

16 The Accuracy Obligation

- 16.1 Section 23 of the PDPA requires an organisation to make a reasonable effort to ensure that personal data collected by or on behalf of the organisation is accurate and complete, if the personal data:
- a) is likely to be used by the organisation to make a decision that affects the individual to whom the personal data relates; or
 - b) is likely to be disclosed by the organisation to another organisation.
- 16.2 This obligation to ensure that personal data is accurate and complete is referred to in these Guidelines as the Accuracy Obligation. The aim of the Accuracy Obligation is to ensure that where personal data may be used to make a decision that affects the individual, the data is reasonably correct and complete so as to ensure that the decision is made taking into account all relevant parts of accurate personal data.
- 16.3 In order to ensure that personal data is accurate and complete, an organisation must make a reasonable effort to ensure that:
- a) it accurately records personal data which it collects (whether directly from the individual concerned or through another organisation);
 - b) personal data it collects includes all relevant parts thereof (so that it is complete);
 - c) it has taken the appropriate (reasonable) steps in the circumstances to ensure the accuracy and correctness of the personal data; and
 - d) it has considered whether it is necessary to update the information.

Requirement of reasonable effort

- 16.4 The Accuracy Obligation requires organisations to make a reasonable effort to ensure the accuracy and completeness of personal data. Hence the effort required of an organisation depends on the exact circumstances at hand. In determining what may be considered a reasonable effort, an organisation should take into account factors such as the following:
- a) the nature of the data and its significance to the individual concerned (e.g. whether the data relates to an important aspect of the individual such as his health);
 - b) the purpose for which the data is collected, used or disclosed;

- c) the reliability of the data (e.g. whether it was obtained from a reliable source or through reliable means);
- d) the currency of the data (that is, whether the data is recent or was first collected some time ago); and
- e) the impact on the individual concerned if the personal data is inaccurate or incomplete (e.g. based on how the data will be used by the organisation or another organisation to which the first organisation will disclose the data).

16.5 For the avoidance of doubt, an organisation may not be required to check the accuracy and completeness of an individual's personal data each and every time it makes a decision about the individual. An organisation may also not be required to review all the personal data currently in its possession to ensure that they are accurate and complete each and every time it is likely to make a decision about the individual. Organisations should perform their own risk assessment and use reasonable effort to ensure the accuracy and completeness of such personal data that is likely to be used to make a decision that will affect the individual.

Ensuring accuracy when personal data is provided directly by the individual

16.6 Organisations may presume that personal data provided directly by the individual concerned is accurate in most circumstances. When in doubt, organisations can consider requiring the individual to make a verbal or written declaration that the personal data provided is accurate and complete. In addition, where the currency of the personal data is important, the organisation should take steps to verify that the personal data provided by the individual is up to date (for example, by requesting a more updated copy of the personal data before making a decision that will significantly impact the individual).

Example:

Nick applies for a credit card from a bank. The bank asks Nick to provide relevant details such as his name, address, current employment status and income, which constitute personal data, in order to assess the application. Related to this, the bank asks Nick to provide supporting documents including an identity document and his most recent payslip, in order to verify the information provided by Nick. It also asks Nick to declare that the information he has provided is accurate and complete. In this scenario, the bank has made a reasonable effort to ensure that the personal data collected from Nick is accurate and complete.

Two years later, Nick applies for a home loan from a bank. The bank has not made any checks during the two years that Nick's personal data is accurate and complete. When the bank received the home loan application, the bank showed Nick their records of his personal data and asked Nick to make a fresh declaration that the record is accurate and complete. In addition, noting that the supporting documents previously obtained for the credit card application are now dated two years back, the bank asked Nick to provide a copy of his most recent payslip and proof of employment. In this scenario, the bank has made a reasonable effort to ensure that the personal data collected from Nick is accurate and complete.

Ensuring accuracy when collecting personal data from a third party source

- 16.7 An organisation should also be more careful when collecting personal data about an individual from a source other than the individual in question. It is allowed to take differing approaches to ascertain the accuracy and completeness of personal data it collects depending on the reliability of the source of the data. For example, the organisation may obtain confirmation from the source of the personal data that the source had verified the accuracy and completeness of that personal data. It may also conduct further independent verification if it deems prudent to do so.

Example:

Nick will be attending an adventure camp for his company's team-building purposes. The adventure camp operator obtains relevant health check-up records from his company to determine whether Nick is sufficiently fit to participate in the adventure activities. The records were dated eight years ago, when Nick first joined the company.

In this scenario, the adventure camp company should consider asking Nick for a more recent health record.

- 16.8 Similar considerations apply when deciding whether personal data should be updated. Not all types of personal data require updates. Obvious examples include factual data, for example, historical data. However, where the use of outdated personal data in a decision-making process could affect the individual, then it would be prudent for the organisation to update such personal data.

Example:

A company is considering whether an existing employee, John, should be transferred to take on a different role in its IT department. One of the criteria for the transfer is the possession of certain qualifications and professional certifications. The company has information about John's qualifications and professional certifications that was provided by John (which form part of his personal data) when he joined the company five years before.

The company asks John to update them with any new qualifications or certifications he may have obtained in the last five years since joining the company but does not ask him to re-confirm the information about the qualifications he provided when he joined the company. In this scenario, the company is likely to have met its obligation to update John's personal data.