

Latest updates from [The Office of the Data Protection Authority](#)

You have received this email as xxx is an active subscriber to our monthly newsletter. [You can unsubscribe here.](#)

[| Forward to a friend](#)



Thank you for subscribing to our monthly newsletter – in this issue:

- [Message from the Commissioner](#)
- [Events programme launched](#)
- [Strategic Plan \(2019-2022\) published](#)
- [Data Protection Commissioner cautions against a 'culture of blame'](#)
- [Guidance on exemptions to registration](#)
- [Data Protection TeaBreak podcast - new episode](#)
- [Apple Maps visit Guernsey - update](#)
- [Visiting us](#)
- [Meet the team](#)
- [Suggested reading: Machines Like Me \(Ian McEwan\)](#)
- [Resources](#)

[Message from the Commissioner](#)

Welcome to our June newsletter.

It is hard to believe that we have just passed [the first anniversary of The Data Protection \(Bailiwick of Guernsey\) Law, 2017](#) and [The General Data Protection Regulation \(GDPR\)](#). My thanks go to the Chair of the Data Protection Authority for the Bailiwick, Mr Richard Thomas, for his message in [last month's newsletter](#) to mark this milestone.



Faced with a fast-moving and ever-changing environment we are keen to adopt a forward-thinking approach to our duties to ensure we are responsive and relevant. But it is equally important to take some time to reflect on what has got us to this point and the anniversary is a good opportunity to do so.

Not that long ago, our office consisted of 2.5 employees working from three small rooms at the back of someone else's building. We relied on government for staffing, funding and financial administration. With the new standards of the GDPR, and our own equivalent legislation, the need for data protection regulators to be fully independent and adequately resourced required embarking on a significant programme of reform for our office. That programme remains ongoing, but we have taken great strides in setting up an independent and fit-for-purpose regulatory office. That has involved moving into new premises, recruiting new staff, setting up a new Board and governance standards and also launching a [new strategic direction](#) which will allow us to deliver the best outcomes with the resources available to us. Despite growing almost threefold, we are still a relatively small team, especially considering the breadth of regulatory activity within our scope. So we need to use our resources wisely and try to work out how best to manage the ever increasing demands being placed upon us.

In light of the changes the new legislation required of the regulated community, local organisations will also have embarked on a journey of their own as they navigate the new regulatory environment. Change is rarely easy. But when we are talking about change in the context of data protection, the one thing I am sure about is the fact that we all need to be heading in the same direction. We are living through a time of extraordinary social, political and technological change. Data is powering our economy, influencing our home and work lives and has the potential for significant benefits as well as harms. In this environment, harm is individual and collective and much of the [nature of data harms](#) is yet to be fully understood. But, what we do understand is that by engaging with our legal and ethical responsibilities both as businesses and individuals, we need to be looking in the same direction. The real test for regulation is whether it is able to offer assistance in addressing the challenges we face in practice.

As we look back and take stock for a brief moment about how far we, and the regulated community, have come over the last year, we also reflect on how we can continue the momentum, building a community and a culture that understands the economic and social value of delivering on the highest standards of data protection.

- Emma Martins
Data Protection Commissioner

Emma has been invited to speak at: the *GTA's compliance CPD series* (4 July); *PrivSec Dublin* (23-24 Sept); and the *Executive Leaders Network Data Protection & Privacy Conference* (14 Nov).



Events programme launched

We have released details of 'series one' of our [free events programme](#) designed to raise awareness of citizens' rights and improve compliance within the regulated community. We hope you will join us for at least one of the sessions during 2019.

Effecting positive cultural change

We will shortly be publishing details of an ambitious initiative (called **Project Blue Tit**) which will explore working with people to create cultural change – people who attend our events can choose to be a part of this or not. We will release more details about this project as part of each event below:

1. **The Seven Data Protection Principles** – 10 July
2. **Data Protection in the workplace** – 4 September
3. **Doing the right thing: data ethics in practice** – 18 September
4. **The human at the heart: Individuals' rights under data protection legislation** – 16 October
5. **Data breaches: human error vs. technology** – 27 November
6. **Data protection in healthcare** – 11 December
7. **How to respond to 'subject access' requests** (Date TBC – Nov/Dec)

[More details of each event and how to register can be found at www.odpa.gg/events.](http://www.odpa.gg/events)

Strategic Plan (2019-2022) published

We have published [our Strategic Plan](#) which outlines how we plan to deliver effective and independent data protection regulation for the Bailiwick of Guernsey.

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



Our commissioner, Emma Martins, commented: 'Data protection is an objective of a successful economy, not an obstacle to it. In setting out our strategic direction, we want to demonstrate that we are committed to doing all we can to build on and enhance the work already done. But the publication of our plan is just the beginning, because strategy is something that needs to be *done*, not just written.'

- [Read Emma's blog post: Why Strategy Matters](#)
- [Tell us how you feel about data protection \(LinkedIn post\)](#)

Data Protection Commissioner cautions against a 'culture of blame'

Fifty personal breaches were reported to us in the two months up to 25 June 2019.

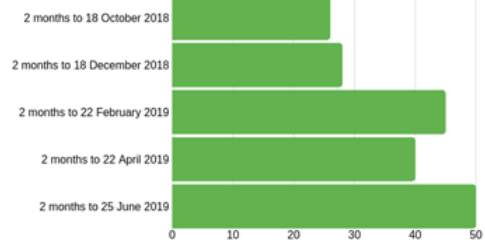
This is the highest figure reported since [mandatory breach reporting](#) was brought in on 25 May 2018. But our Commissioner, Emma Martins takes it as a good sign that the regulated community trusts her office to respond proportionately:

'We want to support a culture that is focussed on delivering good outcomes and we recognise the part we play in that. A mature system of self-reporting of data breaches provides both transparency and an opportunity to learn from events, improve performance and reduce risk. In recognising that in an increasingly data-rich world, both human error and technological error are inevitable, we want to avoid a culture of blame and encourage a more constructive culture of sharing, questioning and improvement.'

[Read full press release](#) (includes details of five breach scenarios)

Number of personal data breaches reported to ODPa:

odpa.gg



Guidance on exemptions to registration

You may have noticed that our [online registration](#) process is much simpler now.

If you're unsure whether you need to register with us please [read our new guidance note on 'Exemptions to Registration'](#).



Key points:

- Three groups remain exempt until the end of 2019.
- From 2020 all exemptions will stop and any entity who does anything with personal data must be registered with us.
- An entity may be exempt from *registration*, but *no* entity is exempt from adhering to our local data protection law. Including us.



Data Protection TeaBreak podcast

In April 2019 we launched our podcast on the [SoundCloud](#) platform, to give you another way of accessing informative, thought-provoking, and hopefully entertaining insights to a broad range of topics relevant to data protection. As of June 2019 you can also [access our podcasts via Apple Podcasts](#).

- **Episode 1:** Rachel Masterton and Tim Loveridge discuss [background to data protection regulation](#) and aspects of Guernsey's local law compared to the EU General Data Protection Regulation (GDPR). (Recorded: 26 March 2019)
- **Episode 2:** Emma Martins and Tim Loveridge discuss the public consultation on the [ODPA future events programme](#). (Recorded: 11 April 2019)
- **Episode 3:** Rachel Masterton and Tim Loveridge discuss the [end of transition](#). (Recorded: 30 April 2019)
- **Episode 4:** In this special edition Emma Martins and Kirsty Bougourd discuss how the atrocities committed during the [Second World War led to the development of data protection](#) laws. (Recorded: 2 May 2019)
- **Episode 5:** Emma Martins explains to Kirsty Bougourd how data protection [breaches can cause harm to individuals](#). They discuss the different types of harm that people can suffer as the result of a breach and the role of the Office of the Data Protection Authority. (Recorded: 29 May 2019)
- **Episode 6:** Rachel Masterton and Kirsty Bougourd explore the differences between [controllers and processors](#). (Recorded: 20 June 2019)



Apple Maps visit Guernsey - update

In May 2019 Apple Maps informed us of their intended visit to Guernsey to collect mapping data.

As the regulator of data protection locally, ensuring all data collected is processed fairly and lawfully is a high priority for us.

Apple have undertaken similar mapping data collections across Europe and we expect them to understand and work within our local data protection regulatory environment. They informed us that the data collection was intended to take place between 24 June 2019 – 1 July 2019 (weather

permitting).

If you have any questions or concerns about Apple's activity please contact:

MapImageCollection@apple.com

[Read more](#)

Visiting us

Fortnightly drop-in sessions (general enquiries)

If you are representing an organisation, and you have a **general enquiry** you can come along to our drop-in sessions between 09:00 – 12:00 every other Wednesday morning.

The next sessions will be held on: **Wed 3 July**, **Wed 17 July**, and **Wed 31 July**. See a [full calendar of the drop-in sessions for 2019](#) here. You may also be interested to [attend one of our free events](#).

What to expect at our drop-in sessions:

1. We will ask you to sign in and will give you a ticket number.
2. When your ticket is called you will be taken into a meeting room with an ODPa staff member. Our staff member will listen to your questions, and talk over any issues you are having.
3. To make sure we can see as many people as possible, we normally limit each individual meeting to approximately 30 minutes.
4. If your query is not resolved you are very welcome to come back a fortnight later to the next session.

Casework and Study Visits (specific enquiries)

- For **specific queries relating to ongoing cases** please request an appointment with the ODPa staff member assigned to your case.
- To explore a **specific topic or issue in detail** [please contact us to request a 'study visit'](#).

Members of the public

To ensure we have the relevant staff member available to assist you, visitors are seen by appointment only - you can **request an appointment** by either:

- Dropping in to our office between 08:30-17:00 (Mon-Fri)
- Emailing us on enquiries@odpa.gg
- Calling us on 01481 742074

Meet the team

Over the coming months we will give you an insight into the ODPa team by posing these three questions to our staff members. This month, we'd like to introduce you to our **Chief Communications Officer, Leanne Archer**:



Q: What does a typical day at work look like for you?

A: I focus much of my time on producing material aimed at helping our regulated community understand their legal obligations. I am laser-focused on using plain English as much as we possibly can.

Q: What's the best thing about working in data protection?

A: The best thing is definitely being part of a dedicated, happy team. Next to that, it's fantastic to be working in such an endlessly interesting field. I joined the ODPa in June 2018 naively thinking I had a grasp of what data protection 'was'. I'll never forget the moment, about a week into the job when Emma told me about some of the cases she was working on. My perception shifted and I realised it is so much more than I thought. Someone said to me recently that it's a dry subject, which couldn't be further from my experience of it - it is profoundly human, and touches all of our lives in all sorts of ways. My challenge, professionally, is to help people within the regulated community engage with it positively. And I feel deeply privileged that I get to attempt to do that well.

Q: If you could get one message across to people about data protection, what would it be?

A: I would encourage everyone to read up on data ethics and bring that knowledge to bear in how they handle personal data. For the benefit of everyone.

Suggested reading:

Each month our commissioner provides suggested reading to help you make sense of and safely navigate our data-driven society. This month's choice is:

***Machines Like Me* by Ian McEwan.**

This month, we are – for the first time – looking at a work of fiction. McEwan is a powerful author and in his latest book, he takes us back to an alternative 1980s London where Britain has lost the Falklands war, Margaret Thatcher battles Tony Benn for power and Alan Turing achieves a breakthrough in artificial intelligence.



The main protagonist, Charlie, is unemployed and drifting aimlessly through life. When he comes into some money, he buys Adam, one of the first batch of synthetic humans. With the assistance of Miranda, the woman he is in love with, he co-designs Adam's personality. This near-perfect human is beautiful, strong and clever and a love triangle soon forms, confronting Adam (and the reader) with a

profound moral dilemma.

This bold and unsettling novel presents us with fundamental questions about what makes us human and warns of the danger of inventing things beyond our control. This is a powerful piece of writing and the pleasure derived from enjoying the work of such a wonderful author is only tempered by the realisation that it is not entirely fictional.

Charlie, Miranda and Adam sharing a drink:

"We even raised a toast to 'the future', though his version of it, private mental space drowned by new technology in an ocean of collective thought, repelled us both."

A fictional Alan Turing talking about the 'machines' understanding and consciousness:

"And then they set about learning the lessons of despair we can't help teaching them. At worst, they suffer a form of existential pain that becomes unbearable. At best, they or their succeeding generations will be driven by their anguish and astonishment to hold up a mirror to us. In it, we'll see a familiar monster through the fresh eyes that we ourselves designed."

Resources

You can download these resources for your own use below, please see the 'Resources' and 'Guidance' tabs on our [New Law page](#) for more:

The Seven Data Protection Principles (poster)



Why you should care about data protection (leaflet)



Transition: a plain English guide for organisations (guidance document)



The Right to Data Portability (guidance document)



Six data protection myths busted



8 steps to protect yourself from identity theft and scams



The Office of the Data Protection Authority
St Martin's House, Le Bodge, St. Peter Port, Guernsey GY1 1BR
+44 1481 742074
enquiries@odpa.gg
[Privacy Notice](#)

[Unsubscribe from monthly newsletter here](#)
[View previous issues here](#)