

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

You can unsubscribe [here](#).

| [Forward to a friend](#)



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

- [Message from the Chair](#)
- [Registration changes](#)
- [All citizens gained the 'right to portability' on 25 May 2019](#)
- [Data Protection TeaBreak podcast - new episodes](#)
- [Data protection law turns one year old](#)
- [Apple Maps visit Guernsey](#)
- [Visiting us](#)
- [Meet the team](#)
- [Suggested reading](#)
- [Resources](#)

## Message from the Chair

Welcome to our May newsletter.

Most of Europe knows that GDPR came into force on 25 May 2018 and has now passed its first birthday. I hope that most of Guernsey know that its new Data Protection Authority came into existence on the same day, and has also passed the 1-year mark.



In an ideal world you do not create a new body and bring a new law into force all on the same day. But of course, we don't live in an ideal world and most people are up for a challenge most of the time.

One year on, we think we have all risen to the challenge and indeed are surpassing expectations. It's been made easier in many ways. The Authority is new, but builds on the excellent foundations that Emma Martins built as Commissioner under the previous arrangements. And the Law is new, but that also builds on the very solid foundations of the previous law. So it's more of a conversion than a new-build.

That does not belittle the importance of having a genuinely independent Authority which oversees and carries ultimate responsibility as the "supervisory authority". Independent from (in the words of European Court of Justice case-law) the influence of any "person or entity" – governmental, business or citizen. And an Authority which (in the words of the GDPR) is "provided with the human, technical and financial resources, premises and infrastructure necessary for the effective performance of its tasks and exercise of its powers."

The acid test for both independence and resources will come when the Bailiwick's Adequacy status is tested by the EU institutions. Everyone knows that, regardless of whatever eventually happens with Brexit, the Adequacy status is absolutely fundamental to Guernsey's entire economy.

We are not there yet, but the Authority is confident that we have come a long way in the right direction over the first year. The Board has six voting members with a wide range of experience. We must not - and will not – interfere with the operational and day to day activities of the Commissioner and her team. But we are pleased and proud to see how a clear strategy has been adopted, the team has expanded, the new premises have been occupied, governance has been established and the results have flowed.

And all this alongside that challenge – for everyone – of getting to grips with the new Law.

- Richard Thomas CBE  
Chair, The Data Protection Authority

### Registration changes

We issued a reminder recently asking all local entities to check whether they should be registered with us, ahead of some changes to our registration process that took place on 25 May 2019.

- [Find out why our registration process has changed \(for the better\)](#)
- [View our new, simple registration form](#)

### All citizens gained the 'right to portability' on 25 May 2019

The 'right to data portability' came into force on 25 May. This means local citizens will now find it much easier to move their personal data between organisations.

- [Read press release](#)
- [Data Portability guidance document](#)



### 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.

- **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)



## Data protection law turns one year old

Twelve months on from the introduction of new data protection legislation, the Office of the Data Protection Authority (ODPA) is focused on ensuring Islanders' rights are protected. 25 May 2019 marks the first anniversary of *The Data Protection (Bailiwick of Guernsey) Law, 2017*, and also the [end of 'transitional relief'](#), the grace period permitted for certain aspects of the law that did not come into force last year. The new law is now in full force and gives local citizens ten rights. Citizens gain the new right to data portability from 25 May 2019, which makes it much easier to move personal data from one organisation to another.

Emma Martins commented on the cultural shift that has moved data protection into the mainstream.

'A year on from the frenzied build-up to GDPR, it feels good to be well on the path towards a more thoughtful approach to compliance with our regulated community. We are encouraged to see more organisations moving towards a state of enlightened compliance, where they understand and believe in the object of our local data protection law. This approach leads to much better outcomes for everyone, transforming compliance from a box-ticking exercise, to an environment that puts the human beings whose rights are at the heart of the legislation centre stage.'

[Read more](#)

### The ODPA's five strategic objectives for 2019-2022 are:

1. To develop the ODPA's **capabilities** to deliver on their 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 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.

## Apple Maps visit Guernsey

We have recently been informed of the proposed visit to the Island by Apple Maps. A submission has been made to this office by Apple setting out the manner in which data are to be collected, including the way in which they intend to remove personally identifiable data from publicly available images as well as data security and data retention matters.

[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 5 June** and **Wed 19 June**. See a [full calendar of the drop-in sessions for 2019 here](#).

*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](mailto: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 **Operations and Compliance Manager, Lawrence West**:



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

A: The great thing about my role is that no two days are the same. I jump between monitoring and investigating cases, developing processes and procedures, offering guidance to both individuals and organisations and strategically planning how to tackle more complex regulatory activity. The office is going through a period of substantial change and I'm relishing my role in shaping the future of the organisation.

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

A: The best thing is being able to change the way people think about data. Make no mistake, data protection is a human issue. Seeing first-hand the potential negative impact of poor data governance puts the subject into a sharp and sometimes morbid perspective. Data drives nearly everything we do in life and when one considers the wider societal impact, it makes it a cause worth fighting for.

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

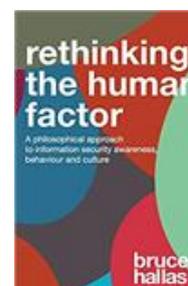
A: Consider who you are giving your data to and why they want it. Data is power, and power in the hands of the wrong people has the potential to destroy lives, and quite possibly society as we know it. Don't be a bystander in this.

### 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:

Rethinking the Human Factor by Bruce Hallas

A high-volume narrative around cyber security has been a constant of the last few years. From headline stories of huge data breach, 'experts' offering solutions to fix the problem, reminders to change the many passwords we all have, to the offer of training packages for staff - we seem to be surrounded.



This does, to a large degree, reflect the reality of the data-driven economy in which we now live. Data is a non-tangible asset of extraordinary and increasing value and needs protecting as such. But the narrative I refer to often encourages a sense of alienation, or resignation in those of us that are not technical experts.

Bruce Hallas is an advocate, consultant, author and speaker in the field of information security awareness, behaviour and culture. In one of those rare and slightly unnerving coincidences, I had only just finished reading his (self-published) book when he appeared as a key-note speaker at a conference in Guernsey I attended last month.

If there is one thing that Bruce does, in print as well as in person, it is to energetically and accessibly dissuade us of the fear (or comfort, depending on your perspective) of assuming data security is an exclusively technical problem, with only technical solutions.

He also highlights how much money and time is wasted on education and training programmes that fail to positively influence behaviour. That in turn points to organisational and cultural changes that are essential to getting data security right. He puts the human being at the heart of the conversation – identifying this as one of the most important elements of both success and failure.

Good technology experts will not be out of a job anytime soon, we need them more than ever. But we also need to widen the conversation out to draw on the experience and insights of others if we want real change in this important area.

Hallas' battle-cry for a more multi-disciplined and diverse approach to data security which will equip us better for this modern age feels timely. A short and accessible read, the book does to some degree state the obvious. Sometimes, though, we need reminding of what the obvious is.

## Resources

You can download these resources for your own use below:

### 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)



**The Office of the Data Protection Authority**

St Martin's House, Le Bordage, St. Peter Port, Guernsey GY1 1BR

+44 1481 742074

[enquiries@odpa.gg](mailto:enquiries@odpa.gg)

[Privacy Notice](#)

[Unsubscribe from monthly newsletter here](#)

[View previous issues here](#)