

THE GDPR EMPLOYMENT LIFECYCLE



ACTION POINTS

- Ensure all staff at all levels of the business involved with data processing are trained to follow data processes
- Ensure you have a data breach response plan. Including letter templates to send to data subjects who are affected and the ICO
- Mitigate your ability to be penalised by encryption/ password protection and training

ACTION POINTS

- Have processes in place so deletion of data can be easily actioned at specific times. For example, if the employee was on a fixed-term contract, is it necessary to keep their data for 7 years?
- Ensure ex-employees adhere to post-employment obligations in relation to data protection and confidentiality
- Keep data to a minimum throughout a lifecycle, this makes data easier to find during a data subject access request (e.g. 1 month to provide data)

ACTION POINTS

- Make sure all data is adequately processed, relevant and necessary. Think about whether it is necessary to keep the references of an employee who has been working for you for over 10 years
- Ensure all data is kept up to date, if it's incorrect; correct it or delete without delay
- Make sure you know how to report breaches (contact ICO within 72 hours)

ACTION POINTS

- Advise applicants on how their data will be kept/used
- Ensure third parties are compliant
- Update website & privacy notices to make sure they are compliant

ACTION POINTS

- When obtaining references and performing due-diligence checks, make sure you have obtained consent to contact previous employers. For example, use check boxes on forms to prove consent given
- Update current employment contracts to include data protection and data processing clauses
- Data subjects must be able to withdraw consent, it must be freely given and the burden of proof is on you as an employer to show consent is validly obtained. Think about obtaining documentary evidence of proof

ACTION POINTS

- Update all policies and procedures (such as IT, data protection, social media) to ensure they are compliant and make sure staff are aware of the updates, what's included and where they can access them
- Make sure all policies and procedures are clear, concise and understandable. Remember to review them periodically

ACTION POINTS

- Put up posters, in shared areas such as the office kitchen, circulate updates and make staff aware of how policies can be accessed
- Make sure you are keeping up to date with legal updates
- Appoint a data protection officer and make sure they are aware of their obligations
- Make sure feedback is confidential, anonymous and consent is freely given

