PERSONAL DATA: Information relating to identifiable natural person
E.g. name, location (address), online indicator (email address)

INFORMATION AFFECTED

LEGAL REQUIREMENTS – PROCESSING MUST BE:

– LAWFUL, FAIR AND TRANSPARENT
– COLLECTED FOR SPECIFIED, EXPLICIT AND LEGITIMATE PURPOSE
– ADEQUATE, RELEVANT AND LIMITED
– ACCURATE & UP-TO-DATE
– KEPT FOR NO LONGER THAN NECESSARY
– APPROPRIATE SECURITY MUST BE ENSURED

PROCESSING IS LAWFUL IF YOU:

– PERFORM A CONTRACT
– COMPLY WITH A LEGAL OBLIGATION
– PROTECT VITAL INTEREST OF DATA SUBJECT
– PERFORM A TASK IN A PUBLIC INTEREST
– HAVE CONSENT OF THE DATA SUBJECT THAT IS:
  – FREELY GIVEN
  – SPECIFIC
  – INFORMED
  – UNAMBIGUOUS
  – SEPARATE FROM T&C’S
  – VERIFIABLE
  – PROPERLY DOCUMENTED
  – EASILY WITHDRAWN

HOW IS THIS ACHIEVED?

– PURSUE LEGITIMATE INTEREST OF THE COMPANY
  (except when overridden by interests, fundamental rights and freedoms of the data subject)

WHAT NEXT?

– HAVE THE REQUIREMENTS BEEN MET AND IS CONSENT UP-TO-DATE?
  (no more than 18 months – 2 years old)

– UPDATE CONSENT
  Making sure all requirements are met so that you can hold/process personal data

– CAN YOU IDENTIFY LEGITIMATE INTEREST?

– IS PROCESSING NECESSARY?
  (not just useful, reasonable, desirable?)

– HAVE YOU BALANCED OUT YOUR INTERESTS AGAINST THE INDIVIDUALS TO ENSURE YOU DO NOT INFRINGE UPON THE RIGHTS AND FREEDOMS OF THE INDIVIDUALS?

– SEEK CONSENT
  or another lawful way of processing

THE OUTCOME

– YOU CAN HOLD/PROCESS PERSONAL DATA IN ORDER TO FULFIL YOUR OBLIGATIONS

– YOU CAN HOLD/PROCESS PERSONAL DATA IN REGARDS TO THE SPECIFIC CONTENT
  (for a reasonable period of time or until consent is withdrawn)

– IF CONSENT:
  DOES NOT FULFIL ALL OF THE CRITERIA, OR IS NOT UP-TO-DATE, OR IS WITHDRAWN, MAKE SURE YOU DO NOT HOLD/PROCESS PERSONAL DATA
  (honour individual’s request)

– YOU CAN PROCESS PERSONAL DATA UNDER LEGITIMATE INTEREST
  (make sure you document this decision)