GDPR FOR
EXTERNAL EXAMINERS

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WHAT IS 'GDPR'?

- LEGISLATION GOVERNING DATA PROTECTION
- STARTED AS EU GENERAL DATA PROTECTION REGULATION
- CAME INTO FORCE IN UK ON 25TH MAY 2018 ALONG WITH DATA PROTECTION ACT 2018.
- NOW HAVE UK VERSION (JAN 2021) BROADLY SIMILAR TO EU GDPR
- GOVERNS THE PROCESSING OF PERSONAL DATA
- AS A UNIVERISTY - STATUTORY OBLIGATIONS ON LJMU AS A DATA CONTROLLER TO PROTECT PERSONAL DATA
- AS INDIVIDUALS - IT AFFECTS ALL OF US & WE HAVE RIGHTS WHEN IT COMES TO OUR OWN PERSONAL DATA.
- ITS ABOUT PRIVACY AND SECURITY

WHAT IS PERSONAL DATA?

- "ANY INFORMATION RELATING TO AN IDENTIFIED OR IDENTIFIABLE NATURAL PERSON (DATA SUBJECT)"

- DATA ABOUT LIVING PEOPLE FROM WHICH THEY CAN BE IDENTIFIED

- NAMES ADDRESS DATE OF BIRTH ETC

- IDENTIFICATION NUMBER, EMAIL ADDRESS, IP ADDRESS, RECORDING OF INTERVIEW

- DATA THAT HAS BEEN PSEUDONYMISED (WITH IDENTIFIERS SEPARATED) WHERE DATASET AND IDENTIFIERS ARE HELD BY SAME ORGANISATION IS STILL PERSONAL DATA

- ANONYMISED DATA IS NOT PERSONAL DATA

WHAT IS SPECIAL CATEGORIES DATA?

SOME TIMES REFERRED TO AS SENSITIVE DATA

- RACIAL OR ETHNIC ORIGIN

- POLITICAL OPINIONS

- RELIGIOUS OR PHILOSOPHICAL BELIEFS

- TRADE UNION MEMBERSHIP

- HEALTH DATA

- GENETIC OR BIOMETRIC DATA

- DATA CONCERNING SEX LIFE OR SEXUAL ORIENTATION

REQUIRES ADDITIONAL PROTECTION

6 GDPR PRINCIPLES

- DATA MUST BE PROCESSED LAWFULLY, FAIRLY AND IN A TRANSPARENT MANNER

- PURPOSE LIMITATION

- DATA MINIMISATION

- ACCURACY

- STORAGE LIMITATION

- INTEGRITY AND CONFIDENTIALITY (SECURITY)

- NEW PRINCIPLE OF 'ACCOUNTABILITY' - EVIDENCE OF OUR COMPLIANCE

INDIVIDUAL'S RIGHTS:

- RIGHT TO BE INFORMED
- RIGHT OF ACCESS
- RECTIFICATION
- ERASURE
- RESTRICTION
- PORTABILITY
- RIGHT TO OBJECT
- DON'T ALL APPLY IN ALL CIRCUMSTANCES – EXEMPTIONS

SUBJECT ACCESS REQUEST

- A DATA SUBJECT HAS THE RIGHT TO REQUEST ACCESS TO AND DETAILS OF THE INFORMATION THE UNIVERSITY HOLDS ABOUT THEM.

- THIS IS KNOWN AS A SUBJECT ACCESS REQUEST (SAR) AND IS CURRENTLY THE MOST FREQUENTLY EXERCISED OF THE RIGHTS.

- THE UNIVERSITY MUST DEAL WITH SAR'S WITHIN ONE MONTH.

- SEE OUR [DATA SUBJECT RIGHTS REQUEST POLICY](#) FOR MORE INFORMATION.

- YOUR COMMENTS/OPINIONS ON A SCRIPT MAY BE DISCLOSABLE IF A STUDENT SUBMITS A SAR TO THE UNIVERSITY.

Remember to:

- WRITE COMMENTS ON A SEPARATE SHEET OF PAPER

- ENSURE YOUR COMMENTS ARE JUSTIFIED

- BE CAREFUL WITH EMAILS - RESPECT ALWAYS

- SECURELY DISPOSE OF ANY INFORMAL NOTES MADE IN THE COURSE OF MARKING ONCE THE FINAL MARK HAS BEEN AGREED AND THE NOTES ARE NO LONGER NECESSARY.

- DON'T DISCLOSE MORE INFORMATION THAN IS NECESSARY

- ESSENTIAL EMAIL ETIQUETTE

- EMAIL BEST PRACTICE GUIDELINES

WHO'S RESPONSIBLE FOR DATA?

- THE UNIVERSITY – DATA CONTROLLER AND ACCOUNTABLE TO THE INFORMATION COMMISSIONER'S OFFICE (SUPERVISORY AUTHORITY)

- THE DPO – FOR ADVISING THE UNIVERSITY ON COMPLIANCE AND MANAGING REQUESTS ABOUT RIGHTS AND REPORTABLE BREACHES

- YOU - HAVE A RESPONSIBILITY FOR THE PERSONAL DATA THAT YOU PROCESS ON A DAILY BASIS AND A DUTY TO COMPLY WITH THE UNIVERSITY'S Data Protection Policy

- EXTERNAL EXAMINERS GUIDANCE

WHAT IS A PERSONAL DATA BREACH?

- "a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed"

EXAMPLES OF PDB:

- EMAIL SENT TO WRONG PERSON
- COPYING IN A GROUP OF PEOPLE RATHER THAN BCC
- LEAVING DOCUMENTS IN A PUBLIC PLACE
- NOT APPROPRIATELY DISPOSING OF INFORMATION
- UNAUTHORISED ACCESS TO THE SYSTEM
- RECORDS UNAVAILABLE DUE TO SYSTEMS DOWN TIME
- DELETING A DOCUMENT WHICH SHOULD HAVE BEEN RETAINED AND STORED APPROPRIATELY
- SHARING MORE INFORMATION THAN IS NECESSARY

WHO TO CONTACT IN THE EVENT OF PDB?

- THE DPO

- IT SERVICES

- HEAD OF OPERATIONS FOR YOUR FACULTY

- ONLINE BREACH FORM IS ACCESSIBLE ON THE LJMU HELPDESK UNDER "SUPPORT FOR CORPORATE SYSTEMS" DASHBOARD UNDER: "PERSONAL DATA BREACH FORM".

- FOR MORE INFORMATION SEE OUR PERSONAL DATA BREACH POLICY

WHEN SHOULD A PDB BE REPORTED?

- THE UNIVERSITY HAS A STATUTORY DUTY TO NOTIFY THE ICO OF REPORTABLE BREACHES WITHIN 72 HOURS

- 72 HOURS FROM ORGANISATION BECOMING AWARE OF IT NOT FROM WHEN YOU TELL DPO

- REPORTABLE IF A RISK TO THE RIGHTS AND FREEDOMS OF THE INDIVIDUAL

- REPORTABLE TO THE DATA SUBJECT IF THERE IS A HIGH RISK

- DPO NEEDS TO KNOW STRAIGHT AWAY TO ACCESS IMPACT ON DATA SUBJECT

CONSEQUENCES OF PDB:

- **FOR DATA SUBJECT**

DISTRESS, EMBARRASMENT, REPUTATIONAL DAMAGE, FINANCIAL LOSS

- **FOR THE UNIVERSITY**

REPUTATIONAL DAMAGE, LOSS OF BUSINESS DUE TO LOSS OF CONFIDENCE,

FINANCIAL LOSS

ENFORCEMENT ACTION BY THE ICO INC FINES, AUDIT, BAN ON PROCESSING

CIVIL ACTION BY DATA SUBJECTS

- **FOR YOU**

EMBARRASMENT, REPUTATIONAL DAMAGE, POTENTIAL BREACH OF YOUR DUTIES UNDER YOUR ARRANGEMENT WITH THE UNIVERSITY

BEWARE CERTAIN CRIMINAL OFFENCES (RE IDENTIFYING DATA AND THEN PROCESSING IT, TO DESTROY DATA TO AVOID RELEASING IT UNDER SAR)

WHAT CAN YOU DO TO PREVENT A PDB?

- ALWAYS USE YOUR LJMU EMAIL AND SYSTEMS AS THESE ARE SECURE
- KEEP USER NAME AND PASSWORD CONFIDENTIAL AT ALL TIMES
- DON'T USE LJMU PASSWORD OUTSIDE OF LJMU
- USE COMPLEX PASSWORDS AND DIFFERENT PASSWORDS FOR DIFFERENT SYSTEMS
- BEWARE OF CYBERSECURITY/PHISHING – DON'T CLICK ON LINKS ON EMAILS
- ALWAYS CHECK EMAIL ADDRESS WHERE SENDING TO
- DO NOT FORWARD EMAIL CHAINS
- USE ENCRYPTION WHEN SENDING PD OUTSIDE OF LJMU
- DO REPORT BREACHES – DPO AND IT

THINK CHECK SHARE!

- MOST BREACHES HAPPEN BECAUSE OF DISTRACTION OR MISTAKES
- RESPECT STUDENT'S PRIVACY AND THEIR DATA RIGHTS
- HOW WOULD YOU FEEL IF IT WAS YOUR PERSONAL DATA?
- ONLY USE DATA FOR A SPECIFIC PURPOSE
- KEEP IT ONLY AS LONG AS IS NECESSARY
- HOW DO YOU DISPOSE OF THE DATA WHEN YOU HAVE FINISHED WITH IT?
- HOW WILL YOU KEEP IT SECURE?
- CONFIDENTIALITY

WHERE TO GO IF YOU NEED HELP

- CONTACT DPO – DPO@LJMU.AC.UK

- IT HELPDESK

Information Security Policy

DATA PROTECTION AND INFORMATION GOVERNANCE INTRANET PAGE CONTAINS LOTS OF USEFUL RESOURCES INCLUDING A SECTION ON TIPS, HELP AND GUIDANCE SEE THE DOCUMENTS 'BEING FRAUD AWARE' AND 'KEEPING YOUR PASSWORD SAFE'.

ANY QUESTIONS?