

GDPR: REFORM IN THE CHANNEL ISLANDS – POST 25 MAY 2018

Finally, after all the build up, speculation, scaremongering about fines and a record number of CPD sessions being available, the GDPR and its Jersey and Guernsey equivalents came into force on 25 May 2018.

We have frequently emphasised in our seminars and training for clients that this is an evolution not a revolution and you may have come into the office this morning and found that, aside from not getting quite as many emails inviting you to "keep in touch" or companies professing how much they will miss you, frankly, not much has changed.

So, should you still be keeping Data Protection high on the agenda? We think so.

WHAT SHOULD YOU BE CONSIDERING?

One area where we predict significant activity is an increase in data subject access requests or D-SARs. These are not new, but the combination of high profile data protection stories such as Facebook and Google, greater awareness in the public arena and the fact that Controllers are only allowed to charge for providing answers in very limited circumstances have led to predictions of a surge in requests.

D-SARs need to be dealt with properly and carefully. To do otherwise risks not just a disgruntled client but an allegation of a breach reported to the Data Protection Authority. You may also have heard Simon Franckel from our office talk about the "*triple whammy*" which starts with a D-SAR.

Are your staff trained to recognise a D-SAR? Do you have your policies and procedures in place for dealing with D-SARs. You also need to be very clear as to what information you do and (as importantly) do not need to provide.

HOW CAN OBEN HELP?

Oben can assist you with dealing with the response to a D-SAR, any subsequent exercise of the right to be forgotten and – in the worst case scenario – any consequences with the local Data Protection Authority.

Contact Alex Ruddy and/or Advocate Simon Franckel for further information. .

Alex is a director at Oben Regulatory.

Simon is a Partner of Oben Law.

Direct dial: +44 1534 849717/710

You can find more about Alex, Simon & the team at Oben at www.oben.je

