

## GDPR – Myth Buster!

During our investigation into GDPR – both for ourselves and for our clients – we uncovered a vast amount of conflicting information. This seems to be because several companies and organisations are attempting to “cash in” on peoples fear of GDPR. This means the information sent out is aimed towards organisations signing up to services that they may not actually need....

Following a meeting with a specialist in Data Protection legislation and former ICO employee, we have produced this document to help you see to the heart of GDRR and avoid the common “myths”.

### **MYTH 1: “NEW LEGISLATION”**

- No it is not! It’s an extension of the current Data Protection Act 1998 in the UK – it takes some elements that are “best practice” currently and will make them a legal requirement
- Yes there will be a new Act of Parliament but it will bring in national derogations

### **MYTH 2: “CONSENT NEEDED FOR ALL PROCESSING”**

- Untrue! Consent is only one of the six legal basis for processing under GDPR! So use one of the others! The six legal basis are Consent, Contract, Legal Obligation, Vital interests, Public task and Legitimate interests. (<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/#ib3>)
- DIRECT MARKETING: The one occasion when you DO need consent to process, and it needs to be clear
- NO MORE PRE-TICKED BOXES! – THEY WILL BE ILLEGAL!

### **MYTH 3: “I’VE GOT TO CHANGE ALL MY EXISTING SYSTEMS!”**

- Also not true. “Privacy by Design” makes legislation fit your tried and tested systems that work for you!

### **MYTH 4: “MUST HAVE A DATA PROTECTION OFFICER”**

- Not always! Under GDPR – the European Working Party (who lead on this) state that PUBLIC AUTHORITIES must appoint a DPO... So yes, if you are a state funded Primary School.
- The roles of a DPO include managing data access requests and reporting breaches. They are also required to perform “Privacy Impact Assessments” for ALL projects undertaken. This is one of the main reasons why you CANNOT outsource your DPO. The DPO MUST have in depth knowledge of your organisations workings and how you handle/store data. This would be impossible for an out sourced individual.
- You do always need a central contact.

## **MYTH 5: “IT’S GONNA BE EXPENSIVE PUT IN PLACE!”**

- WHY? From scratch if you have nothing in place, you are looking at a maximum of £300.

We can put you in touch with the consultant we used. They would visit you and write the policies; advise on the registration; sort out a “cookie” audit; demonstrate compliance in an appropriate manner through Privacy Notices; and put in place a process for dealing with a “Subject Access Request” – as required by the ICO.

Data Map

## **MYTH 6: “I NEED AN ONLINE PORTAL TO MANAGE GDPR!”**

- There are many online portals for managing GDPR. These are by no means essential and necessary. Beebug have evaluated several of the leading platforms and have assessed that GDPR365.com (by RedStor) to be the most useful. It has the best data mapping tool we have come across. All of the requirements within the GDPR can be achieved by a handful of documents and a couple of spreadsheets. However, it is sometimes useful to have a single place to save this information and easy to read, graphical representation of your policies and data map. If you would like a demo of GDPR365.com please let us know.

## **IMPORTANT: DON’T FORGET TO REGISTER WITH THE ICO**

If you have not already registered your organisation with the ICO, do so ASAP! Failure to register could leave you with a fine! The process is quick and simple:

Go to the ICO website - [www.ico.org.uk](http://www.ico.org.uk) and under Take Action on the right click the link for “Register, renew or search the register.” On the next screen click Register now -> to begin the process.

If you are unsure whether or not your organisation is registered go to <https://ico.org.uk/esdwebpages/search> and search using your establishments postcode.

## **HOW CAN BEEBUG HELP?**

Along with providing guidance for GDPR compliancy. Beebug can assist you with your data mapping. One of our team will be able to meet with your staff and help develop a spreadsheet containing your data locations, what it contains, why you have it, its retention period and who its shared with and the SLA that covers the sharing of this data.

## **FURTHER INFORMATION**

If you would like any further information or assistance on GDPR then please call us on 01727840303 or email [sales@beebug.co.uk](mailto:sales@beebug.co.uk).

Check out our website [www.beebug.co.uk](http://www.beebug.co.uk)