



DATA PROTECTION AND THE SLRA

Introduction

1. The EU's General Data Protection Regulation (GDPR) will apply from 25 May 2018, when it supersedes EU member state implementations of the 1995 Data Protection Directive (DPD). The UK Data Protection Act 1998 (DPA) will be superseded by a new DPA that enacts the GDPR's requirements.
2. The UK leaving the EU does not mean that GDPR will not continue to apply, as it will be enacted in UK law.
3. Among many new conditions, one of the biggest changes relates to consent. Under the new regulations, organisations must keep a thorough record of how and when an individual gives consent to store and use their personal data.
4. Furthermore, consent will mean active agreement. It can no longer be inferred from, say, a pre-ticked box. Organisations will have to show a clear audit trail of consent, including screen grabs or saved consent forms.
5. Individuals also have the right to withdraw consent at any time, easily and swiftly. When somebody does withdraw consent, their details must be permanently erased, and not just deleted from a mailing list. GDPR gives individuals "the right to be forgotten".
6. In the event of a data breach, GDPR requires organisations to inform relevant authorities within 72 hours, giving full details of the breach and proposals for mitigating its effects.

Impact on the SLRA

7. The SLRA membership application form already contains the rider:

"In giving your email address, you agree to receiving communications from the SLRA by email. Your email address will not be disclosed to any other parties and will be treated as confidential."

It is believed that this meets the consent requirements of the GDPR.

It is proposed that:

8. (i) we review our records to identify all members for whom we do NOT hold a signed and dated membership application form. Then to write to those members and obtain their express consent for us to hold and use their data after 25 May 2018.
- (ii) we write to all members, reminding them that we hold their personal data, giving the purpose for which we do so, stating that it will not be disclosed or used for any other

purpose and reminding them that they have the right to require us to delete all data we hold on them at any time.

(iii) we amend the footer which appears on all members' emails from the SLRA. This currently includes:

“If you do not wish to receive email communications from SLRA, please reply STOP to this email. You will receive one final email confirming that your email address has been deleted from our records.”

It is proposed to add to this:

“You have the right to require the SLRA to delete ALL your personal data. If you wish us to do so, please reply to this email. We shall then confirm deletion and termination of membership”

Recommendation

9. The Committee is invited to agree the proposals in paragraph 8.