

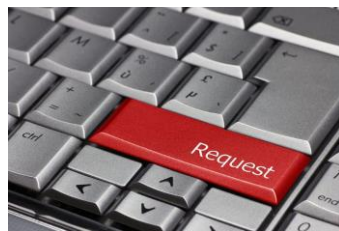
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Please pass to your Business Manager - Important information.

## One West – GDPR and COVID-19 essential advice



**Some of you are asking for information with regard to Data Protection as the COVID -19 problem impacts.**

We have taken advice from the ICO and some of the most frequent questions are listed below.

We hope it is of some help in these challenging and rather extraordinary times.

Our staff remain available via phone and email to help if any of you need further clarification.

**During the pandemic, we are worried that our data protection practices might not meet our usual standard or our response to information rights requests will be longer. Will the ICO take regulatory action against us?**

**No.** The ICO won't penalise organisations that they know need to prioritise other areas or adapt their usual approach during period. They can't extend statutory timescales, but will tell people through their communications channels that they may experience understandable delays if they should make information rights requests during the pandemic.

**More of our staff will be homeworking during the pandemic. What kind of security measures should my organisation have in place for homeworking during this period?**

**There isn't much difference to normal.** The ICO advises data protection is not a barrier to increased and different types of homeworking. During the pandemic, staff may work from home more frequently than usual and they can use their own device or communications equipment. Data protection law doesn't prevent that, but organisations need to consider the same kinds of security measures for homeworking that they would use in normal circumstances.

**So if more staff are working from home or away from their place of work what are the most important things to remind them of?**

**There is some easy best practice:**

- Access to systems should be via a secure remote access portal/tool. Ideally with multi-factor authentication enabled.
- If using encrypted memory sticks, then the data must be securely deleted from the USB stick once it has been transferred or its use is complete.
- Devices must be locked (⌘+L) when left unattended
- Hardcopy documents must be kept away from anyone else in the household or other place away from normal work.
- School email should be used to communicate (and not personal email e.g. Yahoo/Hotmail/Gmail)

## **Can I tell my staff that a colleague may have potentially contracted COVID-19?**

**Yes.** The ICO says you should keep staff informed about cases in your organisation. It should be remembered, it's probably not necessary to name individuals and organisations shouldn't provide more information than necessary. There is an obligation to ensure the health and safety of employees, as well as a duty of care. Data protection doesn't prevent this.

## **Can I collect health data in relation to COVID-19 about employees or from visitors to my organisation? What about health information ahead of a conference, or an event?**

**Yes but this should be only what is needed.** There is an obligation to protect employees' health, but that doesn't necessarily mean gathering lots of information about them. It's reasonable to ask people to advise if they have visited a particular country, or are experiencing COVID-19 symptoms. Organisations can ask visitors to consider government advice before they decide to come and also advise staff to call 111 if they are experiencing symptoms or have visited particular countries. The ICO thinks this approach should help minimise the information in need of collection. If that's not sufficient the ICO says, don't collect more than is needed and ensure that any information collected is treated with the appropriate safeguards.

## **Can I share employees' health information to authorities for public health purposes?**

**Yes.** The ICO thinks it's unlikely organisations will have to share information with authorities about specific individuals, but if it is necessary then data protection law won't prevent this.

## **What if I want more information?**

**The ICO has further published advice.** The full link is here:

**<https://ico.org.uk/for-organisations/data-protection-and-coronavirus/>**

We hope this is of some help. Please contact us if in need of further advice.

**Thanks**

**The One West Team**



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