

GDPR Guidelines

8 Points You Need to Know

GDPR is designed to protect all EU citizens from privacy and data breaches. It comes into effect from May 2018, but the time to start preparing is NOW.

2

What is personal Data?

Any information that can be used to identify a person, either directly or indirectly constitutes personal data. This could include a name, email address, bank details, photos, social media posts, medical information or IP addresses.

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Who does it affect?

It applies to all companies processing and holding personal data of people residing in the EU, regardless of the company's geographical location.

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Consent

The process of consent will be strengthened. The request for consent must be clear and separate in easy to understand language, no legalese and your request must make clear that the act of data processing will be undertaken. The act of withdrawing consent must be as easy as the act of giving consent.

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Right to be forgotten

One of the important data subject's (that's your customer) rights is the right to be forgotten or "Data Erasure". This gives the data subject the right to demand that you erase his or her personal data.

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What happens if we have a breach?

Breaches that constitute a risk for the rights and freedoms of individuals must be reported within 72 hours to both the customers and the controllers.

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Right to Access

This means that the data subject is entitled to an electronic copy of all data and has the right to know if their data is being processed and if so, where and for what purpose.

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Failure to comply

If your company fails to comply then it will be liable for penalties, and they are stiff. Up to 4% of annual global turnover or €20million. Of course, it's a tiered process, but you could still be charged as much as 2% for not keeping your records in order or not notifying the supervising authority of a breach.

8

We don't need to do this after Brexit, right?

Wrong, if you process an individual's data by selling goods or services to citizens in the EU, you will still need to comply. If your business is confined within the UK, it's less clear what will happen post-Brexit, but it's very likely that Britain will implement a similar legislation anyway.