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General Data Protection Regulations (GDPR) Training

Why all the fuss?

- Data security and processing out of control, increased incidents of farming data (Facebook), lack of transparency (purchasing goods) and increasing number of serious incidents (Morrisons).

- Concern about protecting personal data is a global issue.

- Regulations are European and will survive Brexit.

- New Data Protection Commissioner taking a firm approach, fines have increased dramatically.

- Compensation payments to affected Individuals.

- Breaches may result in bad publicity and damage reputation as well as complaints.

Data Protection Principles

GDPR requires that personal data be:

- Processed lawfully, fairly and in a transparent manner.

- Collected for specified legitimate purposes and not further processed in a manner which is incompatible with those purposes.

- Adequate, relevant and not excessive.

- Accurate and kept up to data.

- Not kept for longer than is necessary for the purposes of which it was obtained.

- Processed in a manner that ensures appropriate security e.g. not accidently lost, damaged etc.

Know the Terminology

You will understand GDPR better if you know key terminology:

- **Data** is any information collected wholly or partly by automated mean.

- **Personal Data** is information about a living individual.

- **Special Categories of Personal Data** (formerly Sensitive Personal Data) is information about racial or ethnic origin, religious, political or philosophical beliefs.

- **Processing** is anything that you do with or how we use the data.

- **Data Subject** is the individual to whom the data relates

- **Data Controller** is a legal person who decides the purpose and manner in which the data is to be used or processed

- **Data Processors** are third parties who process (manage or use the data)

Individual Rights

The GDPR is aimed at protecting the rights of living individuals and the regulations focus on how Personal Data is collected, stored and used. Individuals have the following rights:

- **The right to be informed**

- **The right of access**

- **The right of rectification**

- **The right to erase**

- **The right to restrict processing**

- **The right to data portability**

- **The right to object**

- **Rights in relation to automated decision making and profiling**

Compliance

All organisations <u>must be</u> GDPR compliant from 25th May, there is no transition period.

The most common question being asked at the moment is what must we do? How do we comply with the regulations?

Compliance is easy do not overcomplicate GDPR. Don't over analyse the regulations and use common sense.
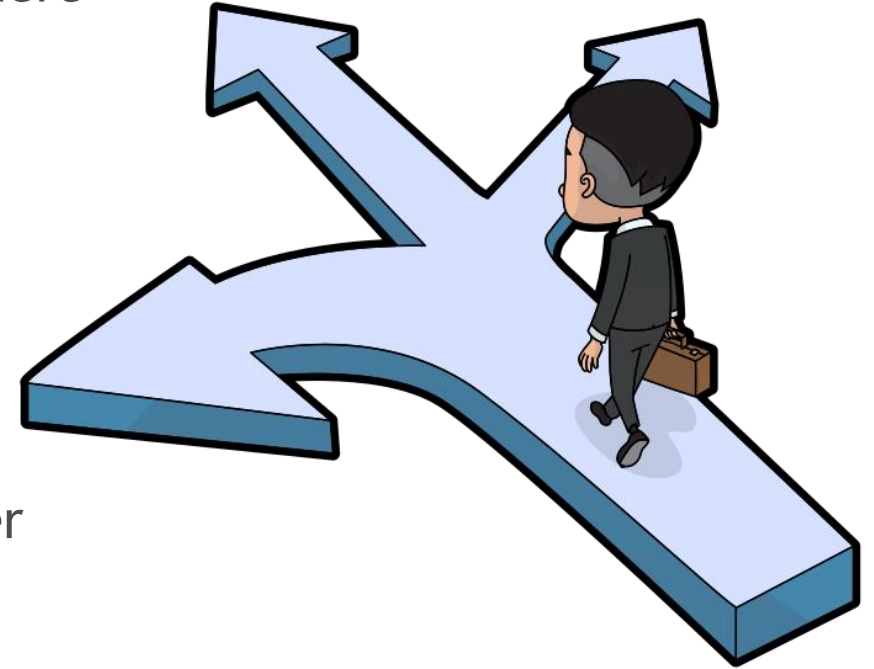
Four Steps to Compliance

Step 1 –   Data Audit

Step 2 –   Consider why the Personal Data is being collected and processed

Step 3 –   Be Clear and Explain (Privacy Notices)

Step 4 –   Secure Storage

Mistakes Happen

Mistakes occur and when they do, there is no need to panic and contact Sarah Williams. If Personal Data is wrongly disclosed to a third party then under new regulations the following steps must be taken:

- Contact third party and ask them to delete or destroy the Personal Data that was disclosed in error.

- Contact the individual whose Personal Data has been disclosed and tell them who the information was disclosed to and explain the corrective action that has been taken.

- Complete a Data Breach Form and send it to the Data Protection Officer Sarah Williams.

If a serious Data Breach or Serious Data Incident occurs, then Sarah Williams must be notified immediately. Under the regulations a serious Data Breach or incident must be reported to the Data Protection Commissioners, within 72 hours.

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A couple of Final Points

Subject Access Requests

If an individual makes a request to see information that they believe is held about them, then we must comply and disclose the Personal Data, within 30 days.

Children

The GDPR recognises that children who are sufficiently mature may exercise their own data protection rights. In many cases, it is reasonable to assume that a child will have sufficient maturity from and including the age of 12.