

Looking ahead to the future - Data protection reform

Stacey Egerton, Senior Policy Officer ICO
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- Data protection Reform
- Key messages & myths
- Guidance update

Data Protection Reform



**General
Data
Protection
Regulation
(GDPR)**

**Data
Protection
Bill**

Countdown to 25 May 2018



Accountability



- Data protection by design and default
- Maintain relevant documentation on processing activities
- Use DPIA's where appropriate
- Appoint a DPO where appropriate

Data Protection Officer

- Processing is carried out by a public authority or body (FOIA)
- Can appoint one single DPO for several authorities/bodies - Art 37(3)



GDPR - Transparency

- Identity and contact details of the controller,
- The purposes for processing **and the legal basis**
- The particular legitimate interest being relied upon (if relying on that condition for processing)
- Recipients/categories of recipients
- Details of overseas transfers & details of any adequacy decision/absence of such a decision
- Details of retention periods
- Existence of certain rights
- The fact that consent can be withdrawn (if relying on consent)
- Right to lodge a complaint



Right of Access (SAR)

Time limits & Fees

Art
15





Right to erasure (right to be forgotten) Art 17



Enforcement

European Advice & Guidance

Art29WP adopted guidelines

- | | |
|--|---|
| <ul style="list-style-type: none">• Lead Supervisory Authority | <ul style="list-style-type: none">• Guidelines for identifying a controller or processor's lead supervisory authority• WP244 ANNEX II – Frequently asked questions |
| <ul style="list-style-type: none">• Data Protection Officers (DPO) | <ul style="list-style-type: none">• Guidelines on Data Protection Officers ('DPOs')• WP243 ANNEX - Frequently asked questions |
| <ul style="list-style-type: none">• Data portability | <ul style="list-style-type: none">• Guidelines on the right to "data portability"• WP242 ANNEX – Frequently asked questions |
| <ul style="list-style-type: none">• Data Protection Impact Assessments & High Risk Processing | <ul style="list-style-type: none">• Guidelines on Data Protection Impact Assessment (DPIA) and determining whether processing is "likely to result in a high risk" for the purposes of Regulation 2016/679, wp248 |
| <ul style="list-style-type: none">• Automated individual decision-making and Profiling | <ul style="list-style-type: none">• Guidelines on Automated individual decision-making and Profiling |
| <ul style="list-style-type: none">• Breach Notification | <ul style="list-style-type: none">• Guidelines on Personal data breach notification |
| <ul style="list-style-type: none">• Imposing administrative fines | <ul style="list-style-type: none">• Guidelines on the application and setting of administrative fines |

European Advice & Guidance

Art29WP 2017 work plan

- **Certification**
- **Consent**
- **Transparency**
- **Tools for international transfers**

ICO Guidance & policy work

ICO Guidance – What we have done so far

- **Guide to the GDPR** • <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>
- **Preparing for the GDPR – 12 steps** • <https://ico.org.uk/for-organisations/guide-to-data-protection/privacy-notice-transparency-and-control/>
- **Privacy notices code of practice** • <https://ico.org.uk/for-organisations/guide-to-data-protection/privacy-notice-transparency-and-control/>
- **GDPR draft consent guidance.** • <https://ico.org.uk/media/about-the-ico/consultations/2013610/gdpr-consent-guidance-consultation-form-word-201703.docx>
- **Getting ready for the GDPR checklist** • <https://ico.org.uk/for-organisations/data-protection-reform/getting-ready-for-the-gdpr/>

ICO Guidance & policy work

Future ICO Guidance & Policy priorities

- **Contracts & Liabilities**
- **Children's data**
- **Lawful bases for processing**
- **Updating the PIA code into DPIA code**

Will the ICO be
producing sector
specific guidance?

Guidance for smaller organisations

GDPR self-
assessment
checklist

FAQ's

Dedicated
advice helpline
0303 123 1113

Key points to take away?

- **REMEMBER - GDPR is an evolution not a revolution**
- **Awareness of obligations and taking action to comply**
- **Do the GDPR self assessment checklist**

<https://ico.org.uk/for-organisations/resources-and-support/data-protection-self-assessment/>



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123 1113

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