

Key GDPR Definitions

GDPR: The General Data Protection Regulation (2016/679) is the new EU Regulation on Data Protection, which came into force on the 25th May 2018.

Personal Data: Information relating to a living individual who is, or can be, identified, including data that can be combined with other information to identify an individual. This can be a very wide definition, depending on the circumstances, and can include data which relates to the identity, characteristics or behaviour of an individual or influences the way in which that individual is treated or evaluated.

Processing: means performing any operation or set of operations on personal data, including:

- obtaining, recording or keeping data;
- organising or altering the data;
- retrieving, consulting or using the data;
- disclosing the data to a third party (including publication); and
- erasing or destroying the data.

Data Controller: A Data Controller is the person or organisation who decides the purposes for which, and the means by which, personal data is processed. The purpose of processing data involves 'why' the personal data is being processed and the 'means' of the processing involves 'how' the data is processed.

Data Processor: A person or organisation that processes personal data on behalf of a data controller.

Data Subject: A Data subject is the individual the personal data relates to.

Data Protection Impact Assessment (DPIA): A Data Protection Impact Assessment (DPIA) describes a process designed to identify risks arising out of the processing of personal data and minimisation of these risks as far and as early as possible. DPIAs are important tools for negating risk, and for demonstrating compliance, including ongoing compliance, with the GDPR.

Legal Basis for Processing: In order to process personal data you must have a legal basis to do so. The legal bases (or justifications) for processing personal data are set out in Article 6 GDPR. These are the consent of the individual or where it is necessary for: performance of a contract; compliance with a legal obligation; protection the vital interests of a person; the performance of a task carried out in the public interest; or in pursuit of the legitimate interests of the company/organisation or another (except where those interests are overridden by the interests or rights and freedoms of the data subject).