

EU's General Data Protection Reform 2018 – GDPR

The new General Data Protection Reform (GDPR) has now officially entered into force and will apply in Denmark as of the 25th May 2018. It replaces the old GDPR of 1995 as so much has happened on the digital front. Social media, sensitive personal data, storage of data in iCloud and a significant increase in threats from cyber criminals is now an integrated part of our IT everyday life.

The aim of this regulation is to have uniform rules regarding personal data across the EU and it will be immediately applicable in all EU Member States, as well as for companies offering goods or services to EU countries.

The intent of the GDPR is to create more transparency and access to the data and information a company holds about a given employee or user.



Who is affected by the GDPR?

You are covered by the General Personal Data Regulation as soon as you keep any data of an identified or identifiable person. Personal data includes for example: name, address, phone number, e-mail, employee number, references, pictures, etc.

This means that almost all Danish companies, who one way or another work with or keep personal and user data, including companies that record information about their employees, are affected.

IT companies with members and user creation must incorporate the regulation throughout their business model and processes. In addition, all companies must control the storage and handling of their employee data within the organization.

For example, if an HR or salary program collects and systematizes sensitive employee information, a voluntary, specific and informed consent must be obtained from those individuals whose personal data are collected prior to this collection.

This means that you, as a company, must clearly inform people of which information you collect (i.e. person's name, address, etc.) who uses this data (the company itself) and what it is used for (payroll).

Significant changes:

Significantly larger fines: Fines of up to 4% of the global annual group turnover and in some cases, up to 20,000,000 EUR can be issued to companies.

Notification obligation: Notification shall be given to the supervisory authorities within 72 hours and in some cases to the affected persons for breach of data security.

Strict documentation requirements: Companies and public authorities must be able to prove that they comply with the rules of the regulation.

Data protection officer: Public and certain private companies must designate a data protection officer (a so-called DPO). This person can be either an employee or an external partner. If the person is an employee, he or she will be subject to the regulations regarding dismissal protection.

Statement of Consent: Employees and users must clearly know which personal data is registered with the company and what this data will be used for.

Register data in a system

So how do you make sure that you comply with the EU's harsh data regulation and avoid the significant penalties if the law is not respected?

One thing is certain; many companies are affected by the sharpened requirements, and there will most likely be a need for adaptation in all affected companies. More and more companies prioritize digitalizing employee data and place them in an online cloud based system.

This prevents physical copies from disappearing and data can always be shown to the employee if requested.

At HR Solutions, we have developed a module in our HR system that meets the requirements of the new Data Regulation reform on the handling and storing of employee data. Each individual employee will always be able to see what information is stored about them in the system.

The system is divided into multiple user levels, defining who has rights to view, edit, and create employee information. Predominantly medium and large companies can use this information actively to find specific competencies and skills in the organization.

Would you like to know more about how you can comply with the 2018 EU General Data Protection Regulation?



You are always welcome to contact us to find out how our HR system can help your organisation to keep track of employee data.

Ring på **70 26 32 25** eller skriv en e-mail til **info@hrsolutions.dk**