

# **GDPR Support: In Urgent or Crisis Situations**

## **Remote working in response to the Coronavirus (COVID19)**

These unprecedented times have led to organisations having to quickly adopt remote working strategies for employees and remote learning solutions for students, to ensure they maintain business continuity. New technology should be embraced, however organisations must ensure they don't inadvertently put personal data at risk in the process. You may legally be required to carry out a Data Protection Impact Assessment (a DPIA) on certain activities, such as storing confidential data in the Cloud. Contact us for advice about how your organisation can continue to work remotely, whilst still ensuring compliance with the GDPR.

## **Interim Data Protection Officer (DPO)**

There may be times when your DPO is unexpectedly unavailable, for example as a result of sickness, leave, training etc. On such occasions, it's important you maintain your compliance and continue to have data protection advice and support when you need it. We can provide this cover, whether it's just for a few days, weeks or even months. The interim DPO provided to you, is highly experienced and holds a Masters Degree in Data Protection Law.

## **Subject Access Requests (SARs)**

Data subjects are entitled to request a copy of all the personal data held about them by any organisation (including small businesses). These types of requests are usually made by disgruntled individuals, which often means the records being requested contain complex or sensitive information. The process involved in deciding what should and should not be disclosed to the applicant, can often be daunting.

It's vital to manage these requests carefully and effectively, to reduce the risk of further complaint or potential litigation. We can provide you with urgent advice on how to handle these requests from receipt through to disclosure, with particular support on applying the exemptions and withholding appropriate information which the applicant is not entitled to see.

## Freedom of Information Act Requests (FOI Requests)

Members of the public are entitled to request copies of official information held by public authorities (including schools). These requests are often made as a result of an on-going complaint. It's important to manage these requests effectively and apply the exemptions robustly where appropriate, to ensure your organisation is not unduly burdened or inadvertently releases information into the public domain which it should not. We can provide support in drafting responses and advice on when to apply an exemption.

## Personal Data Breaches

If you suffer a personal data breach, it's vital you act fast to reduce the potential damage or impact it may have on the data subjects and on your organisation's reputation. It's a legal requirement to notify the Information Commissioner's Office (ICO) within 72hrs, of a breach which is likely to cause a risk to individuals. The ICO can fine organisations up to £8.5M (or up to 2% of their turnover, whichever is higher) for such breaches, and data subjects are entitled to compensation, so it's important to manage incidents effectively when they occur and prevent them in future.

We can provide urgent support, which can be tailored to your needs, whether it's independent investigation into the route cause, advice on how to mitigate the effects of the incident, advice on whether you need to report it to the Information Commissioner's Office (ICO) or notify data subjects. In the event of a serious incident, we can help take the stress out of notifying the ICO for you and manage communications and responses on your behalf. A well written response could reduce the likelihood or the severity of the action the ICO may take on your organisation!

## Data Protection Compliance Audit

Complying with the GDPR is vital for all organisations handling personal data, in order to avoid fines, compensation claims and reputational damage. We can assess your compliance quickly and provide you with a clear and easy to understand observations report, alongside a recommended action plan for any areas that need improving. These actions are set in order of priority, so you know what to tackle first. If you need further help in implementing the actions, we can help with that too!

## Complaint Management and Resolution

Data subjects are entitled to an internal review following a Subject Access Request or a Freedom of Information Request or make a general complaint about how their personal information has been handled or shared. We can offer advice on whether your practices were compliant with the GDPR or the FOI Act; provide independent investigation services or can draft complaint responses on your behalf. If the complaint is taken to the Information Commissioner's Office (ICO), we can liaise with the ICO and draft your communications on your behalf.

## Contact Us for Immediate Support

If you have an urgent matter or crisis and would like to talk through the support you need, do get in touch:

**Emergency hotline:** 01404 812377 / 07943 659 447

**Email:** [DPO@firebirdltd.co.uk](mailto:DPO@firebirdltd.co.uk)

**[www.firebirdltd.co.uk](http://www.firebirdltd.co.uk)**

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