emwprep-logo

## GDPR and the implications for EMWPREP

## Update 2

This document is designed to update partners on progress made against GDPR related EMWPREP actions as identified in the original GDPR and the implications for EMWPREP paper circulated at the July Steering Group Meeting.

**Progress against actions for EMWPREP (updates in blue)**

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| **Action** | **Progress** |
| Undertake a full review of our existing data protector agreement, privacy policy, data protection statements, websites and consent statements in consultation with the host University DPO, host University internal GDPR working group and with reference to guidance from the ICO. | Internal EMWPREP review of existing policies has taken place:   * Data Processor Agreement in its current format needs updating to suit the expanded partnership; changing database and data collection procedures. * EMWPREP currently has no other policy documents which guide partners on DPA matters related to the database and as such these will need to be written to comply with GDPR. |
| The existing Data Processor Agreement will become a Data Compliance Agreement and house various new policy documents which all partners will be required to adhere to in order to use the database and EMWPREP services. | EMWPREP have drafted the following new documents:   * Data Retention and Deletion Policy * How we use your data Policy * Data Sharing Policy   These documents are currently being reviewed by the DPO at Loughborough University, and will be forwarded to all partners for comment once initial approval has been granted.  Feedback from the DPO at Loughborough has been received and amendments have been made. Final approval from the Loughborough DPO is now pending.  EMWPREP has commenced work the following new documents:   * Data Compliance Agreement * Privacy Notice * Audit Policy |
| Current systems of gathering and recording consent (for new and existing data subjects) will be reviewed, rewritten and documented once relevant internal approvals have been sought. | EMWPREP have consulted with Loughborough’s DPO as well as representatives from EMWPREP partner institutions to re-design new data collection forms based on the current assumption we will be able to process tracking and contextual data collected about participants on the public interests legal basis.  The forms have been approved by Loughborough's DPO, and have been sent to DfE and HESA to check they are still happy with the content and explanation to those completing forms of what their data will be used.  The ICO will be announcing in December if universities can be viewed as public authorities and as such re able to process data under this new legal basis.  The ICO have yet to fully confirm the status of universities however they have indicated it is likely they will be viewed as public authorities. As such a range of legal bases will be available for use. Resultantly EMWPREP have re-consulted with the DPO about our proposed new collection forms and made amendments based on his recommendations.  The draft new forms have been sent to partners for comment.  EMWPREP are in consultation with the Design Team at Loughborough to refresh the look of the forms. |
| Create specific data sharing and retention policies to explicitly describe what we are doing with data and how long the information is retained. We may seek to change statements on forms thus confirming what our research is in clear English and provide links to further information. | EMWPREP have drafted a new Data Retention and Deletion Policy as well as a Data Sharing policy explaining in detail what we are doing with data and how long the information is retained.  We have also created new website pages to house these documents and provided updated links to them on the new data collection forms.  These documents are currently being reviewed by the DPO at Loughborough University, and will be forwarded to all partners for comment once initial approval has been granted.  Feedback from the DPO at Loughborough has been received and amendments have been made. Final approval from the Loughborough DPO is now pending. |
| Create a new auditing policy to ensure that hard copy data (consent forms) is stored correctly by all partners, and that all are adhering to the new data compliance agreement. | Work has commenced on the new Audit Policy document which will provide detailed guidance to partners as to how to under thorough internal audits of database related procedures as well as providing information on EMWPREP external audits which will commence after May 2018. |
| Create a system to ensure (where possible) participants have a right to be forgotten. Which may require contacting participants before removal, however could have possible issue if they have said no contact. | EMWPREP have commenced work on the website provide participants with the right to be forgotten via an Individual Data Removal Form.  EMWPREP have produced three contact forms for use alongside our data collection forms which will be housed on our website:   * Individual Data Removal Form * Subject Access Request Form * Update your Details Form   These will allow participants to investigate what data is stored, update their records is required, and requesting the right to be forgotten. |
| Carry out a full audit and data cleanse of the 102,000 records currently on the database. | A full cleanse of the database has been delayed until the new system launches as we have built in features to help facilitate this such as automatic merging of participant records (which will help when duplicates are found); and upgrading of participant bulk uploads (which will help when anonymising participant records).  The new database launched on 16th January. Whilst the system was tested prior to launch minor glitches have been identified and fixing these takes priority. Once the system has been fully operational for a short period a full cleanse of the database will take place. |
| Refresh hosting and maintenance contracts with the Database Developer, Winona E-Solutions, to ensure we have adequate information security breach prevention policy and secure 3rd party data storage. | Database contract are currently being reviewed by Loughborough’s DPO and IT Security teams.  Loughborough’s procurement team are also reviewing our database contracts. Slight amendments will need to be made and new terms and conditions attached to subsequent POs in order to comply with GDPR.  We have also taken the opportunity to fully security test the new database to ensure it is completely secure- this has resulted in a slight delay to the initial envisaged launch date.  The database has now launched. |

**Timetable for changes (subject to change and amendments can be seen in blue)**

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|  | **Timeline** | **Action** | **Progress** |
| June 2017 | EMWPREP Scoping exercise to establish data mapping and uses | Untaken and information gleaned used in How we use your data policy document |
| Start Database Audit and Cleanse | Delayed until new system launches |
| January 2018 | New Database launched | Delayed until IT security testing has been completed. Now completed and new system launched. |
| Work with database developer to ensure system is compliant and modify any areas necessary | Work currently being undertaken on new system ready for launch. All current listed modifications have been completed. |
| February / March 2018 | Complete Database Audit and Cleanse and compile actions for partners | Delayed until the new system launches |
| April 2018 | Aim to complete all areas to ensure future compliance |  |
| Provide training to all users (via super users and webinars) so ensure individual are fully aware of their own responsibilities in respect of new rules |  |
| By May 2018 | Launch with new consent forms | Awaiting decision from ICO on appropriate legal basis for data collection forms. |
| New Data Compliance Agreement and Policies first draft to be sent to host University DPO for approval | Initial polices (Data Retention and Deletion Policy, How we use your data Policy, and Data Sharing Policy) sent to DPO for approval in early October.  Remainder of policies (Data Compliance Agreement, Privacy Notice and Audit Policy) to be sent to DPO for approval by end of November. |
| Draft Data Compliance Agreement and Policies issued to all partners for comment | Still under preparation |
| Ongoing | Monitor any changes in guidance and action appropriately |  |
| May 2018 onwards | GDPR comes into effect. EMWPREP to continue to monitor GDPR changes and impacts across the sector |  |