
Welcome

Data Protection Masterclass

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WHEN DATA MEETS DISASTER

"ALIGNING DATA PROTECTION AND RISK MANAGEMENT"

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WE
HAVE
RIGHTS

Rights of the Data Subject

Right to Access

Right to be Informed

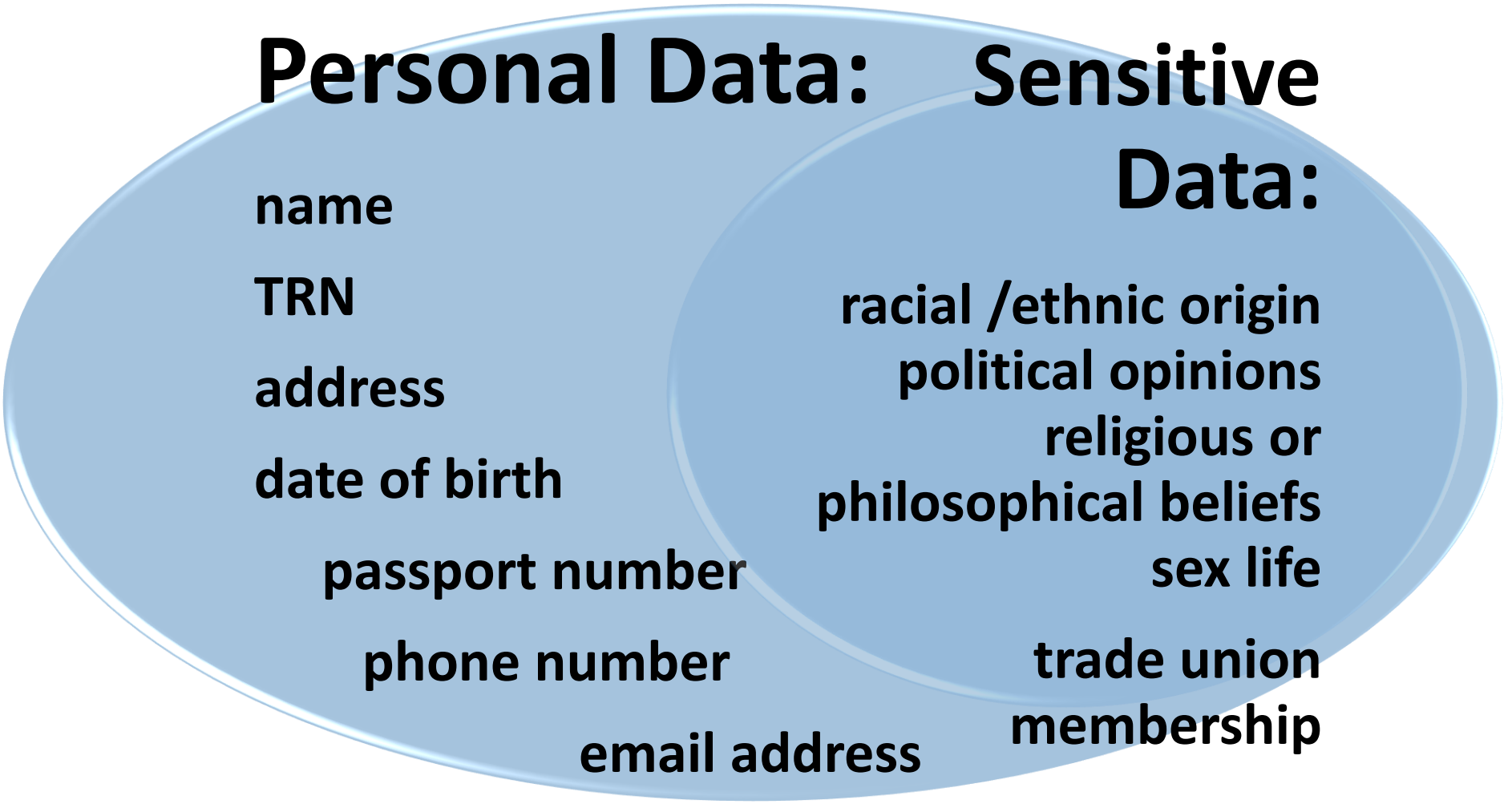
Right to Prevent Processing

Right to Rectification

Rights Related to Automated Decision-Making

Right to Data Portability

Right to Object to Direct Marketing


Personal Data:
name
TRN
address
date of birth
passport number
phone number
email address
Sensitive Data:
racial /ethnic origin
political opinions
religious or philosophical beliefs
sex life
trade union membership

Sensitive Data includes:

Data concerning health (and wellness?)	
RECORDS OF	• illnesses, disabilities, injuries, mental health disorders, disease risk , medical history, family medical history • ALSO: appointments, consultations, and treatments and registration for health services
RECORDS FROM	• doctors, hospitals, labs and other healthcare providers
DATA ON	• alcohol consumption, diet, and exercise levels
INFO FROM Smart Devices	• heart rate, sleep patterns, activity levels, and calorie intake
REPORTS	• Labs :X-rays, MRI scans,
INFO ON	• Causes of death
GROUP DATA	• Studies and statistics on public health, disease prevalence, and health outcomes

Sensitive Data includes:

Biometric Data
Facial images used for recognition
Fingerprints
Iris Scans
Retina Scans
Hand geometry
Gait analysis
Keystroke dynamics
Signature dynamics
Voice scans

Registration Opens Dec. 1 each year



Office of the Information Commissioner

The DPA provides for the establishment of a Data Protection Commission to:

- oversee compliance with the Act
- **investigate complaints** related to data protection.

Data Protection as a Pillar of Risk Management in a Pre- and Post-Hurricane World

Executive Context

- Data is both a strategic asset and a significant liability
- Jamaica's Data Protection Act (2020) reframes data protection as enterprise risk
- Climate-driven disasters amplify data protection failures
- GDPR provides a mature, risk-based benchmark

Why Data Protection Is Risk Management

- Regulatory non-compliance creates financial and legal exposure
- Data breaches damage trust and reputation
- Operational disruption increases likelihood of failure
- Accountability principles require proactive risk controls

Legal Foundations

- Jamaica Data Protection Act, 2020
- Security safeguards and accountability obligations
- Mandatory breach notification
- GDPR alignment: risk-based, proportional safeguards

Personal Data as a Risk Multiplier

- High value to cybercriminals
- Emotionally sensitive to individuals
- Triggers regulatory scrutiny
- Amplifies reputational harm during crises

The Risk-Based Approach

Assess likelihood and severity of harm

Apply safeguards proportional to risk

Document decisions and controls

Demonstrate accountability at all times

Pre-Hurricane World

- Stable infrastructure and predictable operations
- Centralized IT systems
- Routine compliance activities
- Hidden and underestimated vulnerabilities

Pre-Hurricane Data Protection Risks

- Incomplete data mapping
- Inadequate backups and testing
- Weak vendor oversight
- BCPs that ignore data protection realities

DPIAs and Disaster Preparedness

- Foreseeable risks must be assessed
- Hurricanes are predictable Caribbean risks
- Emergency access and manual processing must be planned
- Best practice even where not explicitly mandated

Business Continuity and Data Protection

- BCPs often focus only on system restoration
- Data protection obligations continue during crises
- Lawful processing and access controls still apply
- Misalignment creates major risk exposure

Post-Hurricane Reality

- Power and connectivity disruptions
- Manual and improvised processes
- Staff displacement and stress
- Heavy reliance on third parties

Elevated Post-Hurricane Data Protection Risks

- Loss or theft of physical records
- Use of personal devices and insecure channels
- Unlogged emergency access
- Increased fraud and phishing attacks

Data Breaches in a Disaster Context

- Emergency conditions do not suspend legal duties
- Breach notification remains mandatory
- Preparedness reduces regulatory penalties
- Documentation is critical

Trust and Reputation Risk

- Customers and citizens are vulnerable post-disaster
- Data failures feel exploitative
- Reputational harm may exceed fines
- Transparency preserves trust

Strategic Lessons from GDPR

- Accountability is continuous
- Risk multiplies in emergencies
- Preparedness mitigates penalties
- Resilience depends on data governance maturity

Key Recommendations: Pre-Hurricane

- Embed data protection into enterprise risk management
- Conduct disaster-focused data mapping
- Encrypt and geographically diversify backups
- Update BCPs with data protection scenarios

Key Recommendations: Pre-Hurricane (Continued)

Train

- Train staff on crisis data handling

Clarify

- Clarify emergency access procedures

Assess

- Assess vendor disaster resilience

Document

- Document decision-making processes

Key Recommendations: Post-Hurricane

01

Activate breach and incident response teams

02

Apply proportional safeguards

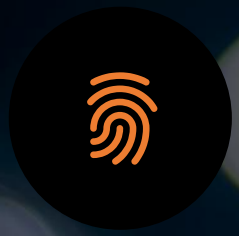
03

Assess and notify breaches promptly

04

Communicate transparently with stakeholders

Post-Incident Review and Improvement



CONDUCT LESSONS-LEARNED ASSESSMENTS

UPDATE POLICIES AND CONTROLS

STRENGTHEN RESILIENCE GAPS

PREPARE FOR THE NEXT EVENT

Final Consultant Insight

- Data protection is not a compliance cost
- It is a resilience and trust investment
- Alignment with risk management ensures continuity
- Prepared organizations emerge stronger

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This Act is currently in force.

Data Controllers are encouraged to open an account with the Office of the Information Commissioner (OIC) at https://oic.gov.jm/




Compliance

Penalties for failure to comply are both Civil and Criminal.

They include:

Failure to comply with the requirements under the Act can result in a company being liable to **fine not exceeding ten million dollars or 4% of its annual gross worldwide income.**

Failure to comply with the requirements under the **Act can result in imprisonment for a period of up to 10 years**.

Keep your profits!

Thank You!

Thank You

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