



Assessing the Impact of the Data Protection Act



Client Issue

The 1998 Data Protection Act (DPA) came into force on 1st March 2000, replacing the 1984 Act and setting new and more stringent standards for processing personal data. The Act legislates for how customer details are stored, their accuracy, and how long they can be stored for. It also limits the types of direct marketing activity that a company can engage in, outlining new requirements for gaining consent from the consumer.

Breaching the Act can result in fines, and ultimately criminal prosecution, not to mention the less tangible impact of brand shaming.

A large UK retailer realised that the revised DPA would impact their business in a number of ways. They wanted to identify the areas where they needed to change their processes in order to ensure compliancy.

Our Response

Nemea offered a four-stage programme (following a BS7799 route) advising the client on the implications of the Act at all levels.

This involved:

- Conducting a detailed analysis of key processes, procedures and systems to assess DPA compliancy and shortcomings
- Producing a board level report of our findings and recommendations
- Producing a secondary report of the wider implications of DPA on the business
- Designing a training and awareness programme organisation-wide to inform staff about the implications of data protection.

Throughout the process, areas where the business was most likely to be in breach, such as direct marketing activity, storing of personal data, duplication, security, access and retention of data, were examined in greater detail.

Benefits

The client benefited from a board level report, providing a clear understanding of the status of current systems, procedures and business processes, identifying the compliancy gap, prioritising changes, and recommending implementation and action.