

Unit 1 Collaborative Discussion 1

GDPR Data Protection Rules

General Data Protection Regulation (GDPR) is a relevant topic for the modern digital age and computer professionals. We work with data daily, and seldom pay much attention to data subjects from which the data originated. The primary guiding principle of the EU, for this initial discussion, is *human rights*. The definition includes “the right to the protection of your data” (EU, 2020). Therefore, we can argue that GDPR is as much about protecting my data as it is protecting yours. We are, after all, human. Freedom of movement (which includes people, goods, finances, *and* data) is another guiding principle of the EU. It is reasonable to assume that the EU seeks personal data protection even as it protects citizens’ rights and liberties.

Businesses operating or processing EU citizens’ data require sturdy codes of conduct that deal with data privacy to implement the fundamental EU human rights. BCS (2019) note that up to 1/3 of all information system (IS) software products contain sensitive or personal data. For this reason, every Data Privacy code of conduct must incorporate systems and their fundamental capabilities to process and store data. For instance, BCS (2019) states that some systems cannot remove such data despite no further need. Such a limitation falls foul of GDPR’s requirement regarding the length of data retention. It could, if discovered, result in penalties or worse, financial fines.

One would think that given the strict requirements for GDPR principles, most business owners in the UK would be aware of the financial costs of not implementing GDPR. However, Ayala et al. (2018) note in their introduction that, according to the Institute of Directors who polled 869 UK directors, 30% did not know about GDPR while 40% did not know of its impact. The main concern being the “vague, ambiguous, and verbose nature of regulations, which individuals ... often find difficult to understand” (Ayala et al., 2018). So, it seems, if directors struggle to get to grips with GDPR, then more so for IT professionals. Here BCS (2020) advocates (in their code of conduct, Appendix 1) that IT professionals act in the public interest and protect personal data.

Therefore, GDPR knowledge is beneficial to all IT professionals (who work with customer data); not only GDPR roles as data controller, protection officer, or processor. Unified knowledge can be codified into a well-designed business code of conduct and will guide a business from a place of uncertainty (as the 40% above) to a stronger sense of certainty, regarding data privacy and regulations. It may often be daunting for companies to consider what a GDPR-focused code of conduct should contain, however, CJ (2018) recommend that

a code of conduct be approved by all staff members and must address all GDPR points as specified by EU regulations. With this in hand, every business will have knowledge of data privacy and how it impacts their customers and themselves. Human right to your data will remain intact.

References

- BCS. (2019) GDPR Compliance – The IT Role. Available from: <https://www.bcs.org/content-hub/gdpr-compliance-the-it-role/> [Accessed 02 February 2021]
- BCS. (2020) THE CHARTERED INSTITUTE FOR IT CODE OF CONDUCT FOR BCS MEMBERS. Available from: <https://www.bcs.org/media/2211/bcs-code-of-conduct.pdf> [Accessed 02 February 2021]
- CJ. (2018) What is a GDPR code of conduct. Available from: <https://www.compliancejunction.com/gdpr-code-of-conduct/> [Accessed 02 February 2021]
- EU. (2020) Goals and Values of the EU Available from: https://europa.eu/european-union/about-eu/eu-in-brief_en [Accessed 02 February 2021]
- Ayala-Rivera V. & Pasquale L. (2018) The Grace Period Has Ended: An Approach to Operationalize GDPR Requirements. *IEEE 26th International Requirements Engineering Conference (RE)* DOI:<https://doi.org/10.1109/RE.2018.00023>.

Bibliography

- European Commission. (ND.) What data can we process and under which conditions? Available from: https://ec.europa.eu/info/law/law-topic/data-protection/reform/rules-business-and-organisations/principles-gdpr/what-data-can-we-process-and-under-which-conditions_en [Accessed 02 February 2021]