



GDPR: An Overview for Public Sector Communicators

Live webinar | 16 August

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Granicus Annual Public Sector Communications Conference

Tuesday 26 Sept | RIBA Venues, London | Free | #UKComm17

- Deeper look at GDPR for 'govcomms'
- Speakers from the Information Commissioner's Office (ICO) and Centre of Excellence for Information Sharing

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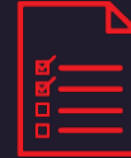
GOVDELIVERY COMMUNICATIONS CLOUD

- Increase your audience and engagement in services and programmes
- Inform, educate, inspire
- Drive action and behavioural change
- Collaborate with others in the GovDelivery Network



DIGITAL SERVICES SUITE

- Make interacting with government easy
- Increase citizen involvement in committees, volunteering and other programmes
- Create high impact learning experiences and increase knowledge retention



MEETING AND AGENDA SUITE

- Reduce workloads and increase efficiency of democratic and committee services
- Streamline and automate workflows
- Manage agendas in one place
- Improve cross-departmental efficiency and collaboration

10.5+ million UK citizens

150+ UK public sector
organisations

150+ million citizens

3,000+ public sector
organisations
worldwide

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Holly Bremner

Head of Dissemination

Centre of Excellence
for Information Sharing



Imogen Heywood

Engagement Manager

Centre of Excellence
for Information Sharing



Dave Worsell

Managing Director

Granicus (Europe)

GDPR – an overview for communications professionals

Holly Bremner and Imogen Heywood

Head of Dissemination and Engagement Manager

The Centre of Excellence for Information Sharing

What we plan to cover today

- **What is GDPR?**
- **Why does it matter to communications professionals?**
- **What do you need to know?**
- **What you should be doing?**
 - To manage your own data
 - To support organisational change
 - To engage partners and the public
- **Who you should be talking to about it?**
- **Where to go for help**

Who we are



Holly Bremner
Head of Dissemination

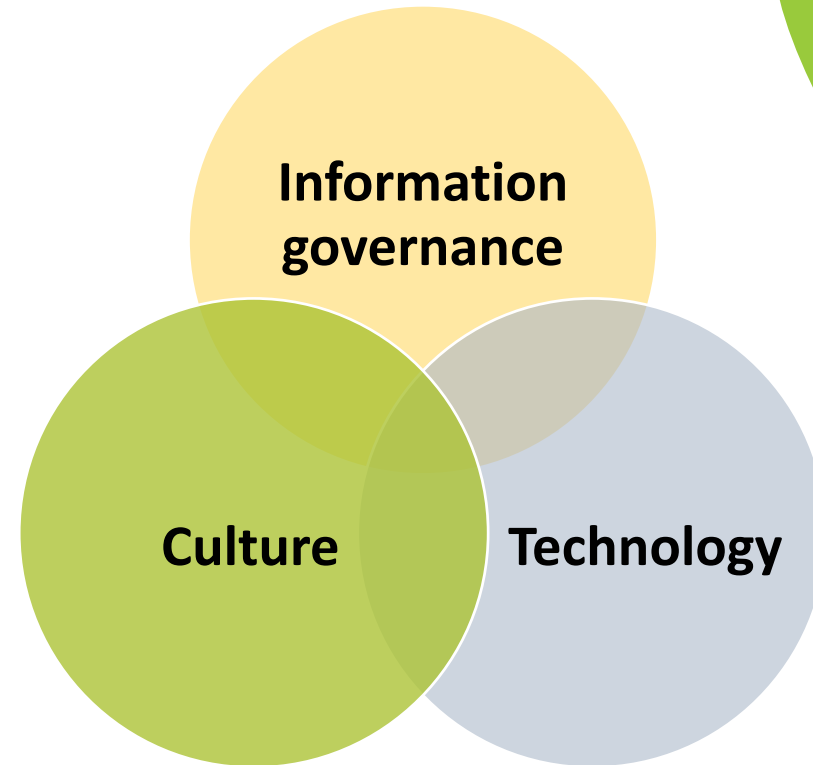


Imogen Heywood
Engagement Manager

What we do

We work across a wide range of policy areas:

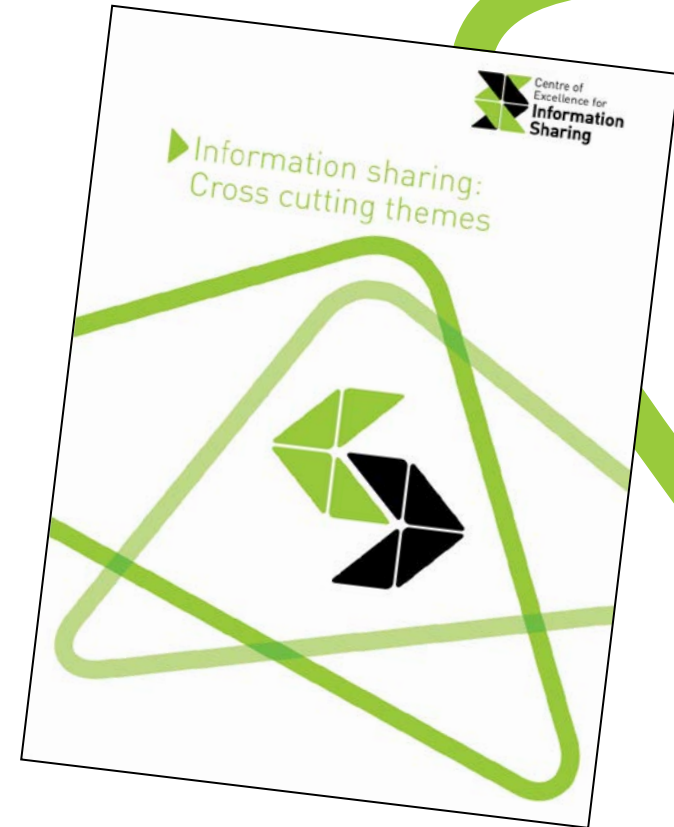
- Mental health and policing
- Multi agency safeguarding
- Health and social care integration
- Troubled families
- Welfare reform
- Better regulation for a stronger economy



Cultural themes

Cross-cutting – across policy and place

- Leadership, vision, collaboration
- Professional development
- Partnership and organisational culture
- Risk management
- Citizen engagement



What is GDPR?

- GDPR = General Data Protection Regulation
- An EU regulation, but staying even after Brexit
- Will be further embedded through the new Data Protection Bill (replacing the Data Protection Act 1998)
- Covers data processing and data security
- Comes into effect on 25 May 2018 (so on this date we swap over completely from the DPA to GDPR)

Why does it matter?

- It applies to anyone who manages or processes **personal data**, a good rule of thumb is if you are subject to the data protection act, you are subject to GDPR
- It applies not only to activities that take place in the EU, but also to processes outside the EU when they involve data belonging to people who live in the EU

What do we mean by 'personal data'

- More detailed definition under GDPR than the Data Protection Act
- In GDPR, personal data is defined as:

'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

What are special categories of data?

- Similar to 'sensitive personal data' under the DPA 1998
- In GDPR, they are defined as:
 - personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership;
 - genetic data or biometric data for the purpose of uniquely identifying a natural person;
 - data concerning health; or
 - data concerning a natural person's sex life or sexual orientation.
- Processing of special categories of data is prohibited under GDPR, unless you can meet further conditions for processing

What's different? GDPR vs DPA 1998

- **Personal data** – The definition under GDPR is more detailed
- **Accountability** – GDPR requires you not just to comply, but also to record what you're doing (and why), and to be able to demonstrate this to other people
- **Individual rights** – GDPR introduces a new focus on the information rights for individuals (DPA focuses more on organisations)
- **Conditions for lawful processing** – 'Specific interest' can no longer be used by public bodies as a condition for processing
- **Consent** – GDPR requires an active 'opt in' approach, which must consider the balance of power
- **Children** – Under 13 yrs old, need parental consent

Accountability Principle

- There is some really helpful advice about what you need to record on the ICO's website (www.ico.org.uk)
- Key things to think about recording:
 - details of your organisation;
 - the reasons why you are processing personal data (the purpose and the lawful conditions for processing);
 - the types of people and types of data you are processing;
 - who you you'll be sharing the data with;
 - how long you are going to keep data for; and
 - what you are doing to keep the personal data safe

New individual rights

- GDPR creates some new rights for individuals and strengthens some of the rights that currently exist under the DPA.
- GDPR provides the following rights for individuals:
 - The right to be informed
 - The right of access
 - The right to rectification
 - The right to erasure
 - The right to restrict processing
 - The right to data portability
 - The right to object
 - Rights in relation to automated decision-making and profiling.

Lawful conditions for processing - DPA

Under the Data Protection Act 1998, you have to meet at least one of the following conditions for processing (unless an exemption applies):

Consent – You have consent from the individual to process data about them

Necessary – processing personal data is necessary to fulfil a contract; legal obligation; protect 'vital interests'; administering justice or other government functions; or

Legitimate interests – the processing is in accordance with the 'legitimate interest' condition

Lawful conditions for processing - GDPR

Under GDPR

- Public bodies can no longer use 'legitimate interest' as a condition for processing;
- So, public bodies need to make sure they comply with one of the other conditions for processing, namely:

Consent – you have the person's consent to use their data

Necessary – for processing to fulfil contract, to comply with a legal obligation, to protect vital interests, or **to perform a task carried out in the public interest.**

Lawful conditions for processing - GDPR

So, whilst public bodies can't use 'legitimate interest' they can use the public interest condition, which applies when:

- The processing of personal data is necessary for the performance of a task that is in public interest, or the exercise of official authority.

Consent – DPA vs GDPR

- Data Protection Act (DPA) - the ICO already states that organisations should not infer consent from a box not being ticked, or from not having heard back from someone.
- GDPR – tightens the definition, and raises the bar:
 - there must be ‘an affirmative action of consent’ – such as ticking a box/signing a form.
 - devices such as pre-ticked opt-in boxes will be banned.
 - must be as easy to withdraw consent as it is to give consent
 - must be able to withdraw consent at anytime.

Children's data – new focus under GDPR

- GDPR is enhancing the protection of children's personal data.
- Two key things to know:
 - if you are **offering services to a child**, you tell them what you are doing with their data in clear and simple way a child can understand
 - If you're **planning to ask for consent** - the age that a child can consent to the processing of their data is 13 years old.

Tackling GDPR myths and legends

- Myth 1** - We are going to have to throw it all away and start again
- Myth 2** - Will journalists stop us from contacting them if we don't know them?
- Myth 3** - Does this mean we can't send things out on behalf of partners?
- Myth 4** - Can I be personally fined for a breach under GDPR?

Preparing for GDPR - what to do and who to talk to

- 1) **Start writing it down!** Get involved in your data audit
- 2) **Be positive!** Be the voice of opportunity in your Leadership Team's ears.
- 3) **Make friends!** Get to know your local Information Governance or Data Protection team / person.
- 4) **Collaborate!** You're not alone and your partner organisations will be looking for ways to tackle the same challenges.
- 5) **Get in early!** Apply the 'privacy by design' approach required under GDPR.

Sources of help and guidance

- The Information Commissioners Office (ICO) website – www.ico.org.uk
- Professional bodies – such as CIPR (www.cipr.co.uk) and PRCA (www.prca.org.uk)
- Sector-specific organisations - such as the Local Government Association (www.local.gov.uk) and the health focused Information Governance Alliance (<https://digital.nhs.uk/information-governance-alliance>)
- The Centre of Excellence for Information Sharing – www.informationsharing.org.uk

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- Deeper look at GDPR for 'govcomms'
- Cyber security
- Generating income and the impact of comms
- Saving money with good comms
- Opportunities for public sector communicators
- Emergency and crisis comms best practices
- Citizen engagement best practices
- Digital Strategy Awards 2017
- Network with 300+ of your peers

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Thank you for listening.

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A professional meeting in a conference room. A man in a dark suit stands at the front, presenting to an audience seated around a table. A large screen on the left displays a presentation slide with bullet points. The room has wood-paneled walls and large windows with blinds. The text 'TECHNOLOGY FOR THE PEOPLE WHO ARE CHANGING OUR WORLD' is overlaid in three red boxes with white text.

**TECHNOLOGY FOR THE
PEOPLE WHO ARE CHANGING
OUR WORLD**