

Top tips for HR on GDPR

From 25 May 2018, the regulatory regime governing businesses use of data will change substantially when the General Data Protection Regulation (“GDPR”) comes into force.

What should HR be doing and how can we help?

There is a lot to do to prepare for the introduction of the GDPR. In many organisations, HR is taking the lead in managing the process of achieving compliance by May 2018. As a minimum, we would expect HR to be responsible for undertaking the seven steps set out below. We can help with each stage of the GDPR preparation process, providing clear, commercially pragmatic advice at all times.

What should HR be doing?	How can we help?
Step 1 Generate awareness within your organisation – make key stakeholders aware of the task at hand and set up a project team.	We can help HR to identify which areas of the business and which colleagues should take part in the GDPR compliance project.
Step 2 Carry out an exercise to understand what employment data the business has, what the business uses it for, where it is held and what third parties are involved in processing it.	We can assist HR in undertaking a compliance audit to understand the employment data processes and procedures currently in place and the ways in which employment data is currently used.
Step 3 Consider whether or not the business is required to appoint a Data Protection Officer (“DPO”) and if you do, how will the role be resourced?	We can assist HR in advising on what the DPO role will involve to enable HR to determine whether a DPO can be appointed from within the existing workforce. We can also assist with any DPO external recruitment process by advising on job specifications and the recruitment process.
Step 4 Carry out a gap analysis to work out what compliance steps are needed.	We can carry out a comprehensive GDPR readiness assessment, with gap analysis and recommendation to help determine which business processes need to be reviewed and implemented.
Step 5 Review all relevant employment policies, procedures (including recruitment), employment contracts and contracts with consultants and services providers to make sure that they comply with the new regime.	We can review data protection clauses in contracts as well as policies and procedures on data protection, communications monitoring, privacy and data retention. We can also review the use of data in recruitment and selection processes.
Step 6 Prioritise, scope out and implement a remediation programme.	We can help HR plan and apply changes to data practices in the workplace.
Step 7 Arrange training for staff on data protection issues.	We can provide bespoke training to HR and the wider workforce on data protection as well as on the GDPR more generally.

“The firm offers client-focused, commercial advice.”

Chambers UK 2017

In addition to the above, we can also help with **core data protection services** by:

- Reviewing international data transfer processes for international businesses;
- Advising on handling, and responding to, data subject access requests; and
- Advising on a data security breach of employment data.

Please contact your usual Fox Williams adviser or your Fox Williams contacts below



Nigel Miller
Partner
T +44 (0)20 7614 2504
nmiller@foxwilliams.com



Helen Farr
Partner
T +44 (0)20 7614 2623
hfarr@foxwilliams.com



Josey Bright
Associate
T +44 (0)20 7614 2616
jbright@foxwilliams.com



David Harford
Associate
T +44 (0) 20 7614 2604
dharford@foxwilliams.com

Please note, the information in this guide is provided with reference to the rules and application fees as currently in place (March 2017), which can be subject to change.

This overview is general guidance. It should not be relied upon without first taking separate legal advice.

Neither the author nor Fox Williams LLP accept any responsibility for any consequences resulting from reliance on the contents of this document.