered to be registered clients until either they have submitted an application and it has been processed, or a case worker has registered them separately through SPM.
 - The out-of-the-box screen in Universal Access, that allows clients to create a citizen account is a [Page Player](#) page. The Page Player is a Universal Access framework that displays non-UIM pages on the Universal Access citizen portal. Per [this](#) section of the Knowledge Centre, Page Player pages are not customisable.
 - However, the out-of-the box screen displays a link to “*read the user agreement*”. Customers can configure the URL for this link via an [Application Property](#) with the ID `curam.citizenworkspace.terms.and.cond.url`
 - Customers who opt to use this out-of-the-box screen have the option to include the purpose specification with the text of this agreement.
 - It should be noted that when linking to content external to SPM, the version management of that content is outside the control of SPM and therefore needs to be managed separately.
 - **Triage, Screening, Application, Change of Circumstance:**
 - Case workers and Citizen Account holders can perform triage, screenings or applications, all of which are scenarios where a client’s data is collected.
 - Case workers perform these tasks through SPM and the Citizen Account holders through Universal Access.
 - Citizen Account holders can also avail of the Change Of Circumstance ([Life Events](#)) functionality in Universal Access to update some of their data, provided that the customer has implemented the requisite customisations.
 - The standard way of implementing triage, screenings and applications in both SPM and UA, and change of circumstance (Life Events) in UA, is through [Intelligent Evidence Gathering \(IEG\)](#) scripts.
 - IEG Scripts are fully configurable and customers can also create their own scripts.

Customers who wish to adopt a “layered approach”, where more detailed information about the purposes of processing is presented on another page, might wish to consider looking at the [Online Help Development](#) section of the Knowledge Centre for information on how to enable online help content in SPM.

Note: Customers, when initially designing their intake scripts, pages and dynamic evidence screens, may wish to consider how a purpose specification is presented and the ease with which changes to how it is presented, can be made.

Presenting a purpose specification after the fact or communicating changes to a purpose specification before the fact

SPM and Universal Access can be used to present a purpose specification to clients after the fact and revisions to purpose specification before the fact.

For example:

- To present the purpose specification to clients where the client's data was provided by another party.
- To communicate to the client, in advance, changes to a purpose specification.
 - **Note:** In scenarios where the legal basis of processing is based on consent, customers may also wish to request that the client take an action to update their consent evidence.
 - Please see the Merative Social Program Management document on "[GDPR and Consent Management](#)"

The following two sections outline how the customer can communicate this information to data subjects.

Cúram Communications

Customers can use the [Cúram Communications](#) feature in SPM to manage the communications between their organisation and its clients, by both manual and automated means.

Customers can develop [a batch process](#) to automate the identification of clients to whom they wish to communicate a purpose specification or a revision thereof.

A customer developed batch process can also issue communications to those clients.

- For hard copy communication, a customer may issue [Pro Forma Communications](#) .
 - The developer who codes the Cúram Batch Job for the customer, in the batch job can use this External API to create Pro Forma Communications:
`curam.core.facade.intf.Communication#createProFormaCommunication1`
- For email communication, a customer may use [Email Communication](#) functionality.
 - The developer who codes the Cúram Batch Job for the customer, in the batch job can use this External API to create email communication
`curam.core.facade.intf.Communication#createEmailCommunication`

Notes:

- As with developing any batch process, customers should evaluate the performance and scalability of their process before deploying it in production. Customers can consult this Knowledge Centre [document](#) on tuning performance of batch processes.

- Customers who have integrated with a Content Management System should refer to this [document](#).

When clients respond to communications, their responses can be recorded manually using the [recording a communication](#) functionality.

Universal Access

This section refers to clients who have a Citizen Account.

System Message

Customers can notify all clients by issuing a [System Message](#). This is useful for broadcasting a message to a general audience. For messages tailored for a specific audience, customers should consider the other alternatives listed below.

Outreach Campaign

Customers can selectively notify a set of clients who match some specified criteria by using the [Outreach Campaign](#) functionality in Universal Access.

An example of an Outreach Campaign is as follows: Clients who have a marital status change indicating they have separated, may be identified and an outreach notification may be created offering legal advice services to clients meeting that criteria.

In the context of a purpose specification change, customers could use an outreach campaign to notify clients to whom the customer agency delivers a product (or service) whose “purpose of processing” is going to change.

For example: A change to an eligibility and entitlement rule that determines a claimant’s eligibility for a product.

- A rule change might require new, additional information when making that determination.
- Alternatively, a rule change might require that the rule now use known information, that had not previously been used for making that determination.

This notification message can be specific to the client and to the product/service they are currently receiving.

Citizen Messages

Alternatively, if a customer uses Universal Access Web Services, they can use [Citizen Messages](#) to issue messages to specific clients.

Note: Outreach Campaigns integrate the means of identifying clients who are to be notified, with the means of notifying them. Citizen Messages however just provides the means of notifying a specific client, it does not provide the means of identifying which clients are to be notified. Customers would have to write code to identify the affected clients and call the web service to message the client.

Further information

Merative™ SPM GDPR technotes

Merative™ Social Program Management is in the process of releasing documents that cover various GDPR related topics.

All documents will be attached to this tech note:

- <https://www.merative.com/support/spm/news/gdpr-information>

Other links

The GDPR Text

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L .2016.119.01.0001.01.ENG&toc=OJ:L:2016:119:TOC>

For more information about developing IEG scripts, see the “Working with Intelligent Evidence Gathering” guide.

For more information about configuring dynamic evidence, see the “Configuring Dynamic Evidence” guide.

For more information about developing UIM pages, see the “Web Client Reference” guide.

For more information about Batch Processing in SPM, see the batch processing guides.

For more information about Customising the Citizen Account in Universal Access, see the Universal Access guides.