

DATA PROTECTION ACT 1998 COMPLIANCE CHECKLIST

For any questions or queries, please contact Adam Gilbert on 01283 526229 or adam.gilbert@elselaw.co.uk

<u>QUESTION</u>	<u>YES/NO/ UNSURE</u>	<u>FURTHER COMMENTS</u>
Can you define what data means within your organisation?		
What are data subjects within your organisation? Eg Employees, clients, customers		
Do you collect personal data (that which is related to a living individual)		
Would you say that you are a Data Controller? A Data Controller decides what to do with the information rather than being told what to do with it		
Do you have data users within your organisation? (People who use data, i.e. HR, staff etc.)		
Do you use data processors in your organisation? (I.e. third parties, suppliers etc.)		
Do you collect sensitive personal data? (i.e. gender, race, belief health etc.)		

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<p>Can it be confirmed whether your processing of data is:</p> <ul style="list-style-type: none"> a) Processed fairly and lawfully; b) Processed for limited purposes and in an appropriate way; c) Adequate, relevant and not excessive; d) Accurate; e) Not kept longer than necessary; f) Secure; g) Not transferred to other organisations or countries without adequate protection. 		
<p>Does your organisation carry out fair and lawful processing? (actions that would not impinge on a data subjects rights)</p>		
<p>Do you notify data subjects that their data is being used? (How is this done?)</p>		
<p>How does your organisation limit the processing of data?</p>		
<p>How do you ensure data is accurate for a data subject?</p>		

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How long is data stored with your organisation?		
Do data subjects have a right to request held about them?		
Does your organisation allow a data subject to request processing of data for direct marketing purposes to be prevented?		
Can a data subject ask for inaccurate data to be amended?		
Does your organisation prevent processing that is likely to cause damage or distress to the data subject or anyone else?		
Does your organisations data security ensure the following: a) Confidentiality; b) Integrity; c) Availability.		
Does your organisation exercise any of the following security measures: a) Entry controls;		

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<p>b) Secure lockable desks and cupboards; c) Methods of disposal; d) Specialised equipment i.e. privacy monitors</p>		
<p>Does your organisation transfer data to a country outside the European Economic Area (EEA)?</p>		
<p>Do you seek adequate consent for transfers of data outside the EEA?</p>		
<p>How does your organisation acquire consent to disclose information generally?</p>		
<p>How are data subject access requests dealt with? (i.e. written request, HR etc.)</p>		
<p>If your organisation deals with telephone enquiries does your organisation: a) Check the caller's identity; b) Ensure further written requests are made with supporting ID if in doubt; c) Have a process for involving line managers for more</p>		

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<p>complex or difficult queries.</p>		
<p>How does your organisation notify data subjects with regard to data use and policy changes?</p>		

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SUMMATIVE ASSESSMENT (SOLICITOR COMMENTS)

TO WHAT EXTENT DOES THE REGULATION AFFECT THE BUSINESS?
PRACTICAL MEASURES TO BE TAKEN?
MECHANISMS TO IMPLEMENT SUCH MEASURES?

STATEMENT OF REVIEW

I confirm that the contents of this statement are true to the best of my knowledge and belief.

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DIRECTOR OF:

DAY MONTH 2017

REVIEW CARRIED OUT BY

.....

(SOLICITOR)

DAY MONTH 2017