



As the UK fears another national lockdown is on its way, some businesses are trying to return to what is becoming the new normal, with a hybrid of office & remote working. We're holding a webinar at the end of October that looks at that very subject and what businesses need to consider when protecting data, both personal & corporate, see the article for more information and how to sign up.

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SPECIALISTS IN,
**Data Privacy, Regulatory
Compliance, Culture & Training**

Latest News Updates

September 2020 Roundup

Welsh Government Data Breach



Public Health Wales have accidentally published the test results of more than 18,000 people who tested positive for coronavirus.

The breach came about as the result of individual human error, whereby an individual uploaded information containing date of birth, sex, initials, geographical area of the people who tested positive. The nature of the data meant that the risk was considered 'low', however of the 18,105, there were 1,928 people who lived in supported housing or were nursing home residents who had their place of residence published. This means that the risk to those individuals was considered to be higher.

More worrying was the fact that the person who brought the breach to light, did not follow the internal reporting procedures, meaning that the data was not removed the online area until nearly 20 hours after the information was posted.

The Information Commissioners Office (ICO) have stated they would be making inquiries after having been made aware.

Fine for company profiteering from the coronavirus pandemic

The ICO has fined Digital Growth Experts Ltd (DGEL) £60,000 for sending thousands of nuisance marketing texts at the height of the pandemic.

16,190 texts we received between 29 February and 30 April 2020 promoting a hand sanitising product claimed to be "effective against coronavirus", to people who had not consented to receiving them.

The Head of Investigations at the ICO have stated that "DGEL played upon people's concerns at a time of great public uncertainty, acting with a blatant disregard for the law, and all in order to feather its own pockets. We will prioritise action on organisations carrying out similar activity".

ICO Updates

September 2020 Roundup

Accountability Framework

On 17th September 2020, the ICO launched a practical tool to help organisations manage their approach to privacy and to understand what good accountability looks like.

[The Accountability Framework](#) will help organisations to set out a roadmap, making it easy to see what their responsibilities are to be 'accountable' and to show what they need to do and how they can improve.

Currently out for consultation.

ICO Children's Code

To help protect children online, a statutory code requiring organisation to provide better online privacy protections for children came into force on 2 September 2020, triggering the start of a 12 month transition period. As such the ICO have launched a [Children's Code hub](#) containing all the required information.

The Age Appropriate Design Code or Children's Code applies to organisations providing online services and products likely to be accessed by children up to age 18, and gives organisations a year to make the necessary changes to put children's privacy at the heart of their design.

It sets out 15 standard for the design of online services and products and how they should comply with data protection law.

Open letter from UK Information Commissioner Elizabeth Denham

The ICO, through the pandemic have been providing help and guidance to companies on how they can continue to comply with DP law, in the ever changing world, on topics such as working from home, collecting customer details for contact tracing and testing staff for coronavirus.

As such the ICO have updated their [regulatory approach document](#), which is another step towards returning to their approach before Covid-19, but with the caveats and exceptions that reflect today's reality.

There have been certain leniencies towards data protection timeframes etc. through the pandemic and the ICO are looking to ensure that going forward it remains as flexible as possible in its approach, whilst looking at the impact of the pandemic when reviewing breaches.

Beacon Updates

September 2020 Roundup

European / UK Representatives

Have you considered whether you need an EU or UK Representative after the Brexit transition period?

With only a matter of weeks until the end of the EU exit transition period on December 31st 2020, there are many businesses that may be left 'out in the cold' with regards to Data Protection and complying with the EU GDPR.

The problem with a no deal exit, which is very likely given the history of the UK/EU Brexit negotiations and the decision not to extend the transition period is that the United Kingdom will become what's known as a third country, in respect of the EU's GDPR and the UK's own Data Protection Act 2018.

Beacon Consultant Services can help with your requirements, more information can be found [here](#)

If your business processes personally identifiable data on EU citizens and does not have a presence in an EU country, you will not be compliant with Article 27 of the GDPR and this could result in financial penalties and your business conducting illegal data processing activities.

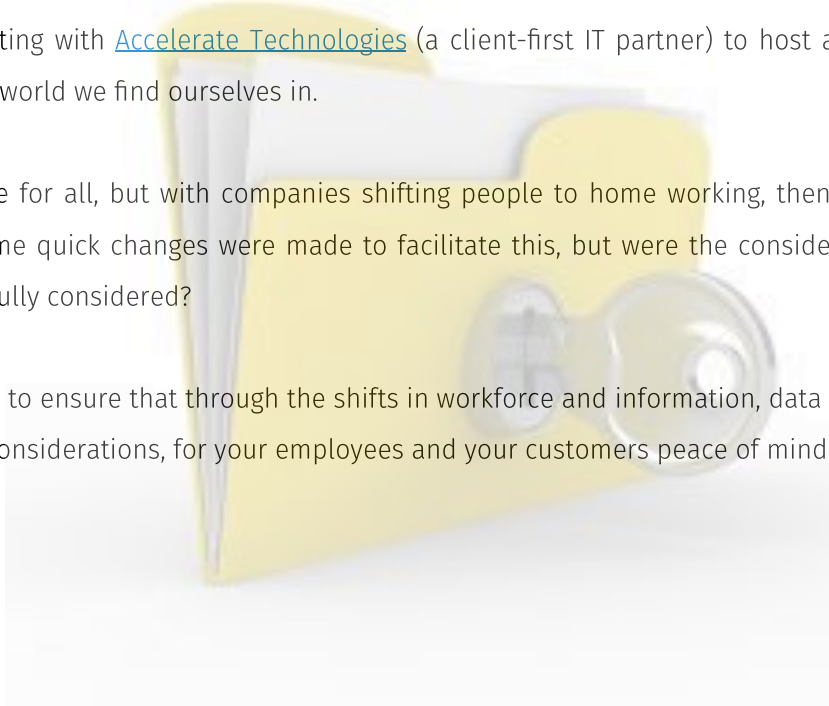
Staying 'data safe' in the new world

Beacon are collaborating with [Accelerate Technologies](#) (a client-first IT partner) to host a webinar on staying 'data safe' in the new world we find ourselves in.

It's a challenging time for all, but with companies shifting people to home working, then back to office, then back home again, some quick changes were made to facilitate this, but were the considerations of GDPR and information security fully considered?

We take a look at how to ensure that through the shifts in workforce and information, data protection and cyber security are still key considerations, for your employees and your customers peace of mind.

Book your place [here](#)



Beacon Updates

September 2020 Roundup

Beacon Partners

We recognise the importance of collaborating in order to help our business to succeed. We don't aim to be experts all in all fields, but recognise that there are important aspects surrounding data where others have relevant expertise that can assist.

We have therefore partnered with the following carefully selected partners (please click an image to visit their website).



More information on our partnerships in general, can be found [here](#)

Free health checks—a great way to check compliance

We want to support businesses big and small in understanding what their position is when it comes to compliance with DP law and also adherence to the ISO27001 standard for information security.

We do this free of charge and even provide you with a report, providing recommendations and RAG statuses to help you understand your level of risk.

There is no obligation to take the relationship any further, but if you would like Beacon to help you to implement some of the recommendations, then we are here to help.

We've pulled together a couple of handy blogs to help you understand more about what the health checks involve.

Please [click here](#) to find the blogs.

Editor Writes..

There is certainly a lot to think about in the last quarter of a very turbulent 2020. When looking forward to what the next few months may bring there is a lot of 'greyness' in terms of guidance and direction, not only from the Information Commissioner but also the UK government & EU council. Whether the internal market bill will pass through the house of lords to gain royal assent, only time will tell – however time isn't on our side so we must all make preparations to manage a variety of different scenarios to remain compliant and minimise any more business disruption.

Most of the regulators during the height of the first wave of the pandemic gave some breathing space when enforcing the spirit of law, including the ICO. Whilst it was 'breathing space' new, bad habits and temporary arrangements mustn't continue as the powers of enforcement are still available to the competent authorities and retrospective enforcement can, and will be made, which Elizabeth Denham pointed out in her open letter in April. The conclusion of the investigation surrounding British Airways & Marriott Hotels was due to be announced at the end of September, which so far hasn't come to fruition, a decision being made in a timely manner will remind those that the ICO do have 'teeth'. Although a regulatory fine that could be the final nail in BA's coffin and one against a hotel chain, in one of the worst impacted sectors following Covid would be a bold step to make by any regulator, so it will be interesting to see how the Commissioner balances their powers against public trust and the economic impacts of a multimillion pound fine could have on businesses on the edge of collapse.

If you would like to keep up to date with these moving developments visit our [news page](#) or follow us on [Linkedin](#) or [Twitter](#)

Meet the Team

JAMIE SWAN PC.DP



Specialising in Data Privacy law, Jamie has worked with blue chip organisations, serving millions of customers to implement their GDPR programme. Jamie has also supported organisations to understand the implications of Brexit on data protection, ensuring appropriate mechanisms are in place to maintain compliance, as well as helping companies to change cultures and bring their Data Protection compliance up to standard.

PETER BERRY PC.DP



Peter's main area of expertise is regulatory compliance, working with some of the largest energy suppliers and generators in the UK. He is a member of a number of industry working groups and committees, advising on regulation, including data privacy.

He is a qualified business coach, and this helps to embed a culture of compliance rather than black and white rules enforced on people and organisations.