

COLLABORATIVE DISCUSSION 2: COMPARING COMPLIANCE LAWS

Initial Post

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Comparing GDPR's Data Security with ICO Standards in the UK

Strict requirements for protecting personal data are provided by the General Data Protection Regulation (GDPR) and the Information Commissioner's Office (ICO) in the UK. Security and adherence to data protection principles are given priority. To prevent accidental loss, destruction, or damage, as well as unauthorised or unlawful processing, both frameworks place a strong emphasis on processing personal data with strong security measures.

Personal data must be safeguarded using the proper organisational and technological safeguards in accordance with the GDPR. According to Voigt and von dem Bussche (2017), Article 32 mandates that data controllers and processors put in place procedures that consider the risks to people's rights and freedoms, as well as the state of the art, costs, nature, scope, context, and processing purposes.

In a similar vein, the GDPR's guidelines and the ICO's "Security" criteria, as described in the Data Protection Act of 2018, largely correspond. Comprehensive security procedures, such as encryption, pseudonymization, and routine testing and evaluation of security systems, are emphasised by the ICO. It offers thorough instructions on implementing security measures that are appropriate for the sensitivity of the data and the possible effects of a breach (ICO, 2018).

Both frameworks take a risk-based approach, which means that to detect any risks to data security and put appropriate countermeasures in place, frequent risk assessments are required. By using this proactive approach, organisations can be certain to be on the lookout for vulnerabilities and breaches.

On the other hand, enforcement and applicability varies. The ICO's rules are exclusive to the UK, while the GDPR is a comprehensive legislation that applies to all EU members. Although the UK's domestic legislation still adheres to GDPR principles after Brexit, the ICO can more effectively modify these laws to meet local requirements and address new dangers (Bradford, 2020; Edwards, 2018).

There may be differences between GDPR and ICO exemptions. Exemptions from the GDPR are permitted for reasons such as national security or law enforcement. While supporting these exclusions, the ICO provides more

thorough guidelines on how to apply them in the UK, ensuring clarity for regional organisations (ICO, 2020).

To sum up, the 'Security' requirements of the ICO and the GDPR provide strict foundations for protecting personal data, complete with common goals and risk-based security procedures. The ICO's recommendations, on the other hand, provide UK organisations a more customised approach, considering the specific regulatory intricacies of the country and providing concise, practical compliance guidance.

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