GDPR – top tips for compliance

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Who we are

- The UK's independent body set up to uphold information rights
- Enforce and regulate freedom of information and data protection laws
- Provide information and advice
- Promote good practice

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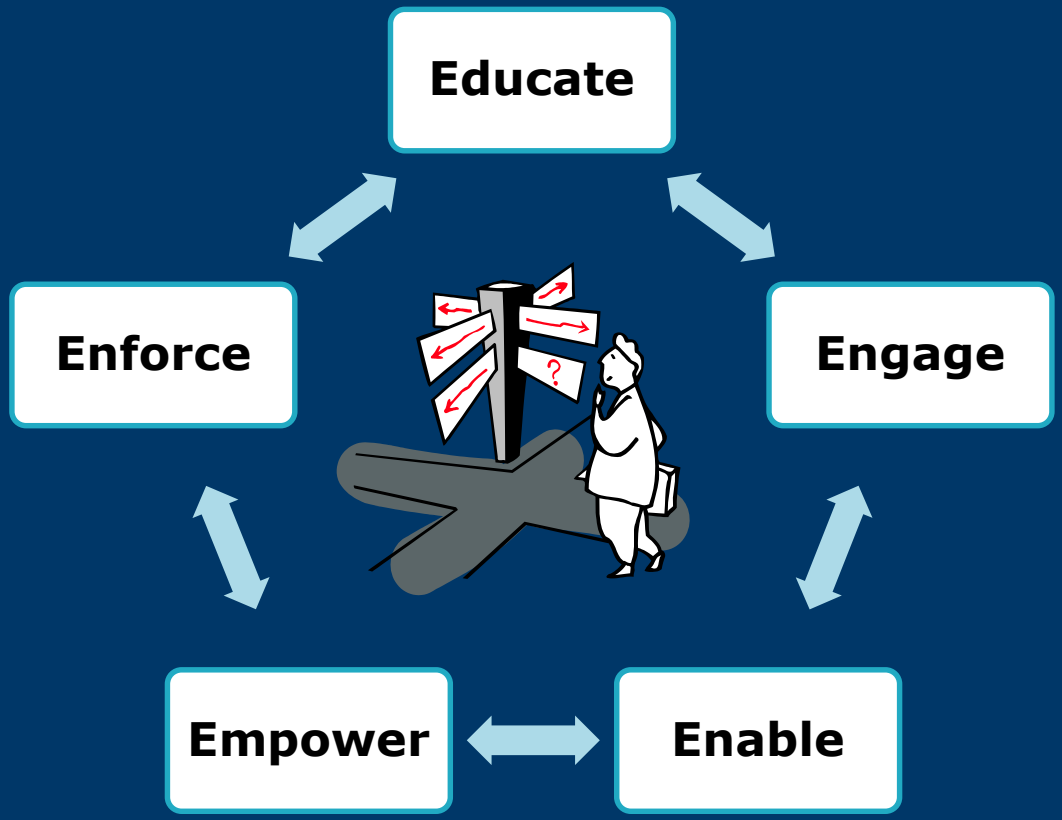
The ICO's role



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Impact: schools have been asking..

Subject access requests?

Who's the controller?

Can we disclose or display information?

What about third parties, such as educational apps and cashless catering?

Parent wants to erase all their data! Help!

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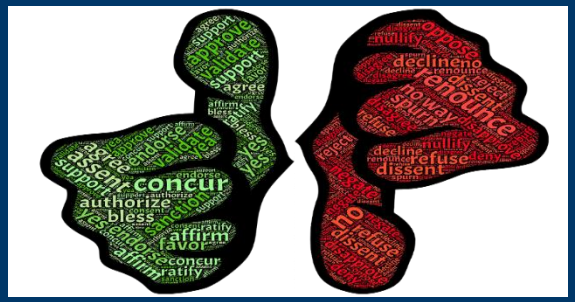
Lawful bases for processing



Consent

Contract

Legal Obligation

Vital Interest

Public Task

Legitimate Interest

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Since May 25...

- Over 300 complaints re education
- subject access requests are the most common
- the disclosure of data by organisations next
- The vast majority of incidents were cyber cases
- Almost half breaches were phishing attacks

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GDPR Principles

a) Lawfulness, fairness and transparency

b) Purpose limitation

c) Data minimisation

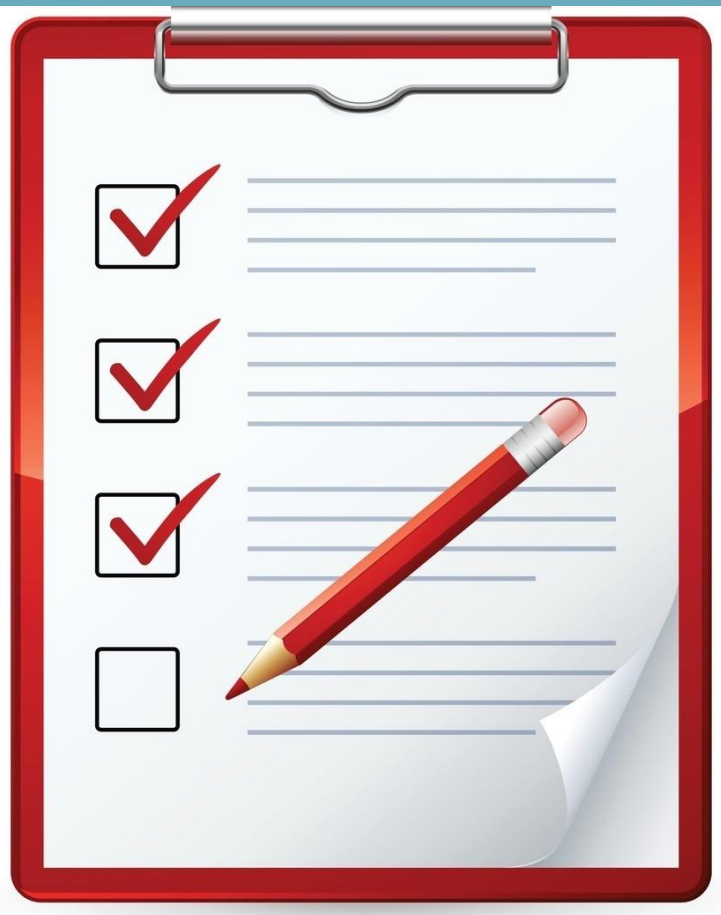
d) Accuracy

e) Storage limitation (retention)

f) Integrity and confidentiality (security)

g) Accountability

Can you show how you are complying with the law?



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Rights

- Subject access requests
- Right to be informed
- Right to object
- Right to rectification
- Right to erasure
- Right to restrict processing
- Right to data portability
- Rights around automated processing

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Demonstrating accountability

- Data Protection Impact Assessments
- Data Protection Officers
- Contracts and Information Sharing Agreements
- Data protection by design and default

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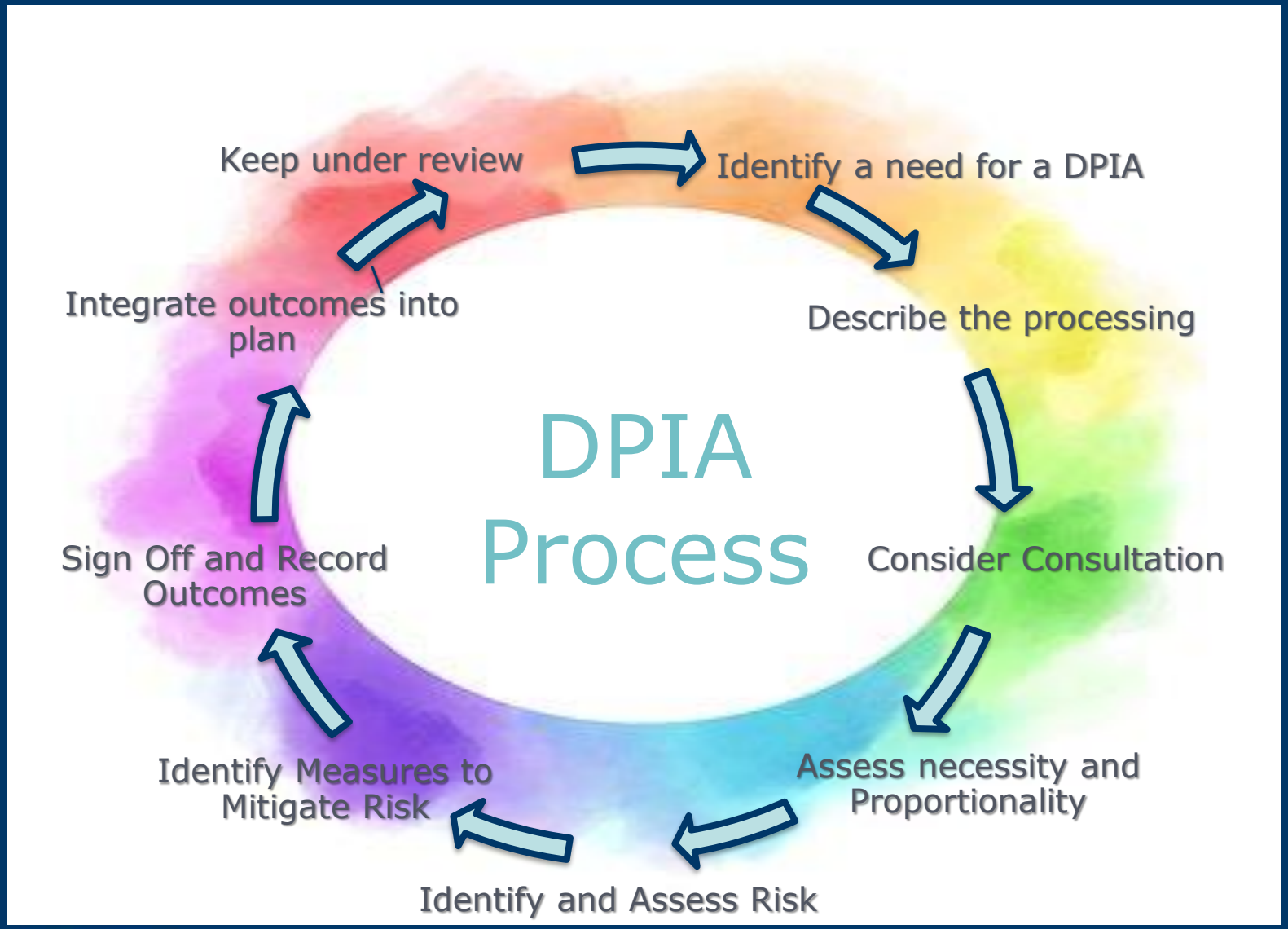

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Data protection by design and default

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Breach
Notification
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Not every data breach needs to reported

Best way to report a breach is over the phone

72 hours

- Only applies to personal data breaches as per the definition in GDPR (Art 4(12)
- Only reportable where it is likely there is a risk to people's rights and freedoms
- 72 hours – includes evenings/weekends/bank holidays (not just working hours)
- It is not a 72 deadline to just get in contact with the ICO - It's 72 hours, where feasible, to provide the information set out at Article 33 of the GDPR.
- **0303 123 1113 – Mon-Fri 9am-4:30pm**

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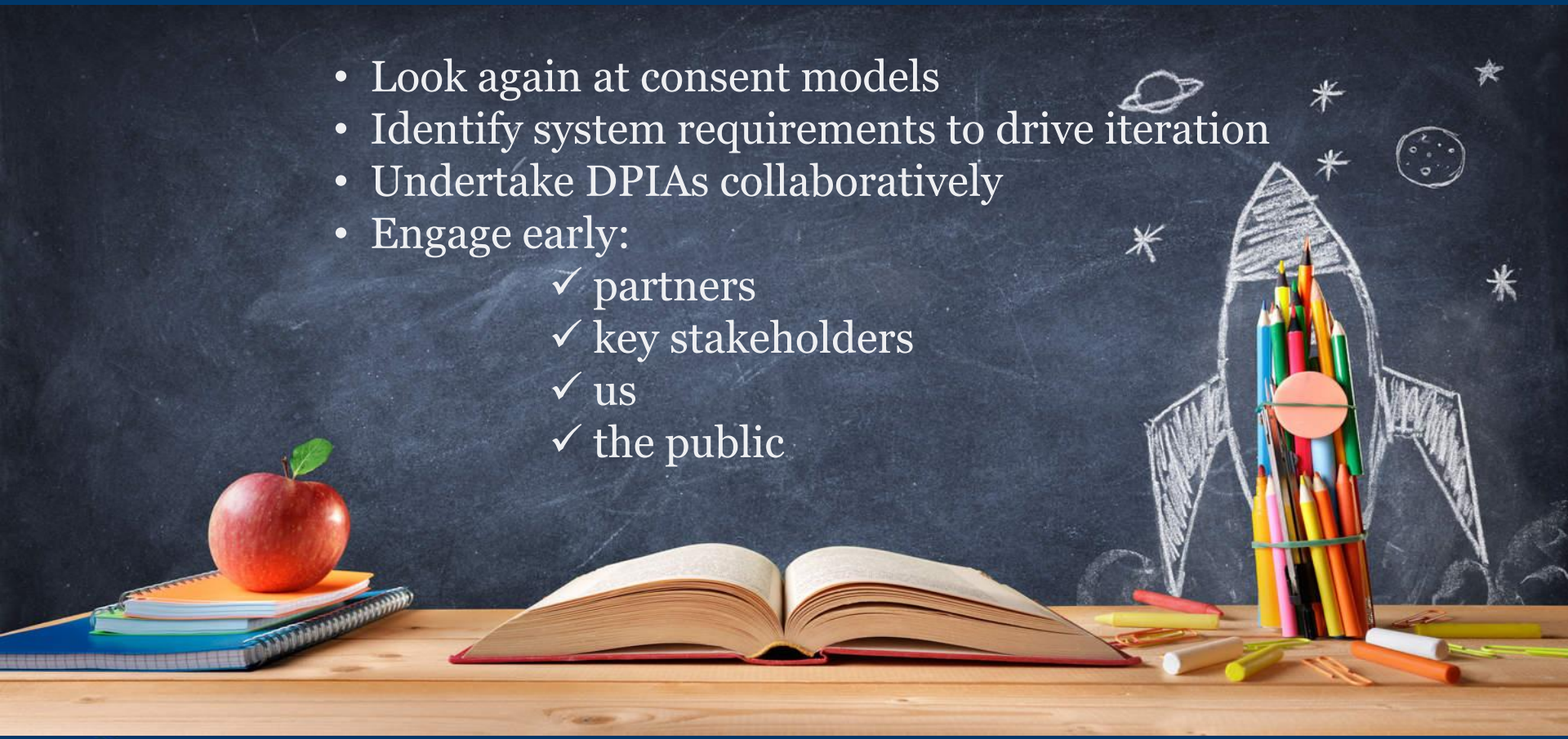
Emerging tips …



- Look again at consent models
- Identify system requirements to drive iteration
- Undertake DPIAs collaboratively
- Engage early:
  - ✓ partners
  - ✓ key stakeholders
  - ✓ us
  - ✓ the public

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Is this your biggest concern?

The ICO will issue a huge fine, won't they..?

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