

Latest updates from [The Office of the Data Protection Authority](#)

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*Excellence through ethics*

Thank you for subscribing to our monthly newsletter – in this issue:

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## **Message from the Commissioner**

It is both an enormous privilege as well as challenge to work for an organisation with such a breadth and depth of regulatory oversight.

We are immersed in a world of data and it follows that there are very few activities in which we engage which do not, in some way, touch at either the heart or periphery of data protection legislation.



Data about us is collected constantly. Sometimes we are very aware of when and how that happens – when we sign up for a mortgage or call to make a doctor's appointment. Other times, data collection is less overt – when our image is captured by CCTV, or our online search is tracked by 'cookies'.

As the independent regulatory authority charged with oversight of the legislation which sets out the rights we all have as individuals, as well as the responsibilities those who handle our data have, where do we start faced with a regulatory landscape so vast?

There is no right or wrong answer, but one thing is certain: the landscape is changing and if we do not change with it we will become, at best ineffective, at worst, a facilitator of harms.

As with any law, if as a society we do not engage with the reasons for it and the benefits of it, we are going to have a hard time achieving a culture of compliance. But a culture of compliance is exactly what we need to be striving to achieve.

Regulatory action in the face of breaches is always going to play an important role but we cannot simply enforce our way to achieving good outcomes. By good outcomes I mean ensuring that our

data, whether held by our doctor, bank, government or anyone else, is handled properly and securely.

For some, only the prospect of enforcement or fines will lead to compliance. But that is, I think, the small minority. For most organisations, there is an increasing awareness that data is their life blood and they need to treat it accordingly. The handling of personal data has become so intrinsically linked to trust and confidence of their clients and in turn the success (or not) of their business.

If we can get this right there will be no losers. Individuals will benefit from being treated with dignity and respect in the handling of their personal data and our jurisdiction will benefit from being a trusted place to do business.

Why then, does data protection still suffer from something of a 'PR' problem? I think at least in part that is down to the very real difficulty we have in comprehending the harms that result from badly handled data. Although we are beginning to engage better with the real-world consequences (recall the UK exam/algorithm fiasco last year, or the US election manipulation allegations), there is still a job to do to convince people that the investment required in getting data protection right is time and money well spent.

Our response to that needs to be realistic but also optimistic. We need to do a better job articulating the harms and promoting the benefits. This invariably strays into the territory of culture – of the values, attitudes, aspirations and other influences on our daily lives.

This is where [Project Bijou](#) comes in.

Project Bijou is a social initiative we are launching in the Bailiwick this May. It aims to:

- **encourage understanding and positive engagement with data protection at a cultural level** to broaden the narrative beyond a tick-box approach.
- **create a positive shift in cultures and behaviours** within regulated organisations in their approach to data protection compliance.
- **counter mis-information** by providing access to high quality and relevant information to support data protection awareness and compliance.
- **normalise the desire and demand for ethical data handling practices** in our jurisdiction.

Our [Strategic Plan](#) sets out how we want to deliver the best possible outcomes for our jurisdiction. But strategy must always be more than words – it must point the way towards delivery of action. This project flows from our strategic aims and sits alongside the other important strands of our regulatory activities. It is ambitious but achievable. None of us can do everything but all of us can do something.

Find out more about [Project Bijou's Launch Week \(24-28 May 2021\)](#).

- Emma Martins

Data Protection Commissioner

### **IMPORTANT: please review your newsletter preference**

You are a subscriber to our monthly newsletter covering the full range of our activities.

You now have the opportunity, as part of the launch of [Project Bijou](#), to also subscribe to a new quarterly newsletter specifically about the project.

Please use the button below to visit our newsletter sign-up page to indicate whether you want to subscribe to the Project Bijou newsletter:

Please review what newsletters you want from us

### Free support, public engagement, and advice

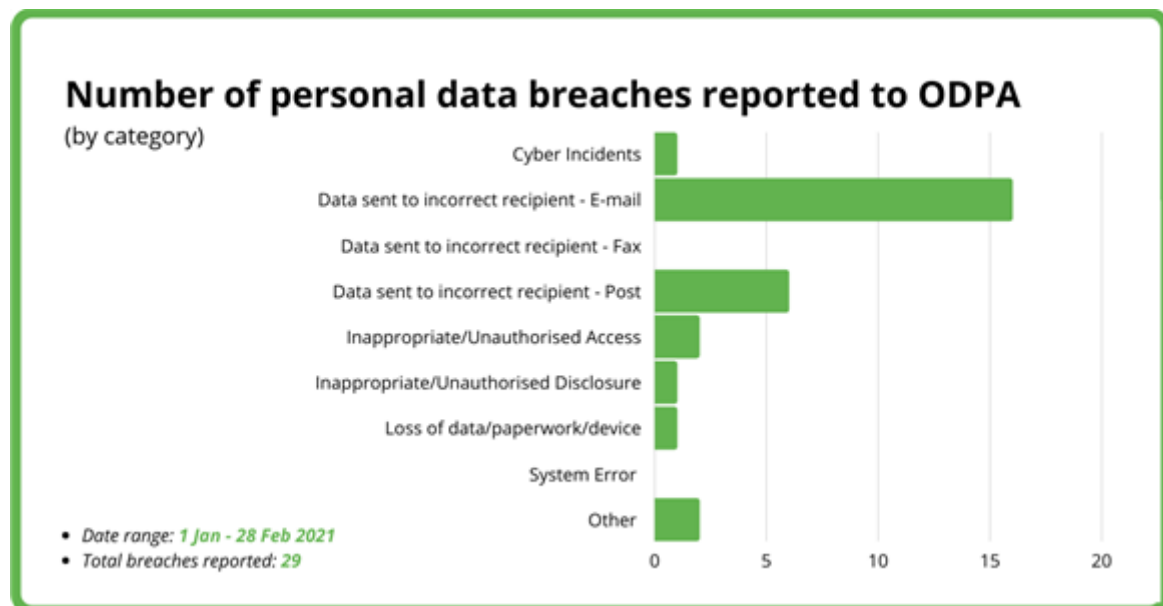
Here's a summary of the support available to everyone in the Bailiwick towards complying with the local data protection law: [ODPA resumes events and support programmes](#)

#### Support and Advice:

- [Fortnightly drop-ins](#)
- [Study Visits](#)
- [Events](#)
- [Podcasts](#)
- [Information Hub](#)
- Bi-monthly [breach statistics](#)
- [Newsletters](#)

#### Public engagement:

- [Schools programme](#)
- [Project Bijou](#) \*launching 24 May\*



### Latest statistics of personal data breaches published

We have published the latest bi-monthly statistics of breaches reported to us: [ODPA highlights incorrect email myths](#)

#### Why does the ODPa publish breach statistics?

We have published statistics of breach reports we receive, every 2 months since October 2018. Publishing this information allows everyone to benefit from a better understanding of how and why breaches happen and how they can be avoided in future.

[View statistics from October 2018 - present](#)

### School programme update

Our schools programme re-started after the Easter break - visiting Blanchelande, Beechwood, and

Beaucamps.

We play [this video](#) at the start of our school outreach sessions, to give children a quick overview of data protection and to introduce the concepts that the session covers.

More at [odpa.gg/schools](https://odpa.gg/schools).



### Suggested reading:

Each month our commissioner provides suggested reading to help you make sense of and safely navigate our data-driven society.

This month's choice is: *Klara and the Sun* by Kazuo Ishiguro.



Ishiguro has an extraordinary gift of observation and in his latest work he turns his unique fiction writing skills to a story that takes us to a dystopic but nevertheless unnervingly realistic world where children are gifted 'Artificial Friends'.

Written from the viewpoint of Klara, one of these Artificial Friends, we hear the unnervingly human observations she makes as she waits patiently and expectantly in a shop window for someone to buy her. After catching the eye of a young teenage girl, Josie, Klara is bought by the girl's mother. We are then taken on an absorbing and moving journey which explores friendship, love and what it means to be human. The writing is beautiful and haunting (as all Ishiguro's works are), and encourages us to explore our own thoughts and perspectives around the complex interplay of all these areas.

Not a 'traditional' recommendation (insofar as it is not a book about data or law), but it highlights how technology, notions of artificial intelligence and the possibilities that humankind are now presented with are moving into mainstream cultural narrative.



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