27 July 2021

## Overall rating

## Your overall rating was green.

* 2: Not yet implemented or planned
* 0: Partially implemented or planned
* 19: Successfully implemented
* 10: Not applicable

## RED: not implemented or planned

### Your business has reviewed how you ask for and record consent.

### Suggested actions

You should:

* Check that consent is the most appropriate lawful bases for processing.
* Make the request for consent prominent and separate from your terms and conditions.
* Ask individuals to positively opt in.
* Use unticked opt-in boxes or similar active opt-in methods.
* Use clear, plain language that is easy to understand.
* Specify why you want the data and what you’re going to do with it.
* Give granular options to allow individuals to consent separately to different types of processing wherever appropriate.
* Name your business and any specific third party organisations who will rely on this consent.
* Tell individuals they can withdraw consent at any time and how to do this.
* Ensure that individuals can refuse to consent without detriment.
* Don’t make consent a precondition of service.

### Guidance

[Guide to the UK GDPR - Consent](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-bases-for-processing/consent/), ICO website

### Your business has made privacy information readily available to individuals.

### Suggested actions

The information you provide should:

* let individuals know who you are, why you are processing their data and who you share it with;
* be concise and to the point;
* be easy to understand;
* be clearly signposted and easy to access;
* be written in clear and plain language, particularly if addressed to a child;
* be free of charge;
* include different information depending on whether you obtained the data directly from the individual or not; and
* be reviewed regularly to make sure it remains accurate and up to date.

### Guidance

[Guide to the UK GDPR - Right to be informed](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-be-informed/), ICO website

## GREEN: successfully implemented

### Your business has conducted an information audit to map data flows.

### Your business has documented what personal data you hold, where it came from, who you share it with and what you do with it.

### Your business has identified your lawful bases for processing and documented them.

### Your business has paid the data protection fee to the Information Commissioner's Office.

### Your business has established a process to recognise and respond to individuals' requests to access their personal data.

### Your business has processes in place to ensure that the personal data you hold remains accurate and up to date.

### Your business has a process to securely dispose of personal data that is no longer required or where an individual has asked for it to be erased.

### Your business has procedures to respond to an individual’s request to restrict the processing of their personal data.

### Your business has processes to allow individuals to move, copy or transfer their personal data from one IT environment to another in a safe and secure way, without hindrance to usability.

### Your business has procedures to handle an individual’s objection to the processing of their personal data.

### Your business has an appropriate data protection policy.

### Your business monitors its own compliance with data protection policies and regularly reviews the effectiveness of data handling and security controls.

### Your business provides data protection awareness training for all staff.

### Your business manages information risks in a structured way so that management understands the business impact of personal data related risks and manages them effectively.

### Your business has implemented appropriate technical and organisational measures to integrate data protection into your processing activities.

### Where required, your business has appointed a DPO. In other cases, you have nominated a data protection lead.

### Decision makers and key people in your business demonstrate support for data protection legislation and promote a positive culture of data protection compliance across the business.

### Your business has an information security policy supported by appropriate security measures.

### Your business has effective processes to identify, report, manage and resolve any personal data breaches.

## Not applicable

### Your business has systems to record and manage ongoing consent.

### If your business relies on consent to offer online services directly to children, you have systems in place to manage it.

### Your business communicates privacy information in a way that a child will understand.

### If you may be required to process data to protect the vital interests of an individual, your business has clearly documented  the circumstances where it will be relevant. Your business documents your justification for relying on this basis and informs individuals where necessary.

### If you are relying on legitimate interests as the lawful basis for processing, your business has applied the three part test and can demonstrate you have fully considered and protected individual’s rights and interests.

### Your business has identified whether any of your processing operations constitute automated decision making under Article 22 of the UK GDPR and has procedures in place to deal with the requirements.

### Your business has a written contract with any processors you use.

### Your business understands when you must conduct a DPIA and has processes in place to action this.

### Your business has a DPIA framework which links to your existing risk management and project management processes.

### Your business ensures an adequate level of protection for any personal data processed by others on your behalf that is transferred outside the United Kingdom.

Thank you for completing this checklist. Please complete our short [feedback survey](https://wh.snapsurveys.com/s.asp?k=150305086273) to help improve our toolkit.

The survey should take around three minutes to complete.

Back