

Regulatory Update

COVID & ICO: Data Protection Update



About this update

With the pandemic taking hold, we wanted to issue an update to help our clients with managing data protection compliance, as well as highlight the increasing nature of cybercrime.

What firms should do

We advise firms to continue communicating (more so than ever) the importance of data security, and awareness of various forms of cybercrime. We suggest that firms regularly issue reminders or trainings on this area and request staff to familiarise themselves with the data protection policies.

As a result, firms should continue to report personal data breaches, without undue delay.

Compliance with DPA 2018 remains vital and part of appropriate culture under both FCA and ICO compliance requirements.

Regulatory Approach (ICO)

The Information Commissioner's Office (ICO) confirmed that they will continue to act proportionately, balancing the benefit to the public of taking regulatory action against the potential detrimental effect of doing so, taking into account the particular challenges being faced at this time. As a result:

- Investigations and Enforcement will continue to take place, with some added flexibility
- For the interim period, the ICO's audit work is suspended
- The ICO may not enforce against organisations who fail to pay or renew their data protection fee
- The ICO recognise that the reduction in organisations' resources could impact their ability to respond to Subject Access Requests, where they need to prioritise other work due to the current crisis

Practical Considerations for firms

At the time of enhanced cybercrimes, firms face greater risk of data breach. As a result, we suggest that firms review and ensure effectiveness of the relevant policies, covering:

- Bring your own device (BYOD)
- Cloud Storage
- Remote Desktop
- Remote data security measures

Particularly for senior managers, we also recommend to consider and review:

- How is data access monitored in case of remote working?
- How are user behavior monitored in case of remote working?
- Information Security – Risk assessment is required for remote workers?
- Is user privilege regularly reviewed?
- How is duplication of personal data managed with remote workers?

Note section

You may use this section to take notes of key actions or assessments and file it for your record keeping.

Key Publication

- ICO's website addressing COVID response ([click here](#))



RR Compliance Associates

E-mail: contact@rrcompliance.com

Mobile: 0203 488 4322

How was your update?
Let us know here.

This update is designed to bring you high-level overview of the latest regulatory developments. Whilst we strive to tailor it to the relevant markets, each firm is fundamentally different and therefore this document cannot be taken as a professional advice. RR Compliance Associates reserves all rights.