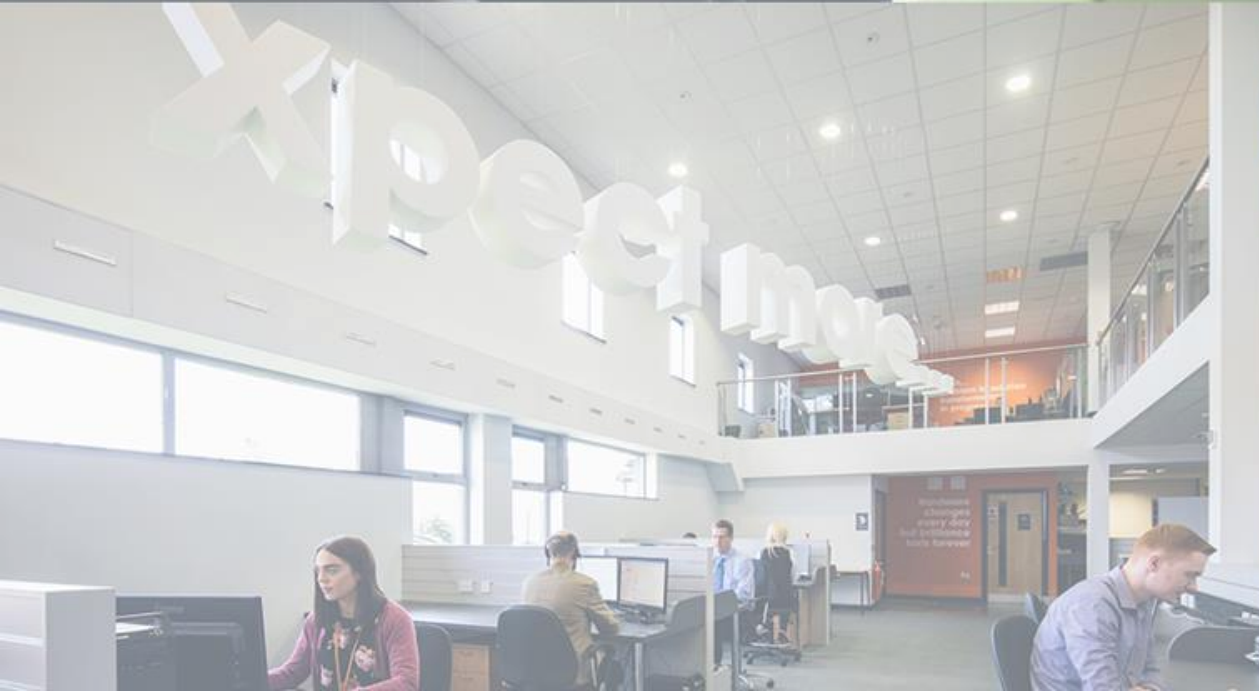




GDPR – Opportunities & Answers



@xperiencegroup
@mln_ni
@mckintywright
@quadraconsult





[Action we've taken](#) /

Enforcement action

Filters

Type

- ☐ All
- ☒ Monetary penalties 91
- ☐ Enforcement notices 36
- ☐ Undertakings 34
- ☐ Prosecutions 26

Sector

- ☒ All
- ☐ Marketing 25
- ☐ Charitable and voluntary 13
- ☐ Finance insurance and credit 11

91 in total

Royal Mail Group Limited

06 April 2018, Monetary penalties, General business

Royal Mail Group Limited has been fined £12,000 by the Information Commissioner's ...

Humberside Police

05 April 2018, Monetary penalties, Criminal justice

Humberside Police has been fined £130,000 by the Information Commissioner's Offic...

Holmes Financial Solutions Ltd

31 January 2018, Monetary penalties, Finance insurance and credit

Holmes Financial Solutions Ltd fined £300,000 after they instigated the transmission ...

SSE Energy Supply Ltd

18 January 2018, Monetary penalties, Utilities

SSE Energy Supply Ltd fined £1,000 after they sent an email to an individual in error.

[Action we've taken](#) / [Enforcement](#) /

Royal Mail Group Limited

Date **06 April 2018**

Type **Monetary penalties**

Sector **General business**

Royal Mail Group Limited has been fined £12,000 by the Information Commissioner's Office after sending more than 300,000 nuisance emails. On two dates in July 2017, the company sent emails to 327,014 people who had already opted out of receiving direct marketing.

Further reading



[Royal Mail Group Limited monetary penalty notice](#)

Action we've taken

PDF (2.26MB)



[Royal Mail fined £12,000 after sending more than 300,000 nuisance emails](#)

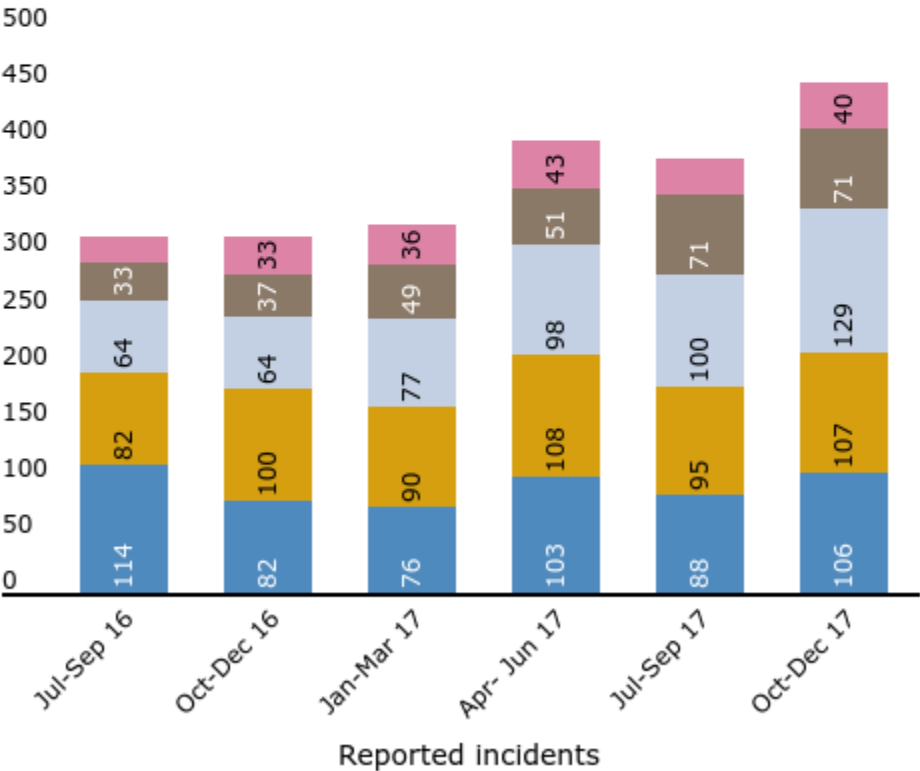
About the ICO

What you've reported to us



There were 815 reported data security incidents in Q3

Data security incidents by type



This was a 19% increase on Q2's total of 687, and a 41% increase on the same period in 2016.

40	Failure to use bcc when sending email
71	Failure to redact data
129	Data sent by email to incorrect recipient
107	Loss or theft of paperwork
106	Data posted or faxed to incorrect recipient

Roisin Harper
McKinty & Wright Solicitors

Mark Hopkins
Quadra Consulting

Patrick Leggett
Xperience Group





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mckinty
and wright
SOLICITORS

How will GDPR be
monitored and enforced?

Any difference to how GDPR is being
interpreted or applied between
North and South?

Consequences of not hitting the end of
May deadline?

Please clarify how you decide as
an organisation whether or not
you need to appoint a DPO

GDPR - implications for HR

How long do you have to keep data?

Consent is a concern

What is the most important
thing to tell?

Do you really think there will be a
wave of SARs or
Requests to be forgotten?

Thanks for listening!
@MckintyWright
www.mckinty-wright.co.uk

SOLICITORS




GDPR Compliance


Mark Hopkins



Marketing

 **Business to Consumer**
Relies very much on consent

 **Business to Business**
Automated calls will require consent
Other contacts are acceptable but an opt-out must be offered

 **Privacy and Electronic Communications Regulations 2003 (PECR)**
Do you meet the requirements of PECR?

 GDPR covers any communication to an individual by any means

 PECR covers Direct Marketing communication to anyone via electronic means

 Marketing Legislation will be updated EU wide (possibly in 2019) with the introduction of E Privacy regulation



Not Marketing...

- Information – Account Information, payment information, newsletters
- Market Research – As long as it's not marketing in disguise
- Customer satisfaction surveys

Take Away Number 1

Confirm that any marketing activities meet the requirements of PECR.

PECR is enforced by ICO and guidance is available



Consent

Do I need to reconfirm consent?

Maybe.....

Can you confirm consent was gathered in a manner that satisfies the GDPR requirements?
Organisations may need to reach out to individuals to give them an option to opt-in.

A no reply should be interpreted as an opt-out.

Consent must be:

- 📱 Freely given
- 📱 Specific
- 📱 Informed
- 📱 A positive opt-in action

Soft Opt-in can be used for some direct marketing activities (text, email, phone)

Take Away Number 2

*Confirm that any consent for has been gathered in a manner that meets the GDPR requirements.
You may need to reconfirm consent.*



Data Retention...

How long do we currently keep data?

- 🐢 Forever?
- 🐢 Until we run out of space?

Keeping masses of data should be seen as a risk rather than an asset.

Some record types must be held for a minimum period of time for legal compliance reasons
Other records should only be held for as long as they are required.
After that period the records should be destroyed or anonymised

Organisations should look at their current data retention policies.

The enforcement of the policies' effectiveness should be reviewed.

Take Away Number 3

Review your data retention policies and processes.

Ensure data is destroyed or anonymised at the end of it's retention period



Breaches...

What constitutes a data protection breach?

- 📁 Unauthorised access to information
- 📁 Unauthorised modification of information
- 📁 Accidental loss of information
- 📁 Theft of information
- 📁 Information becomes inaccessible

C.I.A.

Confidentiality

Integrity

Availability



Breach Reporting...

Breach Reporting

- 🧑 Required to inform the ICO within 72 Hours
- 🧑 Data Subjects MAY need to be informed “without undue delay”
- 🧑 A risk assessment should be carried out

Take Away Number 4

*Have your breach reporting process ready **before** you have to use it.*

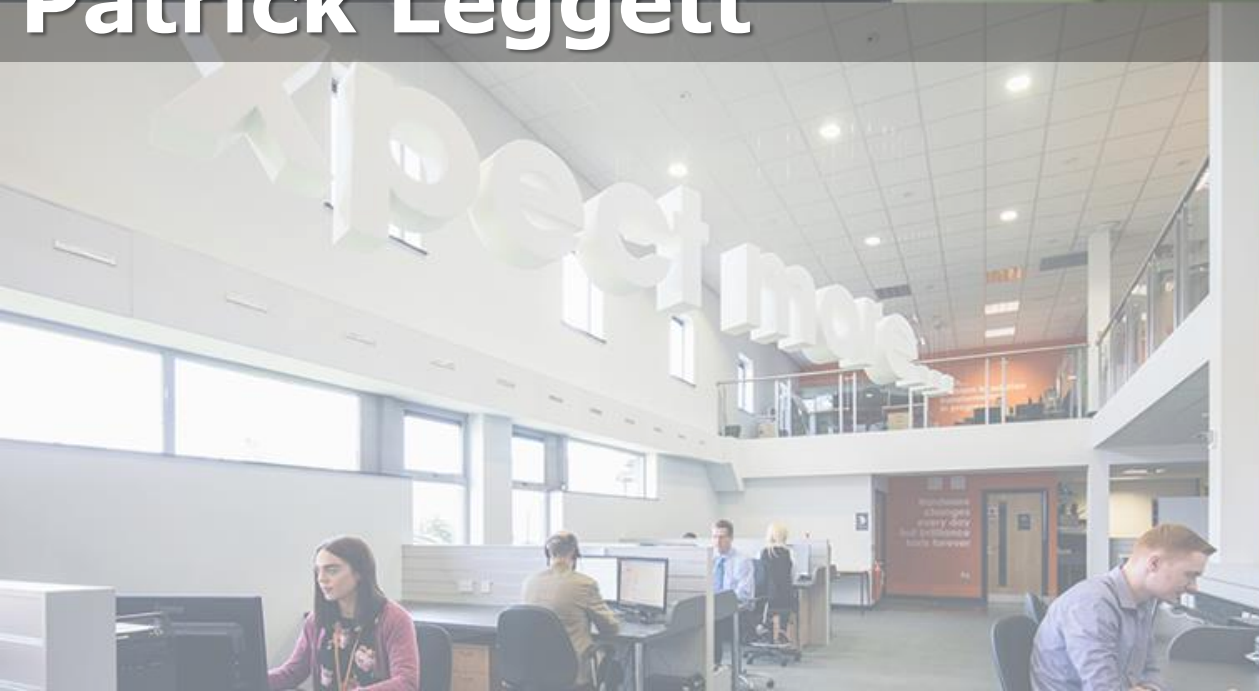
Review the ICO guidelines about what they expect organisations to do in the event of a breach





GDPR – Opportunities & Answers

Patrick Leggett





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VVS#SF34
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VR1#DC93

NHA51H
VL1#DC93

FLG3770
P09+CRJ2
NHA685
VL1#A319

FL
VL

MES3069
VR1#SF34

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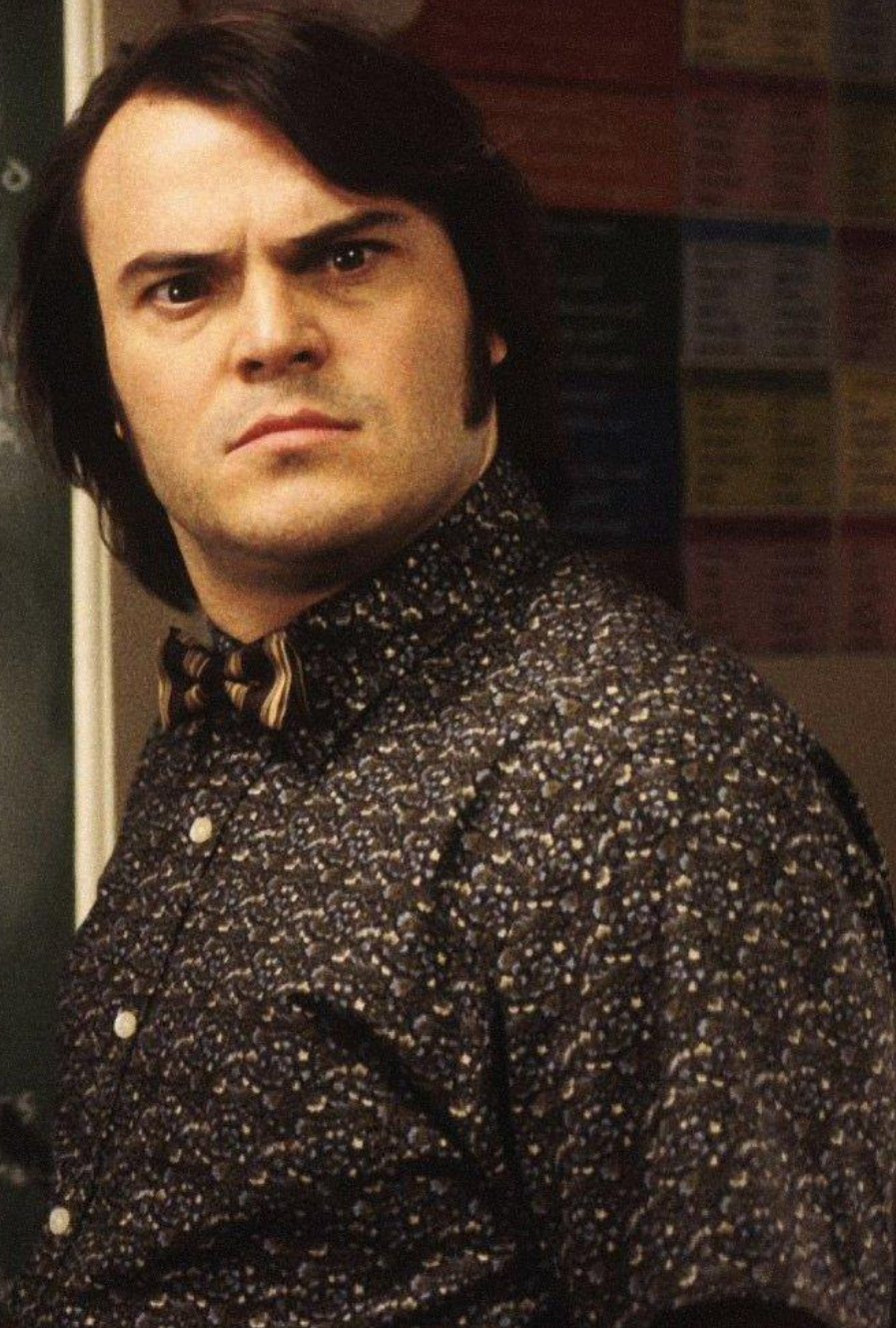
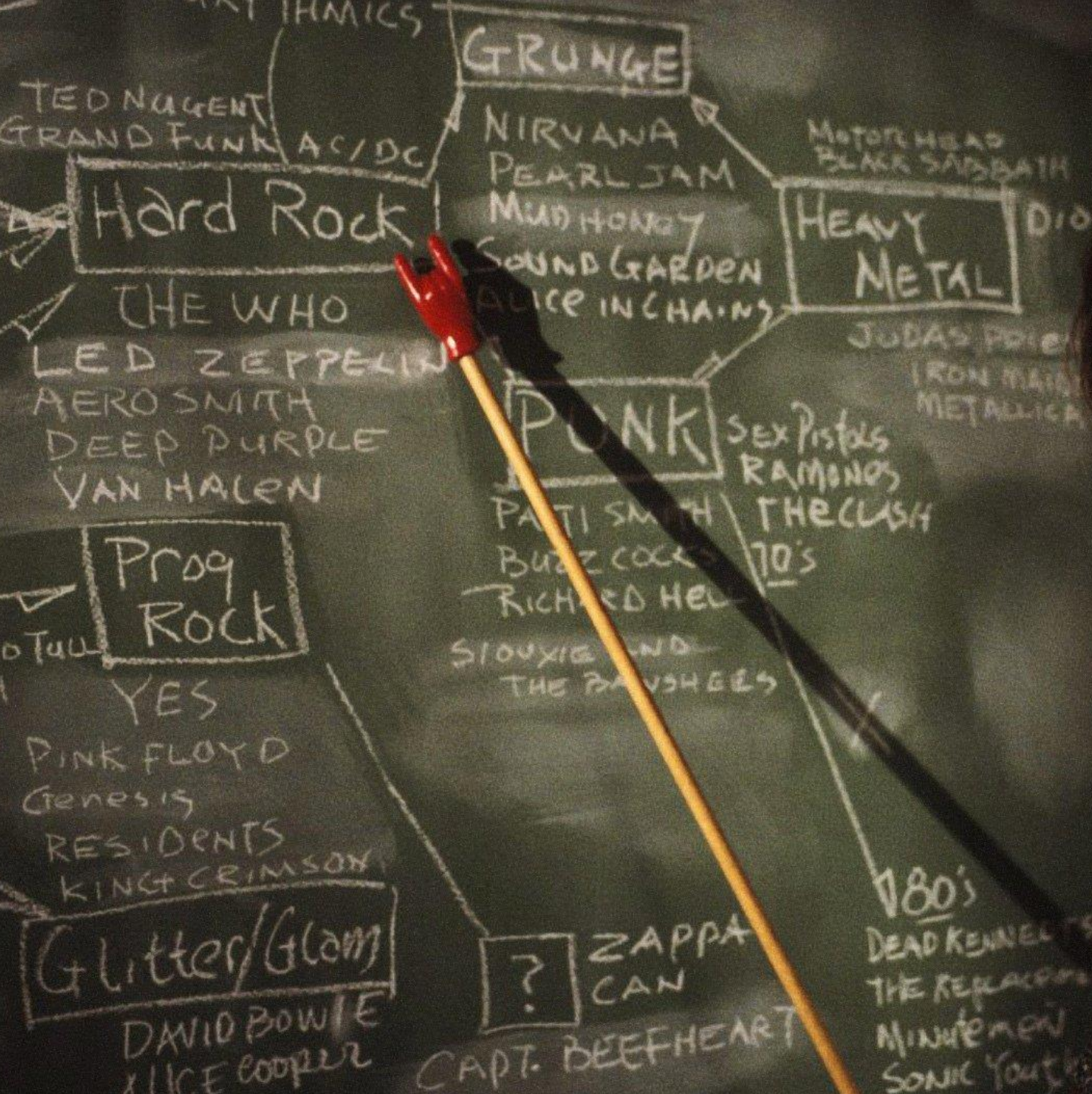
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FFPW





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www.mln.org.uk/event/gdpr/





Aine Brolly & Gerry Hussey
Optimum Performance
Mossley Mill, Newtownabbey
Breakfast on 2nd May 2018



Lara Morgan

Selling, Marketing & Maximising Opportunities

Island Hall, Lagan Valley Island, Lisburn

Dinner on 31st May 2018



