

(NAME OF SERVICE)

GENERAL DATA PROTECTION REGULATION

GDPR-19

Title: GUIDANCE NOTES TO COMPLETING THE PRIVACY NOTICE

1.0 GENERAL SUGGESTIONS:

- Further guidance from the ICO may also affect the content of your Privacy Notice.
- There will be developments in relation to website cookies which are expected at some point in 2018.
- This example is not suitable if you are offering online information services to children, or if you process data about criminal convictions or offences.
- We suggest that you copy and paste the content of the template notice to your business headed notepaper. As it's only a template, you have to amend the contents of the notice to personalise it for your circumstances.
- You need to pay careful attention to any information in brackets () on the template, as you need to insert the correct required information.
- This notice is drafted for use if you are a data controller i.e. a data controller determines the purposes and means of processing personal data.
- ~~You must determine your purpose and lawful basis for processing before you begin your processing activities and you should document it.~~
- ~~If your purposes change, you may be able to continue processing under the original lawful basis if your new purpose is compatible with your initial purpose (unless your original lawful basis was consent).~~

More information on lawful processing can be found on the ICO website.

2.0 OTHER SUGGESTIONS WITH REFERENCE TO THE DATA PRIVACY NOTICE:

Clause 3: The purpose of processing your personal data

- The notice must include a description of all the purposes for which the personal data will be processed.
- It is advisable to keep the description of the purposes as broad as possible, whilst ensuring that it is accurate and not misleading.
- If a purpose is missed out, the personal data may not, in most cases, be used for that purpose without reissuing the data privacy notice, setting out the new purpose, processing condition and other relevant information.
- This does not mean that you can include in the notice every possible purpose; the purposes included must be reasonably foreseeable.

3.0 EXAMPLES OF THE RELEVANT PURPOSES MIGHT BE AS FOLLOWS:

- To manage our employees.
- To maintain our own accounts and records.
- To inform individuals of news, events or activities.
- ~~You may give us information about you by filling in forms on our site (INSERT DOMAIN ADDRESS) (our site) or by corresponding with us by phone, e-mail or otherwise. This includes information you provide when you register to use our site, subscribe to our service, (search for a product), (place an order on our site), (participate in discussion boards or other social media functions on our site),~~

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(enter a competition, promotion or survey), (OTHER ACTIVITIES COMMONLY CARRIED OUT ON THE SITE) and when you report a problem with our site.

*Please note that this list is not exhaustive and you may process personal data for other purposes, which will need to be recorded. Individuals must be made aware of what you are going to do with their personal data.

4.0 CLAUSE 4: THE CATEGORIES OF PERSONAL DATA CONCERNED

Here you should specify the type of personal data that you process, with details. For example: The personal data you give us may include your name, address, e-mail address and phone number, financial and credit card information, personal description and photograph or (INSERT OTHER INFORMATION).

Where personal data have not been obtained from the data subject you must also insert the categories of personal data concerned and disclose the source of the personal data.

5.0 CLAUSE 5 (A): PERSONAL DATA

You will need to insert here the relevant processing condition contained in article 6 of the GDPR. There are 6 grounds listed in article 6 for lawful processing, as listed below. Please tick the box that relates to the relevant processing condition and please insert any relevant details where required.

~~You need to identify one lawful basis for each purpose of processing. Tick more than one box, if more than one applies but indicate which purpose it refers to. Irrelevant processing conditions under this section can be deleted.~~

~~More information on lawful processing can be found on the ICO website.~~

6.0 CLAUSE 5 (B) SPECIAL CATEGORIES OF PERSONAL DATA

If you are processing special category personal data (i.e. sensitive personal data), as well as satisfying one of the processing conditions set out in Article 6, you will also need to satisfy one of the processing conditions set out in Article 9 below. You should choose whichever special category condition is the most appropriate in the circumstances.

You need to identify one lawful basis for each purpose of processing. Tick more than one box, if more than one applies but indicate which purpose it refers to. This template is not suitable if you process personal data about criminal convictions or offences. For this type of processing, you must have both a lawful basis under Article 6 and either legal authority or official authority under Article 10.

Irrelevant processing conditions in this section can be deleted.

More information on lawful processing can be found on the ICO website.

7.0 CLAUSE 7

~~You need to include either a specific period of data retention or alternatively, you need to provide the criteria that can be used to determine how long you retain personal data.~~

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8.0 CLAUSE 8

~~Disclose why you need to process the individual's personal data. Also explain what the implications will be if you don't process the personal data.~~

9.0 CLAUSE 9

This clause explains a data subjects rights in relation to their personal data. These are mandatory terms under GDPR.

The only term that you are allowed to remove if it does not apply, is this one: (The right to withdraw your consent to the processing at any time, WHERE CONSENT WAS YOUR LAWFUL BASIS FOR PROCESSING THE DATA).

More information around this can be found on the ICO website.

10.0 CLAUSE 10 AND 11

~~Delete these if you don't transfer data abroad or if you don't use automated decision making processes.~~