Data Sharing and Tracing Solutions for the Public Sector

67M LoCTA GDPR Compliance Policy

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Change Control

Version	Date	Description	Author
1.0	May 2018	Initial Draft	TC

GDPR and MAG:NET Solutions Ltd for LoCTA

The intention of the GDPR is to strengthen data protection for individuals within the European Union and become enforceable on 25 May 2018.

LoCTA Data Privacy Impact Assessment

MAG:NET Solutions Ltd contracted an external recognised GDPR expert to complete a comprehensive DPIA (Data Privacy Impact Assessment) for the LoCTA application and service.

Our obligations as a processor & Lawful Basis for processing

Under GDPR, new data protection principles set out the main responsibilities for organisations and the need to identify a lawful basis before processing personal data. The lawful basis that LoCTA meets is detailed below. Consent is not required by local authorities for using LoCTA in their duties to protect the public purse.

LA specific provisions in GDPR	How They Will be Met	
1. 6(1)c - Processing is necessary for compliance with a legal obligation	The information will only be used by each organisation for the specific purpose for which it is requested. The recipient will not release the information to any third party, for whatever reason, without obtaining written permission of the provider of the data.	✓
2. 6(1)e – Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller	Only specific information will be shared and processed and only for the legal purposes for which it's required.	✓

UK Data Hosting, Data Retention & Accuracy of Data

LoCTA data is hosted only within UK data centres. No data-sets or backups are transferred out of the UK.

Our Data Retention policy adheres to strict controls. Contractual requirements between MAG:NET Solutions Ltd and each Local Authority Data Controller client mandates that the data sets are refreshed weekly. There are policies in place to manage this. All data files received are securely shredded at 28 days, and backups held for 3 months.

Should any data be reported by the Local Authority Data Controller as inaccurate, MAG:NET Solutions Ltd have policies in place to adhere to the GDPR principles and resolve this with the Data Controller within the mandated guidelines.

MAG:NET Solutions Ltd Policy for Processing Data

To ensure GDPR compliance MAG:NET Solutions Ltd will:

- only act upon written instructions of our clients (normally Local Authorities as the data controllers)
- be subject to a duty of confidence, and ensure the same of all relevant staff members
- ensure the appropriate measures are taken to ensure the security of the processing.
- only engage a sub-processor on written consent of the data controller
- assist the data controller in providing subject access and allowing data subjects to exercise their rights under the GDPR
- assist the data controller in meeting its GDPR obligations in relation to the security of processing, the notification of personal data breaches and data protection impact assessments
- ensure to delete or return all personal data to the controller as requested at the end of any relevant contracts
- submit to audits and inspections, provide the controller with whatever information it needs to ensure that they are both meeting their Article 28 obligations, and tell the controller immediately if it is asked to do something infringing the GDPR or other data protection law of the EU or a member state.
- train our staff to comply with these regulations

Our Direct Responsibilities under GDPR are to:

- only act on the written instructions of the controller (Article 29);
- not use a sub-processor without the prior written authorisation of the controller (Article 28.2);
- co-operate with supervisory authorities (such as the ICO) in accordance with Article 31;
- ensure the security of its processing in accordance with Article 32;
- keep records of its processing activities in accordance with Article 30.2;
- notify any personal data breaches to the controller in accordance with Article 33;
- employ a data protection officer if required in accordance with Article 37; and
- appoint (in writing) a representative within the European Union if required in accordance with Article 27.

MAG:NET Solutions Ltd policy for controlling data

To ensure GDPR compliance MAG:NET Solutions Ltd will:

- only collect & retain information necessary to transact with our customers and prospects
- ensure that revoked consent requests are managed with 48 working hours of revocation
- ensure to enable right to access within 7 days of request, unless otherwise specified in writing.
- train our staff to company with the regulation

Subject access requests

Upon receiving a written subject access request MAG:NET Solutions Ltd will:

- on the rights of Access/Erasure/Correction, will refer to the relevant Local Authority Data Controller and will engage with the Data Controller as necessary to fulfil these requirements
- ensure to verify the identity of the person requesting the information
- respond in writing within 40 calendar days with the requested information
- if requested, initiate the right to erasure process

What MAG:NET Solutions Ltd will do should there be a data protection breach

Should there be a data breach, staff are trained to inform their line manager immediately, who will in turn, inform an authorised member of personnel at the client and also inform the ICO within 24 hours.

The information provided to the client and the ICO will include;

- What has happened;
- When and how we found out about the breach;
- The people that have been or may be affected by the breach;
- What we are doing as a result of the breach

The management team at MAG:NET Solutions Ltd are responsible for the compliance and maintenance of this policy