

From: Taylor B (Brian)
Sent: 04 October 2018 11:43
To: [redacted]
Cc: [redacted]
Subject: RE: Brexit and Data Protection - data transfers from Europe - "no deal" contingency planning - communication to Information Asset Owners - Agency contacts

[redacted]

To confirm that I am also supportive of the approach and sending this information to IAOs.

We would use this as a basis for some additional communications on their role and responsibilities. Helpful to be reminded.

Copied to our Head of Information Security, [redacted]

Regards

Brian.

Brian Taylor | Strategic Director for Corporate Services & Governance | Education Scotland / Foghlam Alba | [redacted]

From: [redacted]
Sent: 04 October 2018 11:36
To: [redacted] Taylor B (Brian[redacted])>
Cc: [redacted]>
Subject: RE: Brexit and Data Protection - data transfers from Europe - "no deal" contingency planning - communication to Information Asset Owners - Agency contacts

Hi [redacted]

Just to confirm I am supportive of this approach.

Kind Regards
[redacted]

From: [redacted]
Sent: 01 October 2018 14:35
To: Taylor B (Brian) [redacted]
Cc: [redacted]>
Subject: Brexit and Data Protection - data transfers from Europe - "no deal" contingency planning - communication to Information Asset Owners - Agency contacts

Hello

I am planning to send this email (or something along these lines) out to IAOs in a couple of weeks, [redacted] The IAO list includes Exec Agency Information Asset Owners too,

although if anybody felt strongly that they would rather we didn't include their IAOs I am sure that could be arranged.

Thoughts ?

The aim of this to try and understand if we have a potential problem and start making some contingency plans. But of course, if a deal is announced in the next few weeks then we don't have a problem. Timing is critical here.

Allan – obviously SPS IAOs are not on the email distribution list, so I am including you for info.

Thanks

[redacted]

[redacted] | Head of Data Protection and Information Assurance | iTECS | Scottish Government

V Spur | Saughton House | Broomhouse Drive | Edinburgh | EH11 3XD

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For the attention of Information Asset Owners

You may have seen the recent press coverage of “no deal” Brexit planning, and the associated information from the UK Government.

On 13 September DCMS issued a [Technical Notice in respect of data protection](#). In summary;

- Personal data flows freely between EU member states, EEA countries and other countries deemed as having adequate arrangements for data protection
- UK Gov is confident of reaching an agreement on leaving the EU, and data protection will be part of this. UK Gov will then work towards achieving a decision on the adequacy of UK arrangements for data protection
- If agreement isn't reached (the “no deal” scenario), then flows of personal data from Europe will stop, as the UK will be a third party country
- These data flows can be legitimised by using one of the methods outlined by the ICO in their [guidance on International Transfers](#)

If any of the activities in your Division rely on the transfer of personal data from Europe, then you need to take some steps now to identify this data, and may have to take some actions in the event of “no deal”.

NOW:

- Identify any personal data that comes into your Division from Europe – will this still be required after leaving the EU?

- [redacted]

- Ensure that the asset is registered on the SG, or your own Agency, Information Asset Register
- Advise the DPIA team if you are core SG, or your Agency Data Protection Officer if you are Executive Agency staff, of the potential risk and issue.

IF NO DEAL:

- If you will still need personal data from Europe after exit, working with partners in Europe, you will need to identify a way to legitimise this transfer by using one of the methods outlined by the ICO in their [guidance on International Transfers](#)

[redacted] | Head of Data Protection and Information Assurance | iTECS | Scottish Government

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