



HANDOVER HR'S SIX STEPS TO GDPR COMPLIANCE SUCCESS

February 2018

*We allow you to
do business, not HR!*



Handover HR provide a number of cost effective HR solutions to assist businesses in the management of their employees.

What makes us unique is our ability to offer a complete tailor made solution around the particular needs of our client. So if it is a single policy document that is required or a fully outsourced HR service with your own dedicated team of HR experts, **Handover HR can help!**

WWW.HANDOVERHR.CO.UK T:0845 389 3505

This document provides further detail about the new General Data Protection Regulation (GDPR) and how Handover HR can support you in terms of preparation and compliance.

This report is divided into five sections:

1. **ABOUT HANDOVER HR**
2. **WHAT IS THE GDPR**
3. **WHAT DO I NEED TO KNOW**
4. **WHAT DO I NEED TO DO & HOW CAN HANDOVER HR HELP**
5. **SUMMARY OF BENEFITS**

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just call us!*

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ABOUT HANDOVER HR



1. ABOUT HANDOVER HR

Handover HR was formed in 2003. We aim to provide organisations with bespoke, commercial and strategic support along with an HR resource that looks and feels like their own HR department.

We work with companies either on a consultancy basis, working on specific projects or issues, or on an ongoing basis offering fully outsourced HR support, assisting with the day to day administrative duties such as recording and monitoring employee sickness and holidays, recruitment, new starters, leavers, performance management and training, as well as providing line managers with advice and guidance on employee relations issues.

The benefit to our clients is a strong professional and proactive team at a fraction of the cost associated with employing in-house staff; this in turn allows the business owners/managers and operators to focus on running their business and not get bogged down in the daily management of employees.

Our advice and guidance is protected by our professional indemnity insurance, to provide peace of mind.



In a nutshell Handover HR's aim is to enable our clients to 'do business not HR'.

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WHAT IS GDPR

2. WHAT IS THE GDPR

The law is changing and the General Data Protection Regulation (GDPR) comes into effect on 25 May 2018. Whilst we still don't know exactly what the final legislation will look like we do know that it will bring higher standards for handling personal data and greater expectations for improved transparency, enhanced data security and increased accountability for processing personal data.

All businesses will have to comply with the GDPR and if you have already adopted good practice measures under the current Data Protection Act then you will be in a strong position to comply with the GDPR provisions.

Specifically we are looking at the implications of personal data of your employees, leavers and job applicants.

Preparation is essential and the support that Handover HR can offer will help you address the time and resource commitments needed to carry out the groundwork before the arrival of the new law.

For those that don't comply, the penalties are severe. Fines can be as high as 20 million Euros for serious violations or 4% of turnover, whichever is greater.

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WHAT DO I NEED TO KNOW?

3. WHAT DO I NEED TO KNOW

Personal Data

The current definition defines personal data as '**any information relating to an identified or identifiable natural person**' so this includes 'direct identification' (for example, the name of the employee) or 'indirect identification' (for example, any other information that could identify them such as their job description or title).

The new legislation extends from the current meaning to include identification of an individual via identifiers such as identification numbers, location data or other online identifiers (for example, cookies and IP addresses). Pseudonymised information will not be personal data unless you hold the key to identification.

Sensitive Personal Data

In addition to the existing categories (for example, information concerning race, ethnic origin, political opinion or religious beliefs) this will now include genetic and biometric data, both of which are separately defined. Biometric is of interest from an HR perspective as it is likely to include fingerprint scanning and facial recognition technology. Criminal convictions are no longer included in this category as they have their own separate requirements which will be tighter, further national legislation is expected to be put in place around this area to define it further.

Profiling

This is a new definition and relates to any form of automated processing of personal data which are used to evaluate, analyse or predict aspects of an individual's behavior.

Consent

There are stricter requirements in terms of consent and **ALL** personal data must now be obtained via separate consents for different processing although you may be able to rely on one of the other valid reasons for procession (there are 6 in total of which consent is one). Where consent is the basis for using personal data it must be clear, unambiguous and freely given. The data subject must have the right to withdraw consent at any time and forced consents (for example, pre-ticked boxes, silence or inactivity) will not be valid. You will need

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to ensure that existing consents are adequate in order to present genuine choice, generally a rethink about how you will keep records of consent and when it was given will be necessary.

The Principles

These have been reduced in number from 8 to 6, but this does not mean that there are fewer duties to comply with. In fact there are more but they have been distributed among other parts of the Regulation. **Article 5 of the GDPR requires that personal data shall be:**

- (a) processed lawfully, fairly and in a transparent manner in relation to individuals;
- (b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- (c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- (d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data records that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- (e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals;
- (f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Article 5(2) requires that “the controller shall be responsible for, and be able to demonstrate, compliance with the principles.”

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WHAT DO I NEED TO DO & HOW CAN HANDOVER HR HELP?

4. WHAT DO I NEED TO DO & HOW CAN HANDOVER HR HELP

Many of the regulations within the GDPR will apply to your organisation and elements of the work carried out within it, but there are practical steps you can take to prepare for the GDPR coming into force.

Here are the 6 steps that Handover HR suggest you do to prepare:

STEP 1

Identify someone responsible within the organisation for data processing and ensure that they understand their obligations.

STEP 2

Assess your organisation's compliance with the GDPR regulations by auditing your current practices.

STEP 3

Review your existing documentation.

STEP 4

Put relevant processes into place, such as data processing documents, standard operating procedures and define how you will deal with a data breach.

STEP 5

Review consent mechanisms and gain the relevant consents where necessary.

STEP 6

Ensure that your teams are aware of their obligations under the act.

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If you currently subscribe to our legal updates service, or you are an outsourcing customer we will already have some of these steps in hand for you, see the table below for a detailed outline of how Handover HR can help you along with the associated costs.

Handover HR's six steps to GDPR success		Legal Update Subscribers £300 + VAT per annum	HR Department & HR Director	GDPR - The essentials £500 + VAT	GDPR - Getting practical £900 + VAT	GDPR - Full Support £2,500 + VAT
Step 1	Identify someone responsible within the organisation for data processing and ensure that they understand their obligations					
	Consider appropriate level of Data Controller / Officer			✓	✓	✓
	Identify the appropriate person within the organisation			✓	✓	✓
	Provide information on roles and responsibilities				✓	✓
	Data Controller / Officer to attend 1/2 day GDPR training course					✓
Step 2	Assess your organisations compliance with the GDPR regulations					
	Provide documentation to conduct an audit of current practices				✓	✓
	Work with point of contact within the business to conduct an audit of current HR practices		✓			✓
	Understand the impact of 3rd party providers on the employee relationship		✓			✓
	Provide documentation to carry out Privacy Impact Assessments				✓	✓
Step 3	Review your documentation					
	Review your current data protection policy	✓	✓	✓	✓	✓
	Provide new data protection policy if it doesn't exist			✓	✓	✓
	Update contract of employment	✓	✓	✓	✓	✓
	Update company handbook	✓	✓	✓	✓	✓
Step 4	Put the relevant processes in place					
	Provide data processing principles document				✓	✓
	Provide standard processes for HR activities		✓			✓
Step 5	Gain Consent					
	Provide consent mechanism for existing employees		✓	✓	✓	✓
	Provide consent mechanism for applicants		✓		✓	✓
Step 6	Educate your teams					
	Relevant team members can attend an online bitesize training course					✓

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SUMMARY OF BENEFITS

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Each package on offer has been specifically designed to suit the varying requirements and budgets of our customers.

Legal Updates Subscription £300 + VAT per annum *

Your key employee documentation will be updated to ensure legal compliance, these updates are made twice yearly to the contract and handbook and take into account all legislative changes. Our HR Director and HR Department clients can rest assured that this service is included within your monthly fee.

HR Director and HR Department Client

As well as having the peace of mind that the legal updates will be carried out on your documentation our HR Director and HR Department clients can rest assured that Handover HR is conducting its own preparation activities to ensure that it is compliant (and by definition so is the service on offer to its clients). This will mean that activities that Handover HR carry out for your business will be compliant with the GDPR. Please note this will not remove the responsibility of some of the activities listed within our 6 steps to success.

GDPR - The Essentials £500 + VAT

Our essential package is designed to cover the main elements of GDPR compliance from an employee documentation perspective. A full suite of compliant documentation to implement.

GDPR – Getting Practical £900 + VAT

For those clients who want support with more than the compliance documentation, we have also put together a package to enable you to tackle some of the more practical activities required such as understanding what level of person is appropriate within your business and what their role should be, auditing your current practices and conducting Privacy Impact Assessments. We can provide you with the guidance and the framework to tackle the 6 steps to success.

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GDPR – Full Support - £2500 + VAT

Handover HR prides itself in simplifying complex issues for our clients, we can take a proactive role in your GDPR compliance by carrying out the 6 steps to success on your behalf and working closely with your data controller / officer to ensure that you are ready, and you have everything in order.

GDPR Training

Handover HR is able to offer the training courses as a one off purchase:

- ½ Day Training course for data controllers / officers - £450 + VAT per person
- Bitesize Online Webinars - £60 + VAT per person

To talk to us about moving forward with one of our packages of support please feel free to contact us on 0845 389 3505.

Kind Regards



Handover HR Ltd



* Legal updates are only applicable to handbook and contract documents provided originally by Handover HR.

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Some great feedback
from our lovely clients!

“

I want to thank you massively for **all your hard work in delivering an exceptional service** for us. I have no doubt that without your presence this would have caused us a major headache!

HHR offer a truly unique experience,

the cost of a dedicated HR department just didn't make financial sense, and then we found HHR!

HHR give good strategic advice and there is also the peace of mind that our procedures are robust.

This was exactly what I needed - **thank you so much.**

It's great to have everything completed to such an

efficient and professional standard

- much appreciated.

I have made **a good choice.**

”

We look forward to hearing from you!



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