

# Checklist

## Privacy notice - GDPR compliant



✓	Information to include in Privacy Notice	Notes
<input type="checkbox"/>	Your identity and contact details and details of your representative (if any).	<i>You may have nominated a representative for the purposes of the DPA/GDPR.</i>
<input type="checkbox"/>	Identity and contact details of your data protection officer.	<i>Applicable if you are legally required to appoint a data protection officer.</i>
<input type="checkbox"/>	The purpose for the processing.	<i>Avoid generalisations that are open to a variety of interpretations (e.g. "improving user experience", "marketing", "IT security", and "future research").</i>
<input type="checkbox"/>	The legal basis for the processing.	<i>Under the GDPR, it is more difficult to obtain consent - another legal basis for the processing may be more appropriate.</i>
<input type="checkbox"/>	Any legitimate interests that you are relying on.	<i>The recitals to the GDPR identify certain legitimate activities (e.g. processing for preventing fraud, information security and intra-group transfers). However, this must be weighed against individuals' rights and freedoms.</i>
<input type="checkbox"/>	The categories of personal data.*	
<input type="checkbox"/>	Recipients or categories of recipients of the personal data.	<i>For example, group companies or credit reference agencies.</i>
<input type="checkbox"/>	Details of transfers outside the EEA and any safeguards taken.	<i>The data transfer mechanism used to legalise the transfer must be specified.</i>
<input type="checkbox"/>	The period for which data will be retained or the criteria used to determine this period.	
<input type="checkbox"/>	Details of the data subject's rights.	<i>This includes the right to be forgotten, restrict processing and to object to processing, the right to data portability and the right to object to direct marketing.</i>
<input type="checkbox"/>	The right to withdraw consent at any time (if consent is used as the basis for processing).	<i>Include details of how the data subject can exercise the right.</i>
<input type="checkbox"/>	The right to lodge a complaint with a supervisory authority.	<i>In the UK, this is the Information Commissioner's Office.</i>
<input type="checkbox"/>	The source of the personal data (and whether it was a publicly accessible source).*	
<input type="checkbox"/>	Whether the provision of personal data is part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data.**	
<input type="checkbox"/>	Details of any automated decision making (e.g. profiling), the auto-decision logic used, the significance and consequences.	

\* not needed where data is obtained directly from data subject

\*\* only needed where data is obtained directly from data subject

# GDPR - Getting Data Protection Right...

The EU General Data Protection Regulation (GDPR) and Data Protection Act 2018 are now in force. This has been described as “the biggest change to data protection law for a generation”. It’s not just us saying that – those are the words of the Information Commissioner, Elizabeth Denham.

There has been quite a lot of focus on the consequences of getting data protection compliance wrong, with headlines about fines of up to €20million, or 4% of global annual turnover if that is higher.

At Mills & Reeve we focus on the practical steps your organisation can take to get data protection compliance right.

## Get in touch...



Richard Sykes

Partner

T +44(0)121 456 8436

[richard.sykes@mills-reeve.com](mailto:richard.sykes@mills-reeve.com)



Peter Wainman

Partner

T +44(0)1223 222408

[Peter.wainman@mills-reeve.com](mailto:Peter.wainman@mills-reeve.com)



Gary Attle

Partner

T +44(0)1223 222394

[Gary.attle@mills-reeve.com](mailto:Gary.attle@mills-reeve.com)



Paul Knight

Partner

T +44(0)161 234 8702

[paul.knight@mills-reeve.com](mailto:paul.knight@mills-reeve.com)



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