

General Data Protection Regulation (GDPR)

Data Protection Act 1998 – currently in force

General Data Protection Regulation 2016/679 – 25 May 2018

Whilst GDPR is an iteration of the existing Data Protection legislation. It is a substantial overhaul of the current data protection laws

The GDPR has been devised to take into account increased EU economic and technological advances. With the aim to create consistency & strengthen data protection principles across the EU.

Personal Data

- Personal data is any information that can be used by a business to identify a living individual.

Personal Data	Sensitive Data
Full Name	Racial or ethnic origin of the data subject
DOB	Political Opinions
Address	Religious beliefs or beliefs of a similar nature
Postcode	Whether the data subject is a trade union member
Telephone numbers	Physical, mental health or condition
Email address	Commission or alleged commission of any offence
NI Number	Any proceedings for any committed or alleged offence, including the disposal or sentence of any court in such proceedings
Driving License Number	
Passport Number	
Policy Number	
Bank Details	

Data Protection Principles

1. Processed lawfully, fairly and in a transparent manner in relation to individuals
2. Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
3. Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
4. Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay
5. Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed
6. Processed in a manner that ensures appropriate security of the personal data

Key changes

INCREASED TERRITORIAL SCOPE

INCREASED ACCOUNTABILITY

Enhanced data inventory
Data protection by design and default
Records of processing activities

DATA BREACH REPORTING

Mandatory reporting
Two tiered regime
INCREASE IN PENALTIES

LOSS OF LEGITIMATE INTERESTS FOR PROCESSING

STRONGER DATA SUBJECT CONSENT

Privacy Notices

DPO

Requirement for all public authorities
Advice, policies, monitoring, reporting, audit

Key changes

RIGHT OF ACCESS

Reduction in timescale from 40 calendar days to one calendar month

PRIVACY NOTICES

Required for each area where there is a use of personal data

RIGHT TO DATA PORTABILITY

To use your own data across different services

RIGHT TO ERASURE – TO BE FORGOTTEN

An individual can request deletion or removal of personal data where there is no compelling reason for its continued processing

DIRECT OBLIGATIONS FOR DATA PROCESSORS

Processing data on behalf of a data controller

What are we doing at NTU?

- Assessment and implementation of data processing activities
- Policies and procedures
- Training and awareness
- Data Protection Impact Assessments
- Agreements (UK and International)
- Data Protection Officer