

# The General Data Protection Regulation

## Jargon Buster

### Data Controller

- The organisation that collects and uses personal data
- The data controller determines the purposes for which and the manner in which any personal data is processed
- A funeral plan provider is the data controller for pre-paid funeral plans

### Data Processor

- A data processor is any person who processes data on behalf of the controller
- Funeral directors are data processors of funeral plan providers

### Data Subject

- The data subject is the living individual the personal data is about
- Funeral directors customers, as well as potential customers, are our data subjects

### Personal Data

- A person's data (name, plan number, location data, IP address, postal address, date of birth, etc.)
- One or more factors specific to a customer that would allow them to be identified

### Special Categories

- Details concerning data which is deemed to be highly sensitive to customers
- Funeral directors hold religious data which is noted as a special category
- Specific consent is required to hold this information

### Consent

- Permission from a customer which allows you to process their personal information (which can include marketing)
- This may be a verbal agreement or expressed in writing

### Accountability

- This is the first step in achieving data compliance
- You need to understand and designate who in your business owns data
- Processes should be documented to evidence compliance with the GDPR

### Processing

- Anything you do to personal data is classed as processing
- This includes but is not limited to: recording, accessing, storing and analysing

### Right to be Informed

- The data subject's right to receive clear and adequate information about how their data is, will or could be used
- This could be documented in an open and transparent privacy policy
- Privacy policies can be made available online, via email or on paper

### Right to be Forgotten

- The data subject's right to request that they are erased from your database
- Funeral directors have the right to decline this right should the customer still want to continue with their funeral plan agreement

### Data Protection Officer (DPO)

- The individual within any organisation who oversees all responsibilities and obligations relating to the GDPR
- The ICO has provided guidance on responsibilities of a DPO within a company

### Information Commissioner's Office (ICO)

- It is the UK's independent body set up to deal with legislation regarding information- such as the Data Protection Act and now the GDPR- to ensure that organisations comply with their obligations whilst protecting the rights of the individual.
- It provides guidance to both individuals and organisations
- It can impose criminal convictions and fines on organisations and individuals who are not complying with the relevant legislation. From May 25th 2018 this includes the GDPR which carries a maximum fine for non-compliance of the greater of 4% of your business' annual global turnover or €20 million.

### Data Protection Impact Assessment (DPIA)

- The way to identify any risks in the methods used to process data
- A DPIA should be completed where you are making changes within your business that may impact the data you hold or how you use that data