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**Changes to legislation:** Data Protection Act 2018, Cross Heading: Employment, social security and social protection is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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## SCHEDULES

### SCHEDULE 1

#### SPECIAL CATEGORIES OF PERSONAL DATA AND CRIMINAL CONVICTIONS ETC DATA

#### PART 1

##### CONDITIONS RELATING TO EMPLOYMENT, HEALTH AND RESEARCH ETC

###### *Employment, social security and social protection*

- 1 (1) This condition is met if—
- (a) the processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on the controller or the data subject in connection with employment, social security or social protection, and
  - (b) when the processing is carried out, the controller has an appropriate policy document in place (see paragraph 39 in Part 4 of this Schedule).
- (2) See also the additional safeguards in Part 4 of this Schedule.
- (3) In this paragraph—
- “social security” includes any of the branches of social security listed in Article 3(1) of Regulation (EC) No. 883/2004 of the European Parliament and of the Council on the co-ordination of social security systems (as amended from time to time);
- “social protection” includes an intervention described in Article 2(b) of Regulation (EC) 458/2007 of the European Parliament and of the Council of 25 April 2007 on the European system of integrated social protection statistics (ESSPROS) [<sup>F1</sup>as it had effect in EU law immediately before [<sup>F2</sup>IP completion day]].

#### Textual Amendments

- F1** Words in Sch. 1 para. 1(3) substituted (31.12.2020) by [The UK Statistics \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/489\)](#), regs. 1, 3; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Sch. 1 para. 1(3) substituted (15.12.2021) by [The UK Statistics \(Amendment etc.\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1300\)](#), regs. 1, 2

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 3 para. 8(1)(y) added by [2022 c. 18 \(N.I.\) Sch. 3 para. 78\(3\)](#)