

GDPR AND ICL – PRIVACY PRACTICES: YOUR NEED TO KNOW INFO¹

You may have heard about the EU’s General Data Protection Regulations (GDPR) which came into effect recently. The GDPR enshrines data protection principles for EU citizens, even if their data is being managed by a firm outside the EU. This will have far reaching implications for privacy practices across the globe, including for some limited activities at the ICL Education Group.

Currently, we operate under the Privacy Act 1993, and we are also expecting the changes to be reflected in the Privacy Bill currently before Parliament. These changes will be incorporated into the ICL Education Group’s Privacy Policy, and into the Student Declaration.

We have generated a brief FAQ for those who are concerned about how this will affect the ICL Education Group.

- *Who does this new regulation relate to?*
Technically, this will only apply to a small proportion of ICL’s activities. This will relate to departments who seek or use the personal information of EU residents. If your department is likely to be specifically affected, we will contact you to provide guidance. Although the GDPR will not apply to most ICL activities, the principles within it are something we should be aiming for, and we hope to apply them as much as possible for all staff and students, regardless of their citizenship.
- *What are the risks to ICL?*
There are few additional risks to ICL. Most of the requirements of the GDPR have already been incorporated into ICL practices as we seek to align ourselves with best practice. If you have any concerns about your specific activities, please contact the admin team at info@icl.ac.nz.
- *What does this new legislation involve?*
The GDPR aligns with many of the principles already within our Privacy Act. Key differences include:
 - A strengthened requirement for organisations using personal information to demonstrate a lawful basis for this (such as contract, legal obligation or public interest) or consent of the individual
 - Clear regulations regarding seeking consent from individuals. Consent must be freely given, informed, specific and unambiguous, as well as clear and intelligible. Consent can also be withdrawn.
 - The “right to be forgotten” allows individuals the right to have their data erased in specific circumstances, including where the individual withdraws their consent. In New Zealand, this will be limited by other factors such as the Public Records Act.
 - Increased rights for individuals wishing to access or transfer their personal information.

For more information on the GDPR contents, the Privacy Commissioner has some guidance resources available on their site. If you would like more information or guidance as to how this will affect ICL, please, contact the admin team.

¹ Adapted from University of Canterbury