

# GDPR and Marketing

*Data Protection Reform*

October 2017

**The  
Economist**

MAY 6TH-12TH 2017

Theresa May v Brussels

Ten years on: banking after the crisis

South Korea's unfinished revolution

Biology, but without the cells

# The world's most valuable resource



**Data and the new rules  
of competition**



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██████████ OMG I HATE MY JOB!! My boss is a total pervvy ██████er always making me do █████ stuff just to █████ me off!! █████ER!

Yesterday at 18:03 · Comment · Like



██████████ Hi ██████████, i guess you forgot about adding me on here?

Firstly, don't flatter yourself. Secondly, you've worked here 5 months and didn't work out that i'm gay? I know i don't prance around the office like a queen, but it's not exactly a secret. Thirdly, that '████ stuff' is called your 'job', you know, what i pay you to do. But the fact that you seem able to █████ up the simplest of tasks might contribute to how you feel about it. And lastly, you also seem to have forgotten that you have 2 weeks left on your 6 month trial period. Don't bother coming in tomorrow. I'll pop your P45 in the post, and you can come in whenever you like to pick up any stuff you've left here. And yes, i'm serious.

Yesterday at 22:53

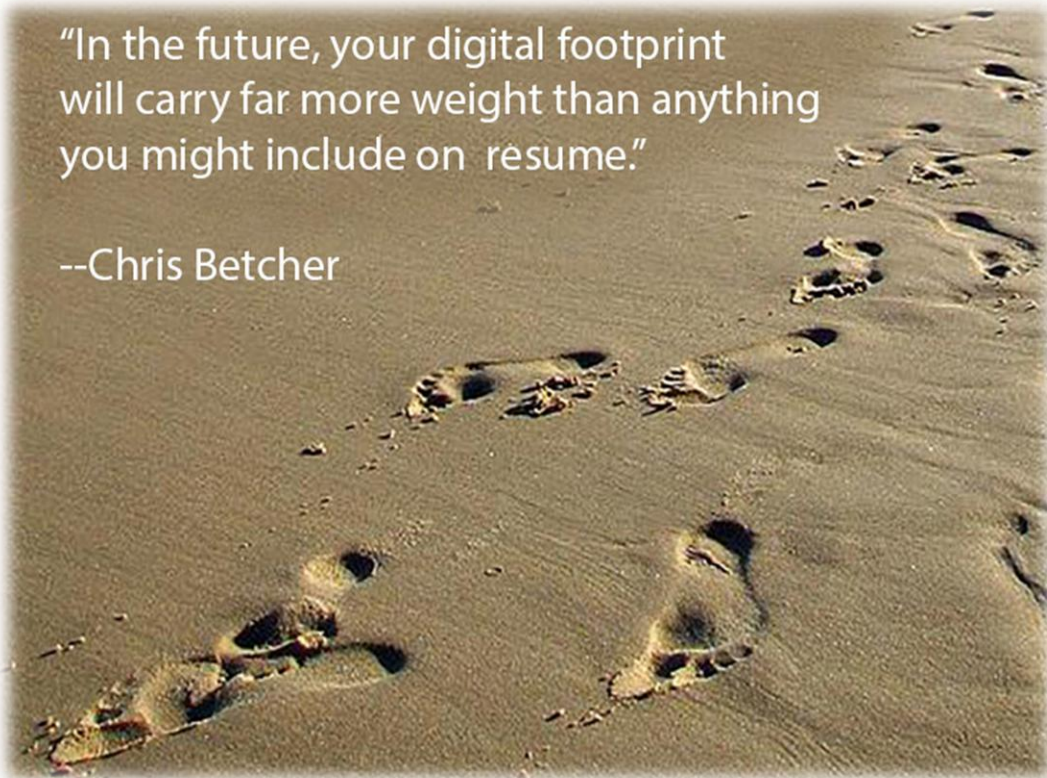
Write a comment...



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"In the future, your digital footprint  
will carry far more weight than anything  
you might include on resume."

--Chris Betcher















As a **GIRL**, you know what  
it's like to have choices.  
To go to school, have a

Technology

## Row over AI that 'identifies gay faces'

🕒 11 September 2017 | Technology

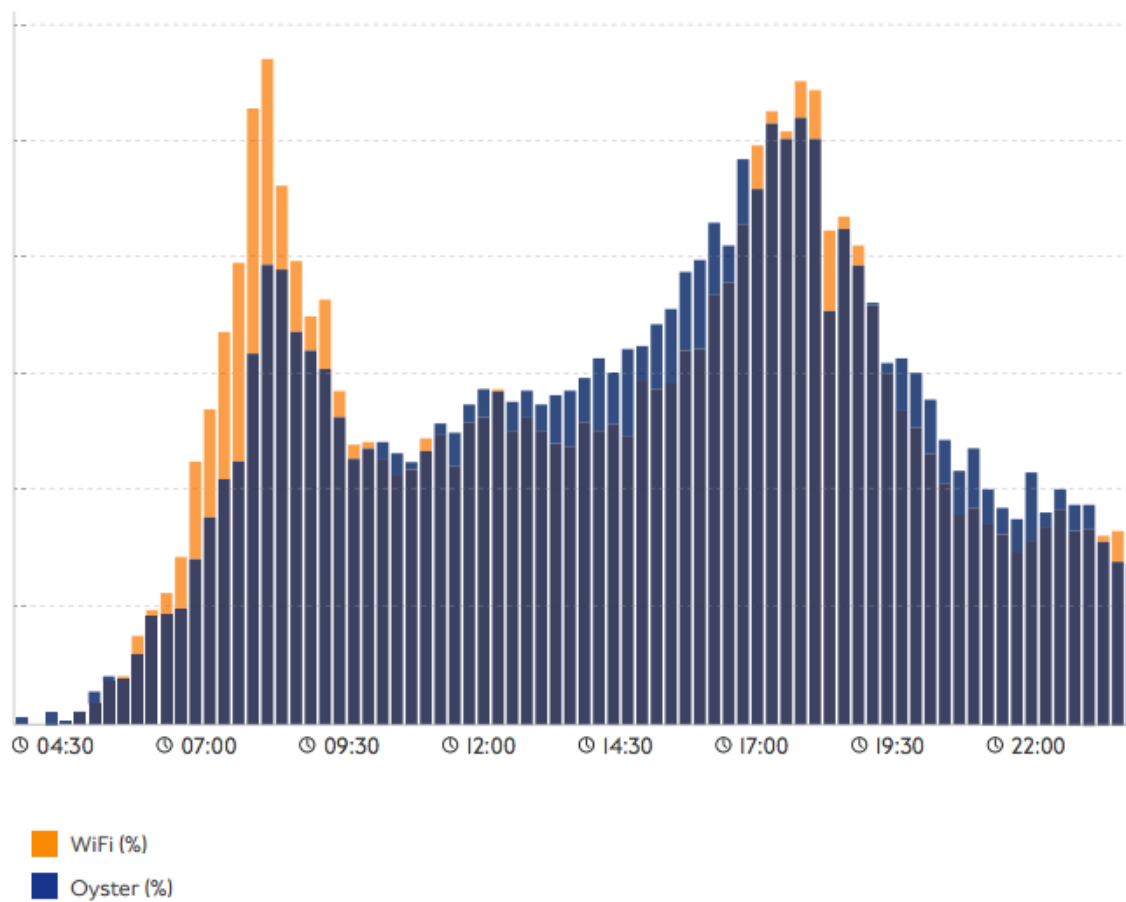


🔗 Share



The study created composite faces judged most and least likely to belong to homosexuals

**Figure 5:** Busiest times at Oxford Circus station, using ticketing and WiFi data





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# Key Areas

- Extra territorial scope
- Wider definitions
- Controllers and Processors
- Documentary requirements
- Privacy by Design and DPIAs
- Data Protection Officers
- Consent
- Children
- Transfers
- Rights
- Breach notification
- Penalties



# Special Category Data



- Racial, ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Genetic, biometric data
- Health
- Sex life or orientation
- Criminal offences/convictions\*



# Basis for processing

- Consent
- Contract
- Other legal obligations
- Vital interests
- Public functions
- Legitimate interests



# Consent

Any freely given, specific, informed and unambiguous indication of the data subjects wishes by which he/she, by a statement or by a clear affirmative action, whether orally or in writing, signifies agreement to the processing of that data.

# Consent

- Data controller able to demonstrate
- Clearly distinguishable from other matters
- Right to withdraw
- Age specific
- Transparency





# Transparency

- Identity and contact of data controller
- DPO contact (where applicable)
- Purposes
- Legal/contractual basis
- Legitimate interests
- Recipients
- Right to lodge a complaint
- Transfers
- Retention or criteria
- Right to withdraw consent
- Automated decision making
- Profiling

# Individual's Rights

Right to access and obtain a copy of their personal data

Right to amend or correct their personal data

Right to object to the use of their personal data

Right not to be subject to fully automated decisions

## **ADDITIONAL**

Right to erasure

Right to restrict processing

Right to data portability





**SHARED** Three children reported missing in Jersey



Ryan Morrison  
BBC News Online

States of Jersey Police currently have appeals out on social media for three teenagers, all reported missing - including a brother and sister.

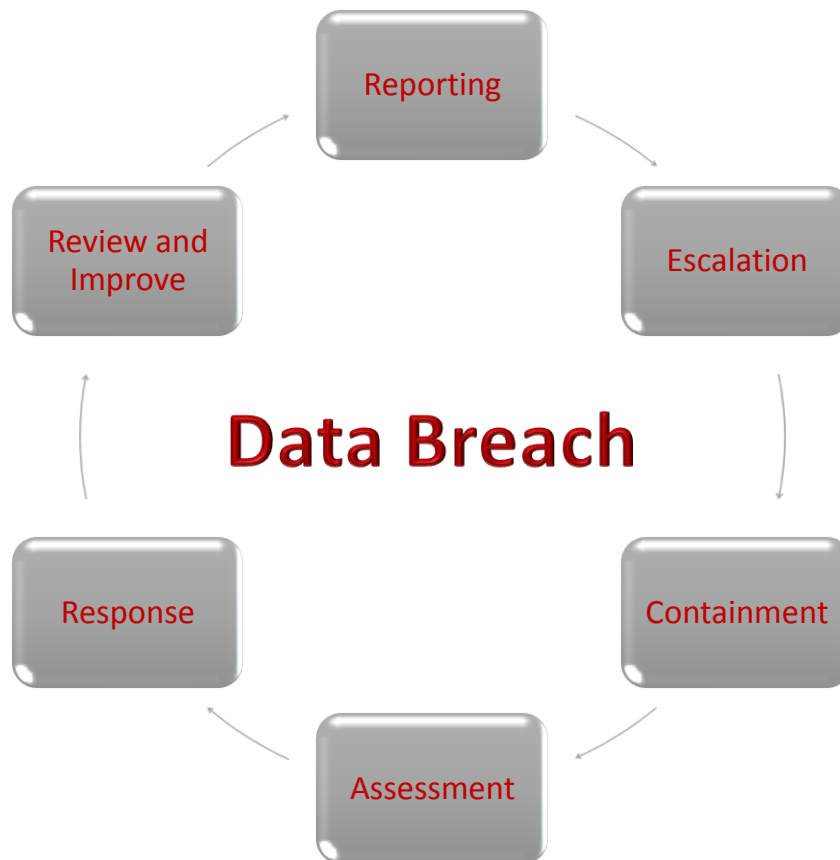
The first report was for [REDACTED], 14, who was last seen around Les Quennevais School on Wednesday morning. He is described as 5ft 1in tall, of slim build, with short brown hair.

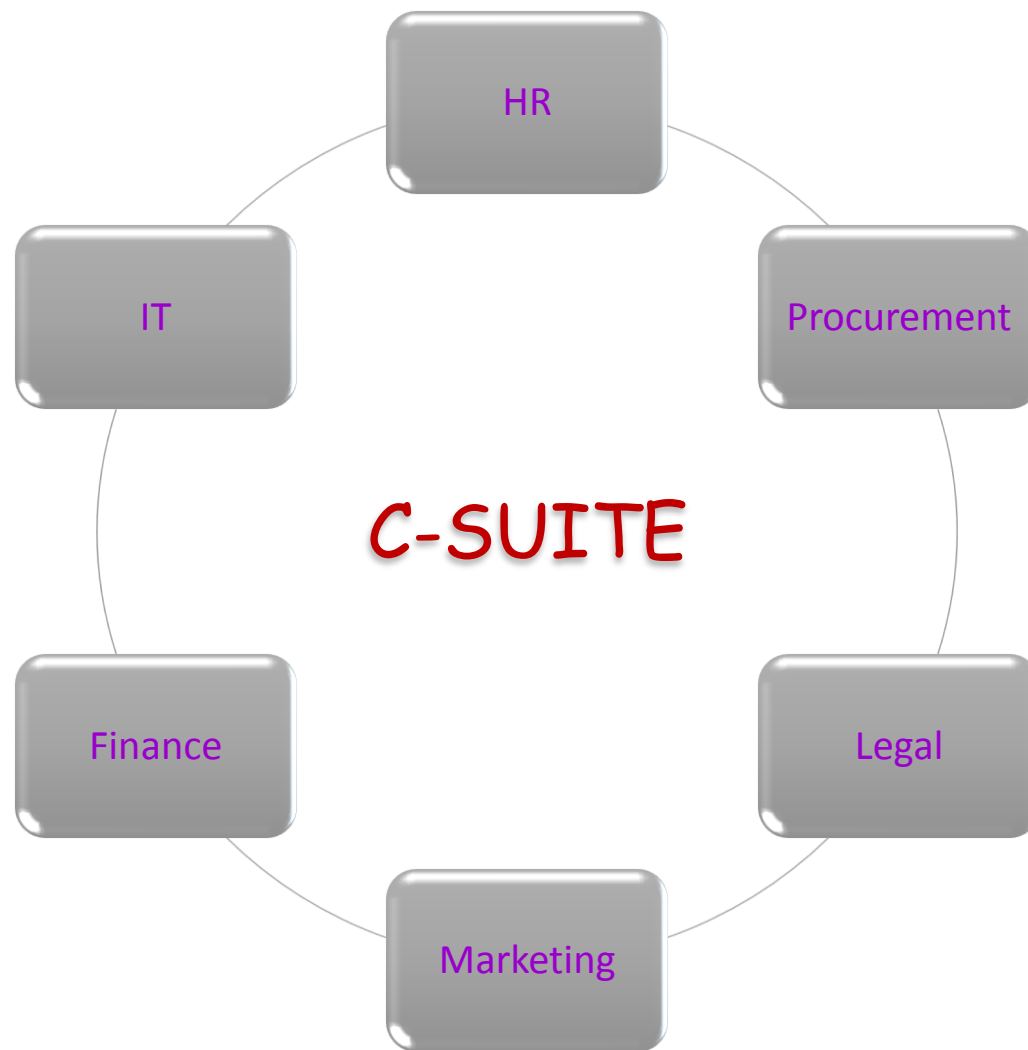
Last night police also posted an appeal for siblings [REDACTED] 15, and 12-year-old [REDACTED]

They were last seen around Le Rocquier School between 08:00 and 0845 on Wednesday, officers said.



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# Abta website: Holidaymakers hit by cyber attack

16 March 2017 | UK

Share



The travel trade organisation, Abta, says a cyber attack on its website may have affected about 43,000 people.

About 1,000 files accessed may include personal identity information of individuals who have made a complaint about an Abta-registered travel agent.

It says it is contacting those affected by the hack which happened on 27 February and has a dedicated helpline.

It has also alerted the police and the Information Commissioner's Office (ICO).

Part of the ICO's role is to help the public manage their personal data.

Abta chief executive Mark Tanzer said he would "personally like to apologise for the anxiety and concern" caused to Abta customers and members.

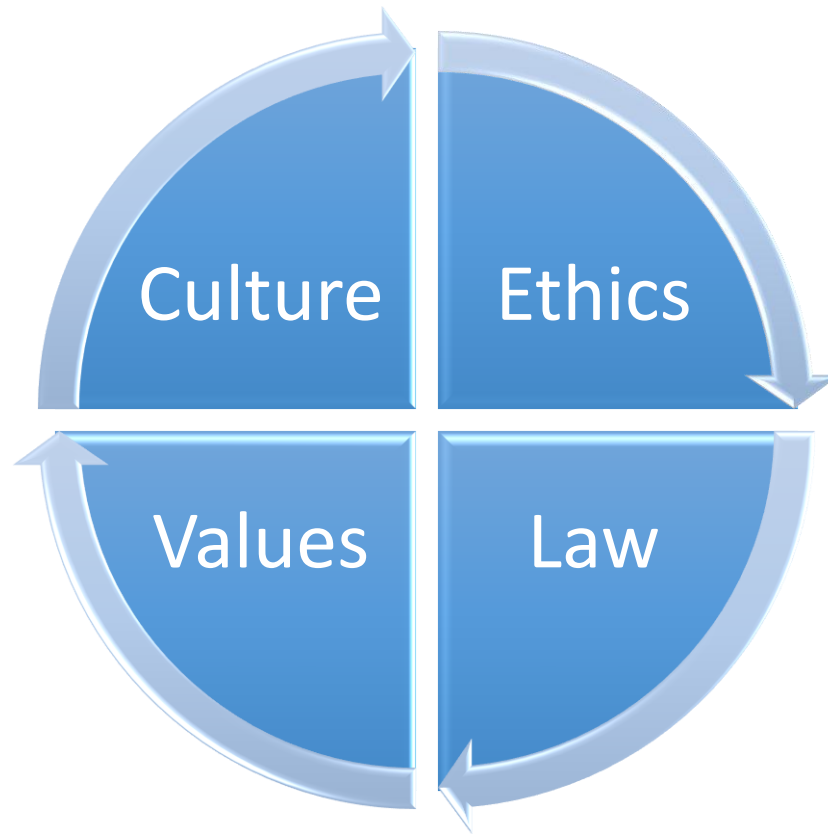
"It is extremely disappointing that our web server, managed for Abta through a third party web developer and hosting company, was compromised and we are taking every step we can to help those affected."

Mr Tanzer said the organisation was not aware of any of the information being shared beyond the infiltrator.

It advised customers and ABTA members registered on the site to change their passwords as a "precautionary measure".

Abta said those who had uploaded contact details or documentation on the website should actively monitor their bank accounts, social media and email accounts, and "remain vigilant".

It has also offered people who may be affected a free-of-charge identity theft protection service.



CAN



*feasibility*

MAY



*legal*

SHOULD



*ethical*



# To do list...

- Read up on the practical advice
- Have an implementation plan

*And importantly...*

- Understand why this is important
- Understand what your life would look like without these protections
- Understand how doing this well goes beyond ticking a box
  - Understand how doing this well benefits everybody

## Practical steps to take now

- Get your board on board
- Identify a 'champion'
- Audit your data and data sets
- Review data collection forms and statements
- Know where your data are located
- Review contracts
- Train staff
- What sort of relationship/reputation do you want with your clients?



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## RESOURCES

Categorised articles relating to the GDPR and how it will affect individuals and businesses in the Channel Islands.

