

One year on, the General Data Protection Regulation

Conducting your pension scheme's annual data protection review

2. Likely Scheme documents

- Privacy notices/fair processing information.
- Data protection policy including internal compliance record and breach policy.
- Data sharing agreements/ clauses with the employer.
- Third party contract addendums/ agreements (e.g. with administrators).
- Cyber security policies.

3. Developments since May 2018

- New ICO guidance e.g. on legitimate interests, controllers and processors, passwords and encryption, and contracts and liabilities.
- European Data Protection Board guidance on online services.
- Evolving best practice approaches (e.g. breach notification).
- Initial enforcement action.

5. On-going maintenance

- Ensure new third party contractors use GDPR compliant documentation.
- Monitor data protection and cyber security as part of the risk register.
- Keep your documents up to date if they refer to websites/third party providers/other documents.
- Watch out for further guidance and evolving best practice.
- Amendment may be required after Brexit.

4. Conducting an annual review

- Your data protection policy may require a review of all or part of your approach to data protection every 12 months. Even if not, it would be good practice to conduct a review.
- Important to conduct a legal review of compliance documentation.
- Review your practical approach to data protection in accordance with evolving best practice.

1. Looking back

- What was GDPR all about? Building on existing data protection laws.
- Key concepts – personal data, controllers, processors and the data protection principles.
- Lawful basis for processing personal data, including special categories of personal data.
- Privacy notices – fair processing information. Increased transparency requirements.
- A review of policies and procedures in light of the new requirements and the heavier penalties for non-compliance.
- Requirement to report any data breaches to the Information Commissioner's Office ("ICO").
- New and enhanced data subject rights in relation to personal data.
- New requirement for third party service provider agreements to ensure compliance with the new requirements.

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