

The Kindertons Group GDPR Update - February 2018

As we stated in our November 2017 update, The Kindertons Group is fully committed to protecting the rights and freedoms of EU citizens and we are therefore undertaking a compliance project to comply with the EU GDPR before the enforcement date of 25th May 2018.

We have now successfully mapped out all personal data within our environment to understand who passes it to us for processing on their behalf, how we capture it, how we store it and for how long as well as who we subsequently pass it onto to process on our behalf as part of the services that we offer.

Data Controller v Data Processor

The GDPR states that;

- a **CONTROLLER** is a natural or legal person or organisation which determines the purposes and means of processing personal data; and
- a **PROCESSOR** is a natural or legal person or organisation which processes personal data on behalf of a controller.

YOUR responsibility: Referrers/Sources Responsibilities as Data Controller

If you refer claims to Kindertons then we are a Data Processor on behalf of you as the Data Controller. We are committed to working with your compliance representatives to ensure that all obligations under the various parts of the GDPR are met and that your contractual obligations are in order as the Data Controller.

Don't forget, Article 28.3 of the GDPR states;

"Processing by a processor shall be governed by a contract or other legal act under Union or Member State law, that is binding on the processor with regard to the controller"

So, the responsibility lies with you as the Data Controller to ensure that data processor agreements are in place with data processors such as the Kindertons Group.

OUR responsibility: The Kindertons Group Responsibilities as Data Processor (or joint Data Controller)

The Information Commissioners Office also state;

"If a processor employs another processor it needs to have a written contract in place".

We are currently reviewing all of our legal agreements with our partners who process data on our behalf to ensure that they are fully GDPR compliant by covering all of the required Data Processor obligations under the GDPR.

If you are unsure on the Data Controller and Data Processor relationships and responsibilities then please refer to the ICO guidance;
<https://ico.org.uk/media/for-organisations/documents/1546/data-controllers-and-data-processors-dp-guidance.pdf>

If you have any questions or queries with regards to Kindertons Group GDPR compliance then please contact privacy@kindertons.co.uk