

REGULATION AND PRIVACY: What might be coming?

Whilst you're waiting, please visit:

poll.co/bytes

GDPR

General Data Protection Regulation

BACKGROUND

The background is a dark blue surface covered in a repeating, intricate floral pattern. The pattern consists of stylized, symmetrical floral motifs, possibly resembling roses or carnations, arranged in a grid-like fashion. The colors are various shades of blue, from a deep navy to a slightly lighter, muted blue, creating a subtle contrast.

BACKGROUND



Currently, we use the 1995 European Directive (95/46/EC) to govern data processed within the EU

In 2012, the European Commission published a proposal for the GDPR

On the 27th April 2016, everyone agreed on the GDPR

We are now in a 2 year implementation phase

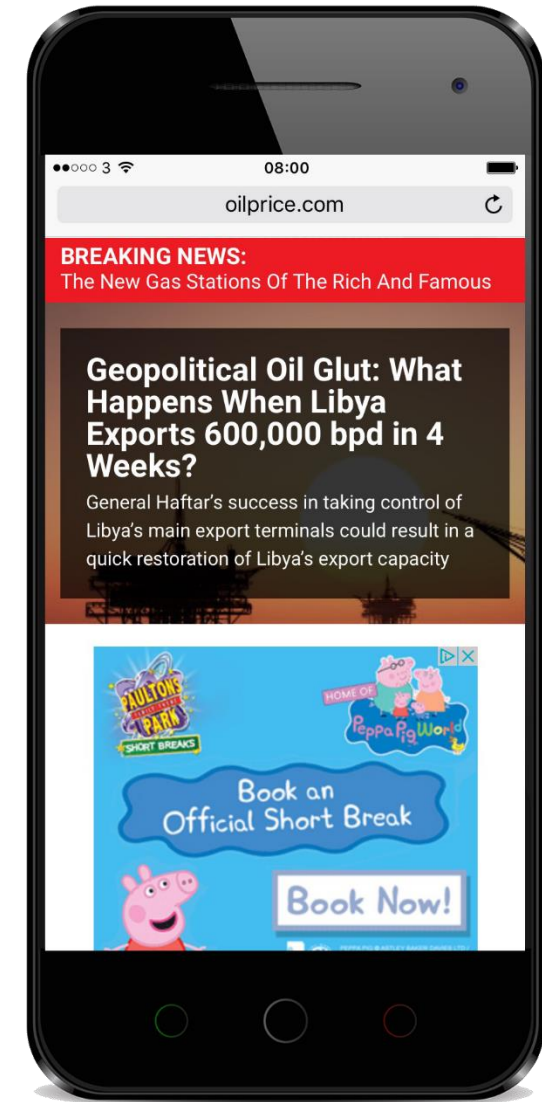
This year there was a “Public Consultation on the Evaluation and Review of the ePrivacy Directive”

GDPR will apply from 25th May 2018

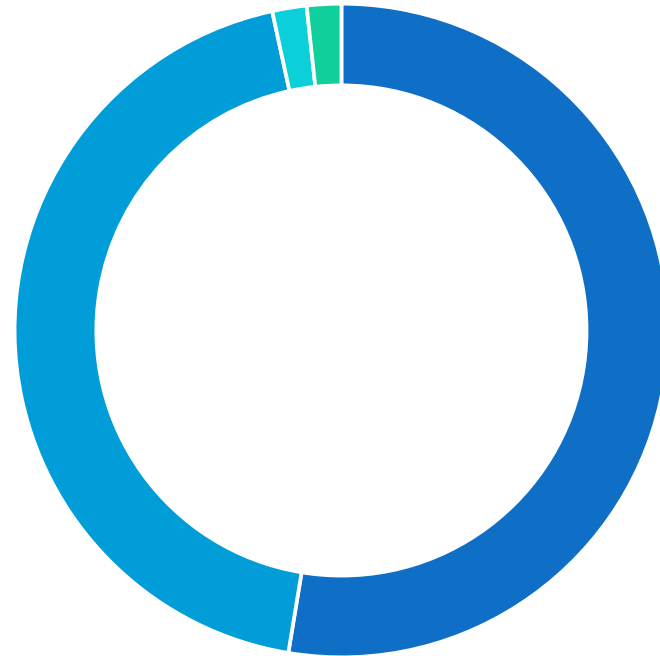
EPRIVACY DIRECTIVE REVIEW



facebook



WHAT DO PEOPLE THINK OF COOKIE MESSAGES?



- Find cookie messages annoying
- Don't take any notice
- Think they're a good idea
- Think they're important and usually read any docs

Take the poll at spoll.co/bytes



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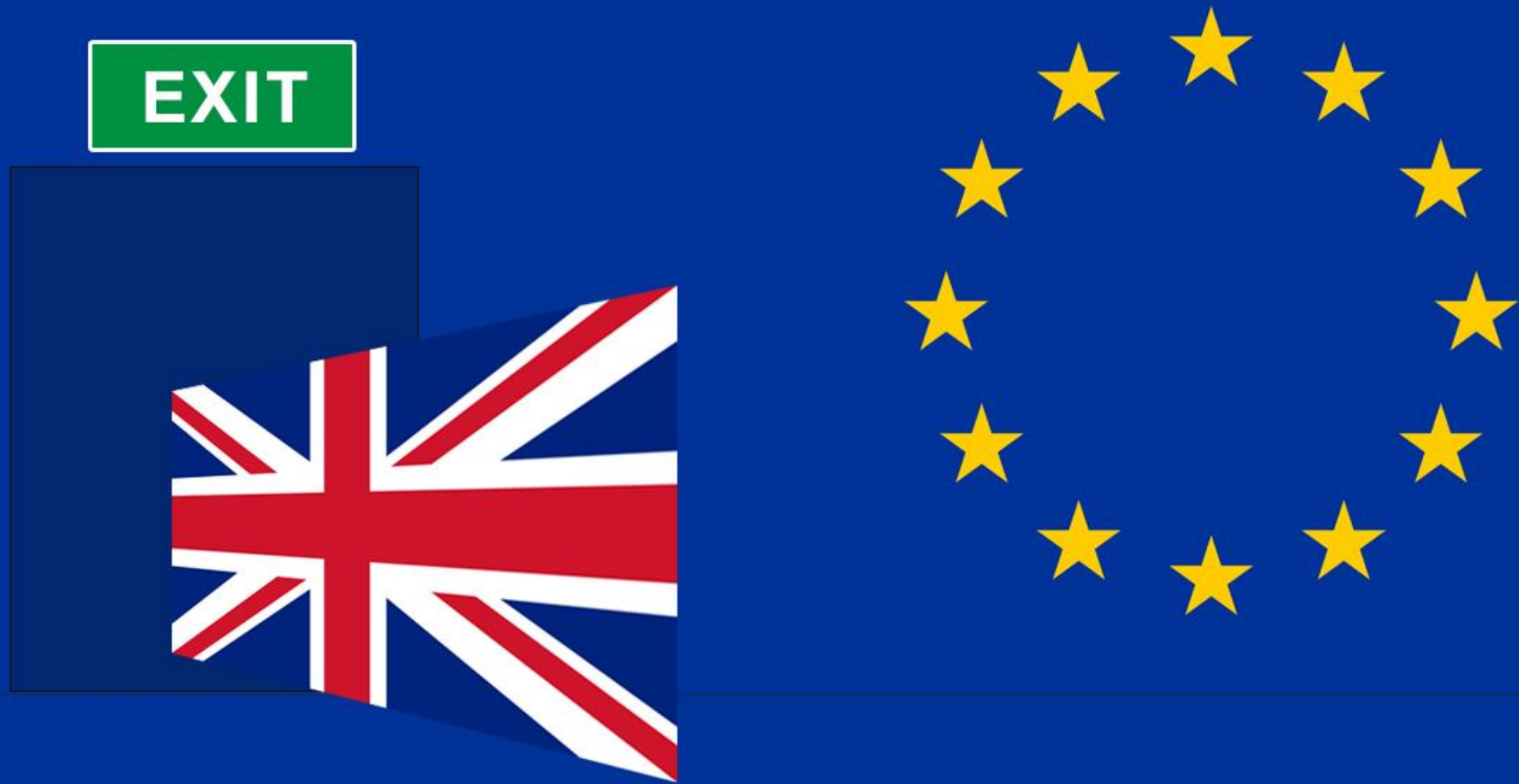
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*Whereas the 1995 **Directive** is implemented by the 28 Member States via their own laws, a **Regulation** is directly applicable and – in theory – has consistent effect in all Member States.*



alt="Brexit"

WHERE DOES THAT LEAVE US?

- We might adopt GDPR anyway
- We might create our own very similar regulations
- We might create something completely different

If you're dealing with users in the EU, you will still need to abide by the GDPR

GETTING PERSONAL

DEFINITION:

“personal data’ means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an [online identifier](#) or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;”
Article 4, GDPR

SPECIAL CATEGORIES:

- racial or ethnic origin
- political opinions
- religious or philosophical beliefs or trade union membership
- genetic data / biometric data / health data
- data concerning a natural person's sex life or sexual orientation

The GDPR does not cover the processing of personal data when it's an issue of national security. (Article 2)

KNOW YOUR RIGHTS

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure (the right to be forgotten)
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling

CONSENT

"Silence, pre-ticked boxes or inactivity does not constitute consent."

<https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdpr/key-areas-to-consider/>

"It shall be as easy to withdraw as to give consent."

Article 7, GDPR

- Consent, or "explicit consent" for the Special Categories, needs to be verifiable – you need to store a record of the fact that you gained consent.
- If you've already been given consent, you don't need to re-ask for it, as long as the way you asked for it is compatible with the GDPR.

DATA PROTECTION BY DESIGN & DEFAULT

ARTICLE 25

KEY POINTS TO CONSIDER

- Data minimisation
- Pseudonymisation
 - Not anonymous, so is still subject to these rules
- Keep it anonymous if possible

PENALTIES

€20,000,000

or “up to

4% of the total worldwide
annual turnover

of the preceding financial year, whichever is higher.”

ARTICLE 83



“The right to the protection of personal data is not an absolute right; it must be considered in relation to its function in society and be balanced against other fundamental rights, in accordance with the principle of proportionality”

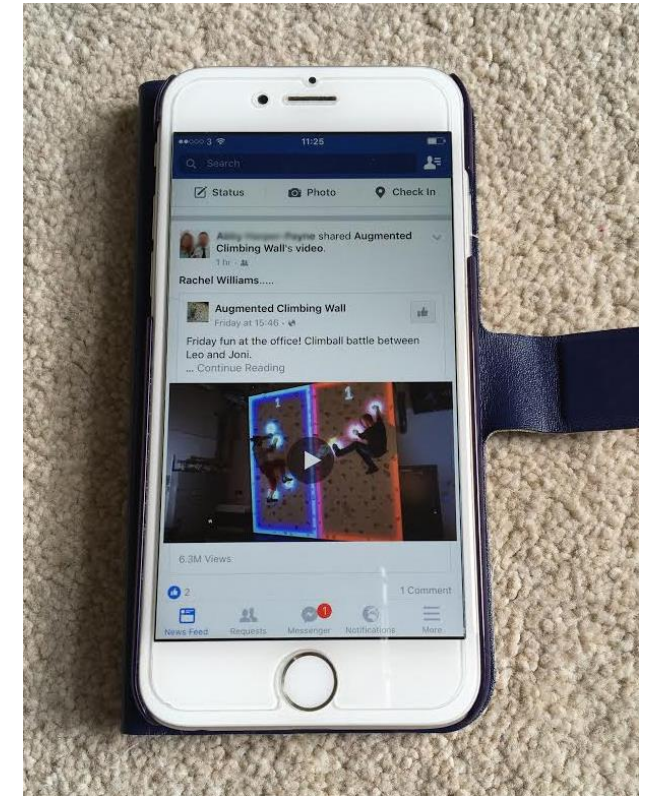
GDPR

SECURITY HYGIENE

“people ought to take responsibility for their own
safety and security.”

FBI DIRECTOR JAMES COMEY

SECURITY HYGIENE...?





David Shariatmadari

@D_Shariatmadari

 Follow

Great to see Google takes cow privacy seriously



RETWEETS

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LIKES

15,392



5:16 PM - 12 Sep 2016

https://twitter.com/D_Shariatmadari/status/775488250223947776

WE ALL NEED TO PLAY OUR PART

Programmers /
coders /
developers

Marketers

Government

CEOs / CTOs

FURTHER READING

The actual GDPR:

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679&from=EN>

Information about the GDPR:

<https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdpr/>

<https://iapp.org/resources/article/top-10-operational-impacts-of-the-gdpr/>

Information about the Digital Single Market:

<http://ec.europa.eu/priorities/digital-single-market/>

http://ec.europa.eu/priorities/sites/beta-political/files/roadmap_en.pdf

<https://engage.number10.gov.uk/digital-single-market/>

<https://www.parliament.uk/business/committees/committees-a-z/commons-select/business-innovation-and-skills/inquiries/parliament-2015/digital-economy/>

Other:

<https://webdevlaw.uk/> (Just everything on this website)

THANK YOU!

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