



# **GDPR Toolkit**

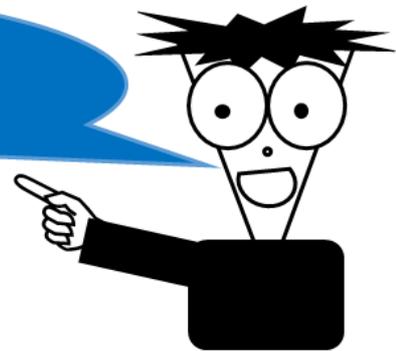
## **DATA PORTABILITY**

# GDPRToolkit

## INTRODUCTION

Please read the READ ME User Guide first to make sure you know and understand the need to add, amend, or delete in order to reflect your people, processes and technologies as well as the data you hold and the jurisdiction(s) you operate in.

Please browse through this READ ME guide to make sure you understand before starting to use the toolkit



The READ ME User Guide will you help navigate around the GDPR-Toolkit and identify what you need to do for your organisation.

## DISCLAIMER

GDPR can be complicated and there are different laws in UK, EU, Jersey and Guernsey. Simply having Templates, Documents, Samples and Guidance does not make you compliant.

The reason for this disclaimer is that I cannot warrant or guarantee materials for every system or circumstance or jurisdiction and the client/user/recipient is obliged to review, test and where necessary customise or take advice to generally assert that they are satisfied before using this “live”.

If DIY isn't for you, that's OK. I'm rubbish at electrical work, plumbing or carpentry. Call an expert. There are many out there and data protection is too important for you, your organisation and the people who trust you with their data for you to get it wrong.

## SUPPORT

For those organisations without the resources, skills or experience I can help with training or provide support to customise the documents to meet your particular needs. [TimHJRogers@AdaptConsultingCompany.com](mailto:TimHJRogers@AdaptConsultingCompany.com)

# GDPRToolkit

TITLE	ACC GDPR International data transfer procedure.docx	DATE	10/04/18
LOCATION	V:\Data2018\product_gdprtoolkit\ACC GDPR International data transfer procedure.docx	VERSION	Ver 1
AUTHOR	[Author]	Pages	3 of 7
APPROVER	[Approver]		

## 1. DATA PORTABILITY POLICY

[Organisation name] respects the Right to data portability in accordance with GDPR

The right to data portability allows individuals to obtain and reuse their personal data for their own purposes across different services. It allows them to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability. It enables consumers to take advantage of applications and services which can use this data to find them a better deal, or help them understand their spending habits.

The right to data portability only applies:

1. to personal data an individual has provided to a controller;
2. where the processing is based on the individual's consent or for the performance of a contract; and
3. when processing is carried out by automated means.

[Organisation name] will respond to any request without undue delay, and within one month.

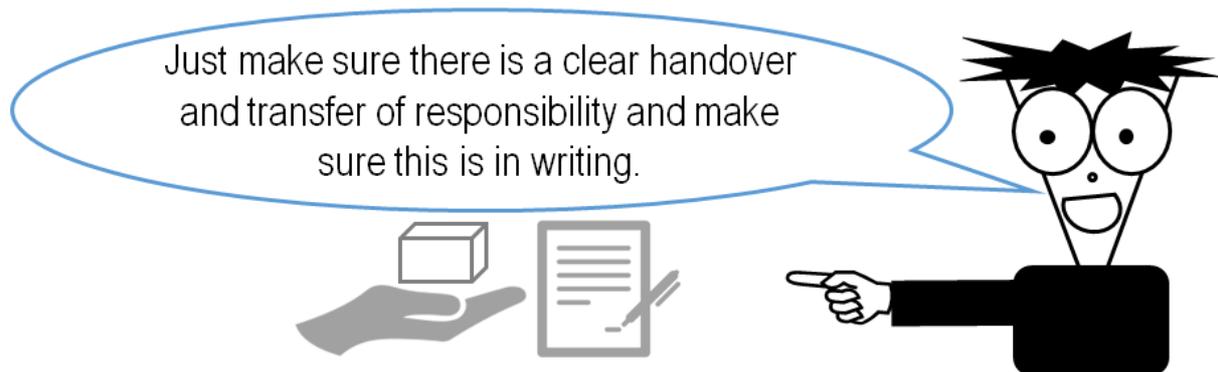
This can be extended by two months where the request is complex or [Organisation name] receive a number of requests. [Organisation name] will inform the individual within one month of the receipt of the request and explain why the extension is necessary.

Where [Organisation name] is not taking action in response to a request, [Organisation name] will explain why to the individual, informing them of their right to complain to the supervisory authority and to a judicial remedy without undue delay and at the latest within one month.

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## 2. DATA PORTABILITY PROCEDURE

[Organisation name] will provide the personal data in a structured, commonly used and machine readable form. Open formats include CSV files. Machine readable means that the information is structured so that software can extract specific elements of the data. This enables other organisations to use the data. The information must be provided free of charge.



[Organisation name] will use secure encryption and necessary authentication to ensure that data is private, safe and secure and only transmitted to the authorised person(s).

If the personal data concerns more than one individual, [Organisation name] will consider whether providing the information would prejudice the rights of any other individual.

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## 3. DOCUMENT CONTROL

[document owner] is the owner of this document and is responsible for ensuring that this procedure or process is reviewed in line with the review requirements.

Consultation Phase: A document which is circulated for comment to key stakeholders to ensure support for scope, format, and content.

Draft Phase: Ostensibly the last draft, capturing all the points from the previous consultation phase and circulated for comment before being finalised.

Final Phase: A document which is FINAL. This is the baseline document which may subsequently amend over time.

VERSION	DESCRIPTION OF CHANGE	AUTHOR	APPROVAL	DATE OF ISSUE
Consultation	Initial Issue for consultation.	[Author]	[Approver]	March 2018

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## FORM

HEADING	CONTENT
<p><b>CONFIRMED ADDRESEE</b></p> <p>The person to whom the data is being sent must be authorised and validated (eg photo-ID or similar)</p>	
<p><b>CONFIRMED DESTINATION</b></p> <p>The email address, postal address to which the data is being sent must be authorised and validated (eg registered office address)</p>	
<p><b>CONFIRMED DATA</b></p> <p>The data must be correct without error or omission, or inclusion of other data (eg other people's data)</p> <p>Unless the person to whom the data is being sent specifically asks – in writing- for it to be unencrypted any electronic data should be in unencrypted format with the password sent by different means.</p>	

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HEADING	CONTENT
<p data-bbox="188 309 655 338"><b>DELETION OR DESTRUCTION</b></p> <p data-bbox="188 387 707 533">Where data is being moved there may be a requirement to delete the data once the data-subject has their copy.</p> <p data-bbox="188 577 722 790">Deletion outside of normal retention policies should only happen when the person to whom the data is being sent specifically confirms – in writing- that they have received their data and that it is OK to delete.</p>	

Signed  
Data Protection Officer or Equivalent

Signed  
Director or Equivalent