



# THE OFFICE OF THE **DATA PROTECTION COMMISSIONER**

## The Data Protection (Bailiwick of Guernsey) Law, 2017 ("the **Law**")

### Accountability and Governance

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The Law includes provisions that promote accountability and governance. These complement the Law's transparency requirements. While the principles of accountability and transparency have previously been implicit requirements of data protection compliance, the Law's emphasis elevates their significance.

You are expected to put comprehensive, but proportionate, governance measures into place. Good practice tools such as privacy impact assessments and privacy by design are now legally required in certain circumstances.

Ultimately, these measures should minimise the risk of breaches and uphold the protection of personal data. Practically, this is likely to mean more policies and procedures for organisations, although many organisations will already have good governance measures in place.

#### **What is the accountability principle?**

The accountability principle in Section 6(2)(g) requires you to demonstrate that you comply with the data protection principles and states explicitly that this is your responsibility.

#### **How can I demonstrate that I comply?**

You must:

- implement appropriate technical and organisational measures that ensure and demonstrate that you comply. This may include internal data protection policies dealing

with such matters as staff training, internal audits of processing activities and reviews of internal HR policies;

- maintain relevant documentation on processing activities;
- where appropriate, appoint a data protection officer;
- implement measures that meet the principles of data protection by design and data protection by default. Measures could include:
  - data minimisation;
  - pseudonymisation;
  - transparency;
  - allowing individuals to monitor processing; and
  - creating and improving security features on an ongoing basis; and
- use data protection impact assessments where appropriate.