

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

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Message from the Commissioner

Welcome to the first of our newsletters for 2021.

I hope you and your family and friends had a good Christmas and New Year break.

Although the global health crisis continues to present significant challenges to everyone, and the more recent developments for the Bailiwick have come as a shock, it does feel that the beginning of the vaccine roll out is also the beginning of a new chapter which will allow us a glimmer of much needed hope and optimism.



At the ODPa we have been focussed on the move, this January and February, to a [new registration and levy regime](#) which applies to all organisations which handle personal data. On the whole, we have been impressed with the regulated community's high levels of engagement with these new requirements.

An important pillar of the work to support our local community has been the creation of our new website which was launched at the end of December 2020. We will always consider it to be 'work in progress' as we seek to ensure that we publish useful, timely and easily understood information and guidance. Our aim is to use our site as more than a shop window for data protection; we want it to encourage a genuine and constructive connection both for [individuals seeking to find out more about their rights](#), as well as organisations wanting to better [understand their responsibilities](#).

Our ultimate goal is for our community to be empowered and enlightened about the benefits of doing data protection well. So, whilst we may be focussing on ensuring a smooth transition to the new

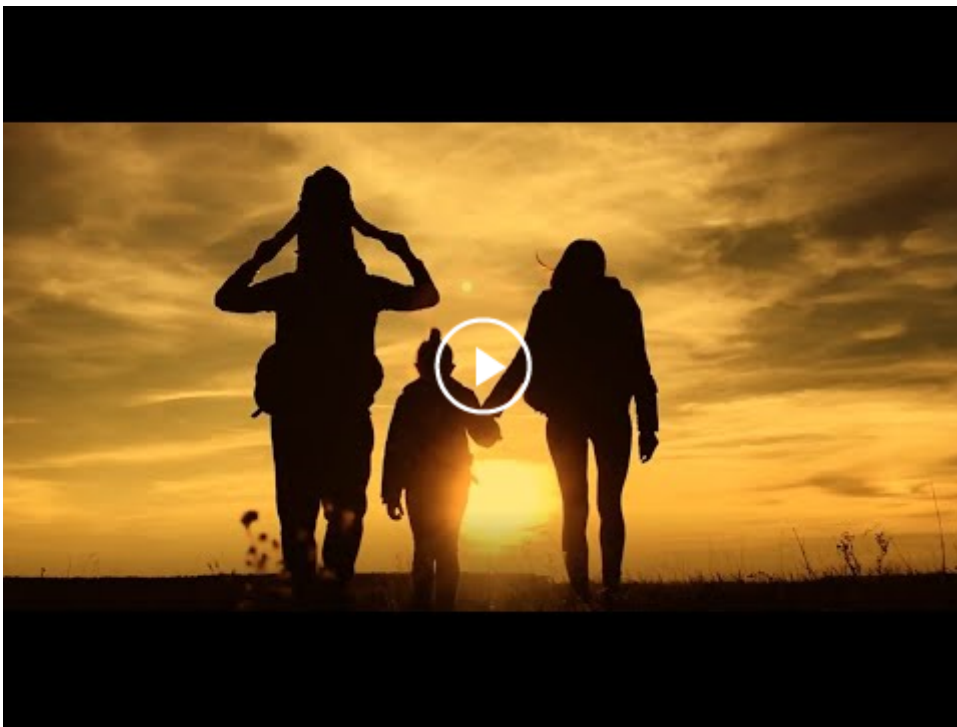
registration and levy regime, we are also clear that such focus is only to ensure that we have reliability of funding for our office. In turn, this will allow us to continue to support our citizens and our regulated community as well as protecting the Bailiwick's reputation as a well regulated and safe jurisdiction and this is where our real focus lies.

There will always be those for whom regulation is something to be railed against and complained about. Sometimes we can encourage a change in such attitudes by talking about the very tangible social and economic benefits of leading from the front in this area. Sometimes we will not succeed in doing so but we will always try.

So, I would like to say a big thank you to all those who have already completed their registrations with us. If you are yet to do so, you can find some more information about the changes and [what you need to do here](#). As important as it is, registration is just the first step and should be viewed as such. What you then do to look after and protect the personal data in your care is critical.

- Emma Martins

Data Protection Commissioner



Please help us spread the message: registration and beyond

For those of you who are Island FM listeners, you may have heard our message played in recent weeks.

- We have added the audio to this [short video](#), if you can share this on social media to help spread our message further we would be very grateful.

Summary:

If you are based in the Bailiwick of Guernsey and work with people's information then during January and February 2021 you must register with the [Office of the Data Protection Authority](#) and meet your legal duties.

If you care about people then care about their data. Show you care: [visit odpa.gg/2021](https://www.odpa.gg/2021).



Protecting your business, protecting people's data: *five key steps to take in 2021*

1. The Accountability Principle
2. Know your data
3. Tell people what you're doing with their data
4. Data security and handling breaches
5. Register with ODPA

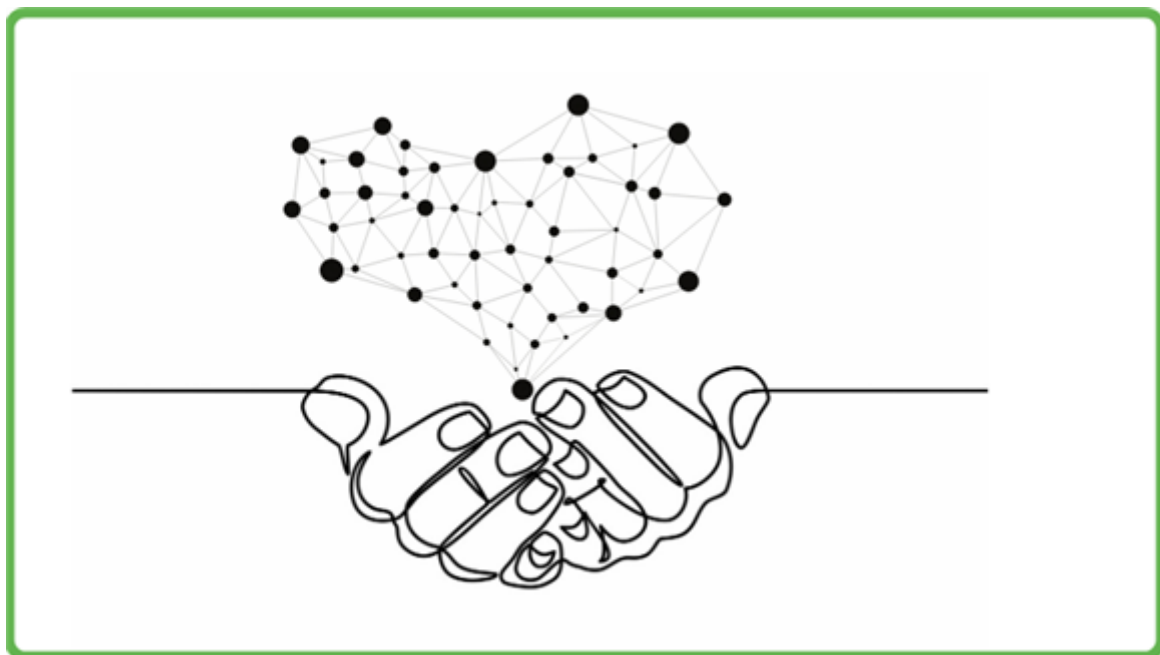
in association with:



EVENT: Protecting your business, protecting people's data: five key steps to take in 2021

In this online event we detailed five key steps all local businesses can take to look after data well, which helps safeguard your business' reputation as well as protecting people's legal rights.

[Find out more about the Five Key Steps to take in 2021](#)



Protecting personal data in extraordinary circumstances

With an increased number of the Bailiwick's workforce working remotely, it's a good opportunity to explore how best to ensure that your organisation's protection of personal data is maintained. Remember: the object of data protection legislation is to protect people's rights in relation to how their data is treated.

[READ: 8 common sense steps to take](#)

[More from odpa.gg/NEWS:](#)

BLOG:

Data Protection Day 2021

28th January



Payroll Co-Funding Scheme: **use of data**

Number of personal data breaches reported to ODPA (by category)



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: *'Privacy's Blueprint – The Battle to Control the Design of New Technologies'* by Woodrow Hartzog



Hartzog is Professor of Law and Computer Science at Northeastern University School of Law and College of Computer and Information Science. For too long, conversations about what technology can do have been held in separate rooms and with separate people to conversations about what technology should do. That is starting to change.

Finding a technology expert that can give us insights and encourage further thinking in ways that are accessible to those that are not themselves experts is not always easy. The language of technology is too often impenetrable for the average reader. Hartzog is one of those rare finds and manages to explore privacy through the lens of technology in a wonderfully readable manner. He understands how fundamental the question of trust is and also how privacy is so much more than data security.

“Harm is rightfully a central concern in privacy law. We just need to take a broader view of the harm we want to protect against and consider different approaches to mitigating it. Traditional harm thresholds that focus on physical damage and pecuniary loss fail to capture many of the reasons humans value privacy in the first place. Yet harm remains a key gatekeeper for private action. One way to balance these concerns would be to increase scrutiny of the instrumentalities of privacy harm and focus on ex ante strategies designed to either minimise or mitigate the harm before it happens. Enter design.”

Hartzog of course brings the distinctly American perspective on privacy to his deliberations, but this discussion will chime so well with those of us familiar with the European regulatory model where privacy by design is now such a key element. I do believe firmly that the absence of privacy by design has been the cause of many a bad outcome; large and small, across the globe. It must follow, therefore, that if such a design approach had been built in from the beginning, the outcomes would have been very different.

Hertzog concludes by saying “Design is everywhere. Design is power. Design is political. It can protect our vulnerabilities, or it can exploit them. We must all work for rules, guides, resources, and behaviours that will ensure our technologies are safe and sustainable for everyone. Tomorrow’s privacy depends on what we build today.”

The next question must be – ‘who decides and who designs?’ Perhaps Hertzog will consider that topic for his next book!



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