

STAYING ON THE RIGHT SIDE OF DATA PROTECTION LAWS

OCTOBER 2021



Key pointers to help ensure your business is compliant with Data Protection laws

1. Look again at your external Data Protection/Privacy Policy – Does it reflect your current business practices?
2. If you do not have an external Data Protection/Privacy Policy, speak to us as soon as possible.
3. Ensure your external Data Protection/Privacy Policy is accessible to third parties at the point you collect their personal data.
4. Make sure that your Employee Privacy Notice is up to date and accessible to all employees. If you haven't updated it since 2018, consider doing so now.
5. Check that your employment contracts are not relying on 'consent' for the processing of employee data and update where required.
6. Make sure that your Employee Data Protection Policy is up to date and reflects current practices.
7. Review your policies on data security in the light of home working arrangements – are they still fit for purpose?
8. Consider an internal data retention policy, setting out procedures for deleting personal data after a specific period of time when it is clear that the data is no longer required (or ensure your external privacy policy reflects this).
9. Put in place a policy on how to deal with personal data breaches and make sure your staff understand their obligations.

10. Put in place a policy on how to deal with data subject access requests generally (and potentially also the exercise by data subjects of their other rights too).
11. Train staff on Data Protection on a regular basis; Ensure staff are aware of the applicable policies.
12. Ask your web designer whether your website features any cookies: Cookies on your website technically need prior consent whether or not they process personal data, unless they are “essential” for the proper use of the website (e.g. remembering what is in a “shopping basket” on the site). Consider the need for cookie acceptance banners on the home page of your website.
13. Consider who might process personal data on your behalf – Do you have appropriate contract terms in place with them, identifying their role and responsibilities as a processor of personal data on your behalf, in accordance with the requirements of UK GDPR?
14. Data protection fee – Undertake the self-assessment on the Information Commissioner’s Office website to work out the relevant data protection fee (if any) that may be payable by you. The link is: <https://ico.org.uk/for-organisations/data-protection-fee/self-assessment/>

If you require assistance or advice on any of the above please contact either:

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Disclaimer: Please be aware that this note does not constitute specific legal advice on your particular circumstances, nor is it any guarantee of complete compliance – it is a crib sheet to starting points.