

The General Data Protection Regulations (GDPR) came into effect on 25th May 2018.

These Regulations reinforce the 1988 Data Protection Act and the Privacy and Electronic Communication (EC Directive) Regulations 2003, which protects an individual's rights and freedoms and in particular the right to privacy in the processing of Personal Data.

Processing data covers any operation involving data, including its collection, recording, use retrieval, consultation, disclosure, adaption, alteration, combination, destruction or erasure.

GDPR applies to both automated Personal Data and to manual filing systems where Personal Data is accessible according to specific criteria.

The main requirements are:-

- a) Personal Data must be processed fairly and lawfully and in a transparent manner.
- b) Personal Data must be obtained for specific, explicit and legitimate purposes and shall not be further processed in any matter incompatible with that purpose.
- c) The Personal Data must be adequate, relevant and limited to what is necessary in relation to the purposes for which the data is processed.
- d) The Personal Data must be accurate and where necessary kept up to date.
- e) The Personal Data must not be kept longer than necessary for the purpose for which it was processed.
- f) The Personal Data must be processed in a manner that ensures the appropriate security of the data.
- g) Appropriate technical and organisational measures have to be taken against unauthorised or unlawful processing of Personal Data and against accidental loss, destruction or damage to Personal Data.
- h) Personal Data will not be transferred to countries outside the EU unless that country shows an adequate level of protection to the rights and freedom of data subjects.
- i) Personal Data can only be processed with the individual's consent or in order to perform a contract with that individual or to comply with any legal obligations to which the Data Controller is subject or where processing is necessary for the legitimate interests of the Data Controller.
- j) An individual has the right to request a copy of the data held. They will not be entitled to see confidential employment references and there are also some qualified exemptions.
- k) Privacy Information – Individuals have the right to be informed about the collection and use of their Personal Data, the retention period of the data and whom it will be shared with.
- l) Privacy Information must be provided to individuals when data is collected.
- m) Individuals have the right to request to have their Personal Data amended.