

Sample Do Not Use



GDPR Toolkit

DATA PROTECTION OFFICER

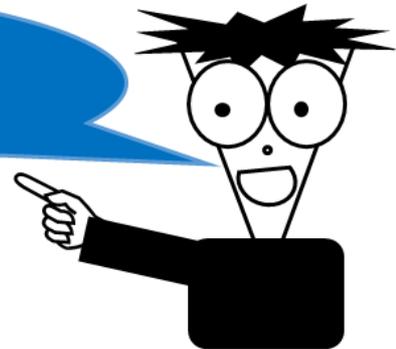
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Do not use as-is, but make necessary amendments relevant to your organisation

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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 help you 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

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DATA PROTECTION OFFICER (DPO) JOB DESCRIPTION

TITLE	ACC GDPR Data protection officer (DPO) job description.docx	DATE	10/04/18
LOCATION	V:\Data2018\product_gdprtoolkit\ACC GDPR Data protection officer (DPO) job description.docx	VERSION	Ver 1
AUTHOR	[Author]	Pages	3 of 5
APPROVER	[Approver]		

JOB CONTEXT

The GDPR introduces a duty for you to appoint a data protection officer (DPO) if you are a public authority, or if you carry out certain types of processing activities.

DPOs assist you to monitor internal compliance, inform and advise on your data protection obligations, provide advice regarding Data Protection Impact Assessments (DPIAs) and act as a contact point for data subjects and the supervisory authority. The DPO must be independent, an expert in data protection, adequately resourced, and report to the highest management level. A DPO can be an existing employee or externally appointed. In some cases several organisations can appoint a single DPO between them. DPOs can help you demonstrate compliance and are part of the enhanced focus on accountability.

Under the GDPR, you **must** appoint a DPO if:

- you are a public authority (except for courts acting in their judicial capacity);
- your core activities require large scale, regular and systematic monitoring of individuals (for example, online behaviour tracking); or
- your core activities consist of large scale processing of special categories of data or data relating to criminal convictions and offences.

This applies to both controllers and processors. You can appoint a DPO if you wish, even if you aren't required to. If you decide to voluntarily appoint a DPO you should be aware that the same requirements of the position and tasks apply had the appointment been mandatory.

Regardless of whether the GDPR obliges you to appoint a DPO, you must ensure that your organisation has sufficient staff and resources to discharge your obligations under the GDPR. However, a DPO can help you operate within the law by advising and helping to monitor compliance. In this way, a DPO can be seen to play a key role in your organisation's data protection governance structure and to help improve accountability.

If you decide that you don't need to appoint a DPO, either voluntarily or because you don't meet the above criteria, it's a good idea to record this decision to help demonstrate compliance with the accountability principle.

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JOB DESCRIPTION

Position Of The DPO

The DPO reports directly to our highest level of management and is given the required independence to perform their tasks.

The DPO is involved, in a timely manner, in all issues relating to the protection of personal data.

The DPO will ensure that any other tasks or duties that are assigned do not result in a conflict of interests with their role as a DPO.

Tasks Of The DPO

The DPO is tasked with monitoring compliance with the GDPR and other data protection laws, our data protection policies, awareness-raising, training, and audits. We will take account of our DPO's advice and the information they provide on our data protection obligations including...

- a. to inform and advise you and your employees about your obligations to comply with the GDPR and other data protection laws;
- b. to monitor compliance with the GDPR and other data protection laws, and with your data protection policies, including managing internal data protection activities; raising awareness of data protection issues, training staff and conducting internal audits;
- c. to advise on, and to monitor, [data protection impact assessments](#);
- d. to cooperate with the supervisory authority; and
- e. to be the first point of contact for supervisory authorities and for individuals whose data is processed (employees, customers etc).

The DPO should prioritise and focus on the more risky activities, for example where special category data is being processed, or where the potential impact on individuals could be damaging. Therefore, DPOs should provide risk-based advice to your organisation.

The DPO acts as a contact point for the ICO. They co-operate with the ICO, including during prior consultations and will consult on any other matter.

If the organisation decides not to follow the advice given by your DPO, the organisation should document your reasons to help demonstrate the organisation accountability.

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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