



Getting ready for GDPR!

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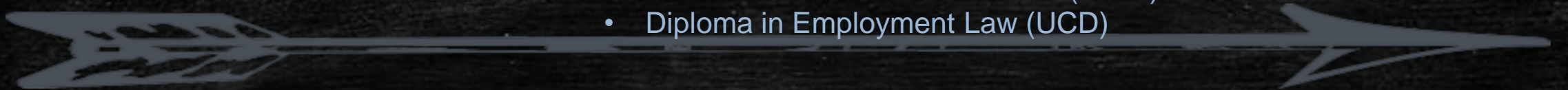
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LL.B

- TEP (Society of Trust and Estate Practitioners)
- Dip. Finance Law (Law Society)
- Cert. Data Protection Practice (Law Society)
- Prof. Cert. Data Protection (IOB/ACOI)
- Certified Data Protection Officer (ACOI)
- Diploma in Employment Law (UCD)



Data Protection is about people



Data Protection is about people, and
having respect for their privacy



Key terms

- Data controller
- Data processor
- Data subject
- Personal data
- Special categories of personal data
- Processing



Overview of GDPR

GDPR is “Evolution, not revolution”

Helen Dixon, Data Protection Commissioner

Most of this should be familiar to Schools



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(....or at least, it should be!!)



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www.dataprotectionschools.ie



What law applies now? What law applies after 25th May 2018?

Now

Data Protection Acts
1988 and 2003



25th May 2018 onwards

- GDPR
- Data Protection Act 2018
- Data Protection Acts 1988 and 2003 (re national security, defence, etc. only).



Overview of GDPR

- School must “demonstrate compliance”
- Enhanced transparency (Article 13)
- Principle of accountability
- Extensive record keeping obligations (Article 30);
- Must appoint a DPO in certain circumstances
- Must undertake DPIAs for certain types of data processing;
- Must adopt internal policies and implement measures which meet the principles of “privacy by design”/“privacy by default”;
- Data breaches: 72 hour notification
- Enhanced requirements in relation to “consent”
- Enhanced data subject rights
- Shortened time-frames for data-subject rights,
- Right to seek compensation (judicial remedy) for material or non-material damage



Overview of GDR

“demonstrate compliance”

Data subject rights

- Right to complain
- Right of access.
- Right to rectification.
- Right to be forgotten.
- Right to restrict processing.
- Right to data portability.
- Right to object, and automated decision making including profiling.

Be sensible: use limited resources wisely by developing templates, training staff etc.



Overview of GDR

“demonstrate compliance”

Transparency and accountability

Articles 13 & 14

- Principles – Article 5
- Data Protection Policy/Privacy Notice
- CCTV Policy
- Workplace monitoring policies (email, internet etc)?
- Be sensible: no sneakiness.



Overview of GDR

“demonstrate compliance”

Right to complain



Overview of GDR

“demonstrate compliance”

Right of access (now Article 15,
previously section 4)

- 1 month
- No charge



Overview of GDR

“demonstrate compliance”

Right of rectification – Article 16

Right of erasure (RTBF) – Article 17

- 1 month
- No charge



Overview of GDR

“demonstrate compliance”

Right of restriction – Article 18

Notification to 3rd parties – Article 19



Overview of GDR

“demonstrate compliance”

Right to data portability – Article 20



Overview of GDR

“demonstrate compliance”

Right to object, ADM/profiling –
Article 21



“I’ve lost the blimmin’
file! AARGGGGHHHH!”

Right to be notified in a
data breach (if “high
risk”)



“I’ve lost the blimmin’
file! AARGGGGHHHH!”

Context is everything



“I’ve lost the blimmin’
file! AARGGGGHHHH!”

Context is everything

Notify DPC-72 hours

Tell data subjects



“demonstrate compliance”





Policies

“demonstrate compliance”





Policies

“demonstrate compliance”

Contracts



Record
keeping

Policies

“demonstrate compliance”

Contracts





Record
keeping

Policies

“demonstrate compliance”

Staff
training

Contracts



Update all the contracts you already have with all your data processors



...and address all the
unapproved systems staff are
using



Comply with your Article 30 record-keeping obligations



GDPR readiness project continues

....and a million other things that you identify along your journey....





Resources

www.dataprotectionschools.ie

www.dataprotection.ie

www.gdprandyou.ie

www.ico.org.uk



**Good luck on
your GDPR
readiness
journey!!!**



Make sure the school budget stretches to gallons of coffee....

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Any questions?

