

On 25 May 2018 the General Data Protection Regulation comes into force, replacing the EU Data Protection Directive and superseding the Data Protection Act 1998. The purpose of the GDPR is to protect the rights and freedoms of individuals and ensure that personal data is not processed without their knowledge, and wherever possible, that it is processed with their consent. The provisions of the GDPR are currently being transposed into UK law via the Data Protection Bill, which will create a new Data Protection Act.

All Members

We at BABA do not pass your data or details to third party and if any information is requested, we will contact you and seek your approval/advice before any action is taken.

Board member responsibility

Board members do not routinely process personal data as part of their work for BABA, but on the occasions that they do we will be ensuring that you are given any special instructions as to its use. In terms of your overall responsibilities, GDPR does not impose any additional burdens upon you over and above those that were already in existing data protection legislation.

As always, you are expected to take all reasonable steps to ensure the security of information provided to you by BABA as part of your duties. This pertains to not only personal data (information by which an individual can be identified) but all confidential information – which you will more commonly receive.

Reasonable steps will include ensuring the physical security of hard copy documents – for example keeping them in a place that is not easily accessible by others. Particular care should be taken when travelling with documents. Most physical data breaches occur when information is accidentally left on public transport.

Much of the information you are provided with will be via computer, and particularly by email. You should ensure that the devices you use to access this information have up to date virus protection, are suitably password protected, and not left available for others to use. Care should be taken when typing in email addresses. Again, the most common form of data breach 'online' is data being mistakenly emailed to the wrong person.

Retention

One of the key principles of data protection is that there must be a lawful reason for processing personal data; this means that it must be deleted once that lawful reason has expired. In terms of Board or committee papers, there will normally be no reason for you to retain documents after the conclusion of the meeting. The easiest and safest way for these papers to be disposed of is for you to take them at the conclusion of your meeting. If you do for whatever reason need to retain papers after the conclusion of the meeting you should inform the committee Chair or me of your intention, and a discussion can take place as to suitable disposal.

Similarly, information in emails or computer files should be deleted after you have finished with them. There is no need for you to retain any of this information for your records; we will have copies of all relevant Board documentation and will manage it in accordance with our Data Retention Policy.

Although it sounds obvious, you must be careful never to share the information you have been given by BABA with any third-party, without first checking with the relevant BABA executive member.

Access to information

GDPR and the Freedom of Information Act impose legal obligations on BABA to provide certain information to those that request it. It may well be that from time to time I or a colleague will ask you what information you hold in relation to a certain matter or person. I would very much welcome an early reply to that request, for we will have statutory timescales to respond to. Again, if you ensure that you minimise the information you hold to that which is essential and know what information you do have (and don't have), then this will make the entire process much easier for everyone to manage.

Data Breaches

A Data Breach is any instance leading to the accidental or unlawful destruction, loss, unauthorised disclosure or access to personal data.

If you find that you may have experienced a data breach, then it is vital that you contact me without delay. There are strict obligations put on BABA to report any breach to the Information Commissioner's Office promptly if it puts at risk any person's rights and freedoms. An early indication of any problem will allow me to assess what appropriate steps can be taken to minimise risk.