

Data Protection Officer Service



Gemserve

WHAT IS A DATA PROTECTION OFFICER SERVICE?

The General Data Protection Regulation (GDPR) places significant emphasis on accountability and governance around the handling of data within organisations. One of the requirements, depending on the activities of an organisation, is to appoint a Data Protection Officer (DPO). DPOs will be responsible for informing and advising the organisation and its employees about their obligations to comply with the GDPR and other data protection laws. They are also charged with monitoring compliance with the GDPR and other data protection laws, including managing internal data protection activities, advising on data protection impact assessments, training staff and conducting internal audits. DPOs are also the first point of contact for supervisory authorities and for individuals whose data is processed, including staff and customers.

GEMSERV'S DPO SERVICE OFFERING

Gemserv's Data Protection work spans across sectors and countries capitalising on our consultants' combined legal, compliance and data security expertise. We work with many organisations within the public and private sector, from single site organisations to multinationals covering cross-boundary data protection laws.

We offer DPO services in two key areas:

- Virtual DPO (VDPO) that supports an in-house DPO or person responsible for Data Protection and GDPR compliance and their team; and
- Outsourced DPO whereby Gemserv becomes the in-house DPO to fulfil the statutory obligation of the DPO under the GDPR.



VIRTUAL DPO

Gemserv offers different levels of service for vDPO, depending on the requirements of the organisation. Our service is split in to three categories, each of which operates on a subscription based service. There are also additional services which incur further costs but are discounted for existing subscribers.

VDPO Services	Standard	Gold	Platinum
Advice on corporate governance policies and on building a risk based approach to GDPR based on organisational model / data / tech / risk appetite.	✓	✓	✓
Advice on legislation queries and interpretation of GDPR in the context business operates.	✓	✓	✓
Access to attend three data privacy seminars per year.	✓	✓	✓
Quarterly bulletins on DPO practical advice, legal updates and sharing of best practice, and additional bulletins on key issues as they emerge.	✓	✓	✓
Access to our email helpdesk with advice as and when you need it.	✓	✓	✓
1 day on-site p/mth to: review policies and framework; provide advice on risk and specific issues; advise on new policies and processes; provide training.		✓	✓
1 day on site could also be a surgery service where different areas of the business can ask questions and / or discuss specific issues.		✓	✓
Off-site support to develop guidance and be available on phone/via email to address queries.		✓	✓
Support with programme management to oversee the transformation programme and ensure deadlines are met / scoping projects and providing legal and/or tech support with specific areas e.g. international data transfers, contracts. / surgery sessions to provide advice on site / training and other education programmes.			✓
Additional Services			
Bespoke training to your designated DPO.	<p>Additional services are available at all levels and the price is dependent on organisational requirements.</p> <p>Services can be offered at a reduced cost for subscribers</p>		
InfoSec compliance audit and recommendations.			
Negotiations of contracts with suppliers to ensure GDPR compliance.			
Writing of corporate governance policies (including records management; privacy notices; data retention; data incidents escalation, remediation and reporting).			
Revision / establishment of data sharing agreements between jurisdictions			

OUTSOURCED DPO OFFERING

Gemserv offers an Outsourced DPO (oDPO) service for organisations who are required to appoint a DPO to meet the statutory obligation under the GDPR. Under article 29WP the function of the DPO can also be exercised on the basis of a service contract concluded with an individual or an organisation outside the controller's/processor's organisation.

In this case, it means that Gemserv, who have a team of qualified data protection professionals, can provide this service via a service agreement. Any service agreement will have clearly delineated responsibilities for the DPO (Gemserv) and the organisation to satisfy all applicable requirements of Section 4 of the GDPR (e.g., ensure no one has a conflict of interest). Gemserv will document the rationale underpinning the agreed governance structure, in alignment with the accountability principle introduced by the GDPR. This document can be retained by the customer so that it can be provided if requested by the competent supervisory authority and should be revisited every time new activities and services are contemplated.



oDPO proposition will cover the following

In accordance to Article 37(7) of the GDPR, clients would:

- publish the contact details of the DPO; and
- communicate the contact details of the DPO to the relevant supervisory authorities.

The DPO would be Gemserv - with clear internal allocation of responsibilities within the DP team. We will fulfil the statutory obligation related to DPO role which includes:

- Informing and advising the organisation and its employees about their obligations to comply with the GDPR and other data protection laws.
- Monitoring compliance with the GDPR and other data protection laws, including managing internal data protection activities, advise on data protection impact assessments; train staff and conduct internal audits.
- Being the first point of contact for supervisory authorities and for individuals whose data is processed (employees, customers etc).

Article 38(2) of the GDPR requires the organisation to support its DPO by 'providing resources necessary to carry out [their] tasks and access to personal data and processing operations, and to maintain his or her expert knowledge'. This means:

- The DPO has to report to highest level of management
- That clear time has to be allocated to the performance of the task
- Official communication of the designation of the DPO to all staff to ensure that their existence and function are known within the organisation.



Contact Us

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