

# Strategic Plan

**2019-2022**

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**Our plan to deliver effective and  
independent data protection regulation.**

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**This Strategic Plan is designed to implement our mission to deliver effective and independent data protection regulation which ensures high standards of data protection in our community by:**

- promoting responsible handling of personal data through education and information;
- preventing poor data handling which would not meet legal or ethical requirements; and
- taking action against significant non-compliance.

This mission is aimed at benefitting individuals, organisations and the prosperity and well-being of our society, against the backdrop of major technological and social change in the digital economy.

In this Strategic Plan we are both ambitious in our aims and realistic about the resources available. Our aim is to produce cost-effective outcomes which deliver tangible benefits to individuals, the regulated community and the Bailiwick.

We are developing administrative and operational mechanisms which will record and monitor our performance including the allocation of resources to ensure that workloads are prioritised and decision making is consistent and accountable.

We understand that ensuring our staff, our most valuable resource, are committed, knowledgeable, supported and valued allows us to deliver better outcomes.

The demands upon us are significant and resources are limited.

Against this backdrop we commit to the highest levels of governance and accountability in all our decision making and resource allocation.

# Our core values

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## Ambitious and progressive

We are clear about our role and we strive for excellence in all that we do. We aim to lead in areas that require our expertise, input and support. In particular, we value innovation, creativity and a culture of continuous improvement in the dynamic legal, technical and social environment we operate in.

## Impartial and ethical

We are independent and act with integrity. We do what is right, not what is convenient, and deliver on our duties in a way that demonstrates the highest standards of ethical conduct.

## Cooperative and accountable

We know that to achieve the best outcomes we must understand and engage with stakeholders. We are transparent and accountable, and seek respectful, honest and constructive relationships as a means to achieving good outcomes.

# About our Strategic Plan

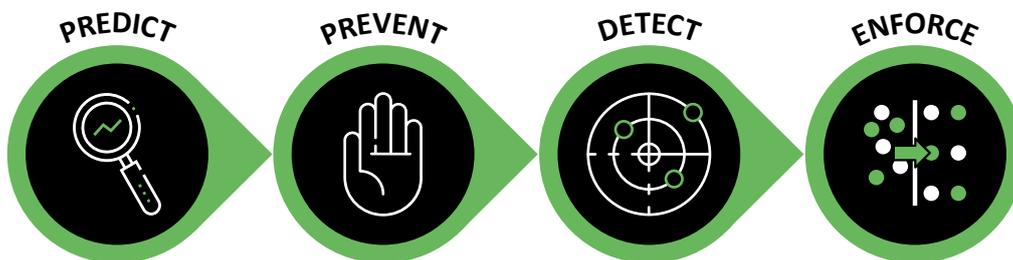
## Our Strategic Plan sets out our strategic objectives and the actions that follow.

We understand the need for transparency and accountability in our activities as well as the desirability of using evidence-based means of targeting resources. The nature of the regulatory environment is such that it is challenging to determine specific levels of compliance including undetected infringements across the regulated community.

Mindful of these problems of monitoring and compliance, we will progress the development of relevant key performance indicators that follow on from objectives set out in this Strategic Plan. These will be published in our Annual Reports and throughout the year.

## The four areas of effective regulation

We have developed our strategic objectives by focusing on the following key areas of regulatory activity:



# Our key strategic objectives

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Our key strategic objectives below set out how we will seek to **predict and prevent harms to individuals from poor handling of their personal data and ensure that our detection and enforcement activities are proportionate and effective.**

## Our key strategic objectives are:

1. To develop our capabilities to deliver on our enhanced statutory duties.
2. To be a relevant, responsive and effective regulator.
3. To support organisations in delivering their obligations and empower individuals to exercise their rights.
4. To develop and maintain effective relationships.
5. To elevate discussions around the protection of personal data to engage the community and individuals in a relevant and positive way, recognising the personal, social and economic opportunities and threats that the data economy poses.

# Strategic objectives and associated priority actions

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## 1. To develop our capabilities to deliver on our enhanced statutory duties

### Actions:

- Develop and adopt an explicit risk control strategy to manage and prioritise our workload by end 2019;
- Implement new internal policies and procedures to ensure consistent operational and administrative standards as well as appropriate governance by end 2019;
- Complete implementation of the structuring, resourcing and governance plan by end 2019;
- Project management and delivery of the new funding model by 1st quarter of 2020;
- Develop a Regulatory and Enforcement Action Policy that will set out our approach covering detection and enforcement by 1st quarter 2020;
- Play a key role in the Bailiwick's ongoing adequacy review by the European Commission.

**2.**

## To be a relevant, responsive and effective regulator

### Actions:

- Draft a paper setting out our overall approach to regulation and how we seek to reduce harms by 1st quarter 2020;
- Develop effective mechanisms to resolve and learn from complaints;
- Operate the deployment of resources and staff flexibly and responsively in light of identified compliance and enforcement objectives keeping this under continuous review;
- Prioritise oversight and engagement with the public sector for all processing but specifically in the delivery of Future Digital Services;
- Lead by example in our commitment to data protection and the ethical approach to data governance in everything that we do;
- Ensure availability of appropriate legal, technical and communications support through the development of trusted partnerships;
- Keep international data protection and associated developments under continuous review;
- Provide support to employees for continuous learning around developments in data protection, privacy and associated issues;
- Utilise the skills and experience of The Data Protection Authority Members to improve the knowledge of ODPA staff;
- Ensure all ODPA staff are supported and valued allowing them to contribute to the overall aims and success of the organisation;
- Be open to constructive exploration of innovative practices and activities within the regulated community.\*

**3.**

## To support organisations in delivering their obligations and empower individuals to exercise their rights

### Actions:

- Complete the website and CRM project to improve the user experience as well as the internal administrative processes by 1st quarter 2020;
- Explore the targeting of regulatory support and response to different sectors by end 2020;
- Explore alternative dispute resolution mechanisms for complaint handling by 2nd quarter 2020;
- Deliver on our Communications Strategy, keeping it under continuous review and exploring effective communication tools and methods for all audiences;
- Provide clear, meaningful and inspiring communications, guidance and engagement;
- Encourage industry compliance through enlightened self-interest and cultural change;
- Raise data protection awareness in school-age children;
- Engage with and support the Bailiwick's data protection association;
- Engage with and support representative organisations to improve industry and public awareness and understanding.

\*added on 5 December 2019

## 4. To develop and maintain effective relationships

### Actions:

- Work with industry, key bodies, representatives, associations and professionals, recognising the important role they play in shaping the regulatory environment for regulatees whilst being constantly vigilant to protect against regulatory capture<sup>1</sup>;
- Ensure open and constructive engagement with the States of Guernsey in discussions around legislative and policy areas involving the processing of personal data;
- Explore the use of Memorandums of Understanding with other bodies to ensure a consistent and coherent regulatory and enforcement environment for regulatees;
- Continue to work with other regulators across the EU and beyond in strategic and operational matters;
- Continue to work with the European Commission during and beyond formal assessment of adequacy;
- Where most effective, seek representation and attendance at key industry and regulator events.

## 5. To elevate discussions around the protection of personal data to engage the community and individuals in a relevant and positive way, recognising the personal, social and economic opportunities and threats that the data economy poses

### Actions:

- Explore the feasibility of holding a conference to encourage learning and discussion for the wider community by end 2019;
- Regularly publish comment and thought pieces on data related matters;
- Provide relevant comment to the media where this advances our aims and encourages broader discussion and awareness;
- Provide a supportive and stimulating environment for staff to allow them to be exemplars of their professions;
- Connect with industry and community representative organisations to encourage their engagement in supporting the data rights and obligations of those they represent.

<sup>1</sup> The term 'regulatory capture' refers to a regulator being influenced (or perceived to be being influenced) by an entity it regulates.



# Next steps

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**This Strategic Plan is a live document borne out of months of considered effort from the Commissioner and The Data Protection Authority Members and Chair.**

**We have listened to feedback received from our regulated community during this process, and continue to invite feedback, which will be taken into consideration when we update this Strategic Plan in 2020.**

If you would like to give us feedback please send your comments to [communications@odpa.gg](mailto:communications@odpa.gg).



# The Office of the Data Protection Authority:

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**Empowers individuals and protects their rights**

**Promotes excellence in data protection**

**Supports the data economy to embrace innovation**

**Regulates data protection legislation  
through an ethics-based approach**



# Excellence Through Ethics.