



WARNING – a note to the executive.

A sea change is coming in the way organisations handle personal information.

On the 21st of October 2013, The EU Parliament's Committee for Civil Liberties passed by 51 votes to 1 the negotiating mandate for the data protection regulation. This will now go for national state negotiations and aims to reach an agreement before the May 2014 European elections. This is roughly in line with comments made by Viviane Reding (EU Vice President) over 2 years ago.

Current EU data protection law is a directive, whereby member states can implement their own interpretation of the EU law. A regulation differs as member states have 12 months to implement the EU law 'as is' without the ability for interpretation.

As it stands, and even if the law is diluted, the intention of governments worldwide is to help protect the digital identities of their citizens and other types of digital information in an increasingly digitized world.

The intent is driven by a number of factors, the main two being:

Governments reacting to citizens who are becoming increasingly concerned about their digital identities being used fraudulently.

Recent allegations of the extent of data sharing, collecting and mining.

What should the Executive do?

1. Don't panic. Start by reading the client briefing we issued last year.
<http://www.blackfootuk.com/common/pdfs/whitepaper.pdf>
2. Be aware that although we all rely on IT to deliver information required to run our organisations, this is NOT an IT issue. The game has changed, this is not about organised criminals stealing your information, this is about how your organisation uses personal information. If you are using data outside of your stated intent, you could be fined up to 2% of your organizations global turnover, which is more closely aligned with EU anti trust laws.
3. Think of this as the new digital health and safety. It will be costly, will involve organisational change and will require greater transparency. It will also include mandatory breach notification with substantial fines for failure to correctly use prescribed notification processes.
4. Put it on your risk register as a pending risk that is counting down.
5. Call Blackfoot, we are happy to talk to your executive about how to prepare, where to start, and how to build a plan that ensures that by mid 2016 you are not in breach of a Law that now has substantial teeth.