



JERSEY DATA PROTECTION AUTHORITY (JDPA) MEETING

5 Castle Street

St. Helier

MINUTES

Authority Meeting 23 (the Meeting)

9:00 – 12:35, 29 March 2023

Chair

Jacob Kohnstamm (JK)

Voting Members Present:

Gailina Liew (GL)

Paul Routier (PR)

Gailina Liew (GL)

Helen Hatton (HH)

David Smith (DS)

Paul Vane (PV) – Information Commissioner (non-voting)

Invitees:


Anne King (AK) – JOIC Operations Director (via video conference call)


Caro Robson (CR) – JOIC Director of Regulatory Strategy


Angela Marshall (AM) - JDPA Secretary


Decisions/Approvals


1.0	Approved – Meeting Agenda approved.
2.1	Approved - Minutes of Authority Meeting December 2022 number 22 approved.
5.1	Approved - The JOIC Management Accounts Q4 for Period Ending 31 December 2022 - approved.
5.1	Approved – The JOIC Project Progress Q4 2022 was approved
5.1	Approved – The JDPA Financial Statements for the Year Ended 31 December 2022 were approved.


	Item	Action
1.0	<p>Call to order and approval of The Agenda. The Authority approved the JDPA Meeting No. 23 Agenda (the Agenda)</p>	<p>Decision – Agenda approved.</p>
1.1	<p>Declarations of Interest.</p> <p>GL advised she is appointed as a NED to Medicxi Ventures Management (Jersey) Limited, a venture capital fund manager registered in Jersey. GL does not foresee any conflict of interest unless the entity is the subject of a data protection investigation. The Authority noted the appointment and determined there was no conflict of interest.</p> <p>PR advised that he is appointed as Chair of a Jersey charity, Les Amis, and does not foresee any conflict of interest unless the said Charity were to become the subject of a DP investigation. The Authority noted the appointment and determined there was no conflict of interest.</p> <p>There were no other Declarations of Interest in relation to the Meeting Agenda.</p>	<p>To Note: It is noted that these appointments are recorded and reflected in the JOIC Register of Interest.</p>
1.2	<p>Review of Action Points from JDPA Meeting No. 22 of 14 December 2022 took place with the following being noted:</p> <p>An Action Point had been raised to pursue the Principle of a Children’s Code with the Children’s Commission. A draft Memorandum of Understanding (MoU) had been initiated</p>	 <p>Action: The draft MoU is awaiting revision and sign off from the Information Commissioner.</p>

	<p>prior to further discussion regarding a code of practice in connection with a software development with children as the main audience.</p> <p>To explore further if checks can be made to establish if all entities that are liable to be registered have registered.</p>	<p>Action: AK to review.</p>
	<p>Minutes</p> <p>Minutes of Meeting No. 22 of 14 December 2022 were reviewed and after due thought and consideration subsequently approved.</p>	<p>Approved</p> <p>Minutes of Meeting No. 22 of 14 December 2022 were approved.</p>
<p>Agenda Item 4.0</p> <p>Agenda Item 4.1</p>	<p>Director of Regulatory Strategy</p> <p>Introduction and Overview</p> <p>It is noted that due to time restrictions and a prior engagement, Agenda Item 4.1 was brought forward. The Authority welcomed CR as recently appointed Director of Regulatory Strategy. CR gave an overview of her prior work history, experience and roles. She then presented her work to develop a strategy road map which had been circulated to Authority Members and noted that her work going forward would focus on building on the existing strategy framework and support the Authority's needs and requirements going forward whilst enhancing and developing opportunities and growth.</p>	
<p>Agenda Item 3.00</p>	<p>Information Commissioner / The JOIC - Information Commissioner's Quarterly Report, March 2023</p>	

<p>Agenda Item 3.1</p>	<p>The JOIC Information Commissioner’s Quarterly Report March 2023 was presented with the Information Commissioner highlighting the following:</p> <ul style="list-style-type: none"> • Recruitment had been successful with CR coming on board as Director of Regulatory Strategy. In addition, a Community Engagement Lead and Community Youth Worker have been recruited to support and shape future schools project work. • Review of enforcement strategy is underway. • Registrations for 2023 were up by 4.7%. Further discussion took place about the measures being implemented to ensure entities that were eligible for registration were aware of their duty to do so. <p>Business Plan Update 2023/24</p> <p>The JOIC - Information Commissioner’s Quarterly Report March 2023 outlined a Business Plan Update with the Information Commissioner noting key points:</p> <ul style="list-style-type: none"> • It is the aim to continue to put children first with work being undertaken via an ongoing series of education programmes. • The Data Stewardship programme is slightly behind schedule but an update is set to be presented shortly as part of a five year plan. • Projects include an enhancement of JOIC’s IT case handling platform and Audit. 	<p>Action: AK to continue to drive registration process to ensure all eligible parties are compliant.</p> 
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	<p>circulated for review and after due thought and consideration subsequently approved.</p> <p>JOIC Project Process Q4 2022 Report was circulated for review and after due thought and consideration subsequently approved.</p> <p>JDPA Financial Statements for the Year Ended 31 December 2022 in draft were circulated for review and consideration.</p> <p>It was noted that the JDPA Financial Statements for the Year Ended 31 December 2022 in draft format were audited and that ARC had recently met with the Auditor. ARC went on to give an update to the Meeting as to how the Audit had progressed noting that the Audit process had completed along with the JDPA Financial Statements for the Year Ended 31 December 2022.</p> <p>It was further noted that the JDPA Financial Statements for the Year Ended 31 December 2022 appear to detail available funds of £1.9M. The Collection of these funds are allocated for key strategic projects, which supports our purpose, vision and strategic outcomes. Examples of these projects includes the partnership with Digital Jersey and the data stewardship services project, enhancing supervision and oversight (compliance audit capacity) along with any further training as may be required and the enhancement of IT infrastructure. These monies are allocated as part of a five-year plan which includes expenditure and future</p>	<p>31 December 2022, Q4 were approved.</p> <p>Approved: JOIC Project Progress Q4 2022 Report was approved.</p> 
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	<p>projects and will be circulated accordingly in due course.</p> <p>It is noted that ARC is recommending the JDPA Financial Statements for the Year Ended 2022 to the Authority for approval.</p> <p>After due thought and consideration the JDPA Financial Statements for the Year Ended 31 December 2022 were approved by the Authority.</p>	<p>Approved: The JDPA Financial Statements for the Year Ended 31 December 2022 were approved.</p>
<p>Agenda Item 6</p> <p>Agenda Item 6.1</p> <p>Agenda Item 6.2</p>	<p>Items for Discussion</p> <p>Government of Jersey Funding Model It is noted that discussions with the Government of Jersey in respect of funding are in progress and ongoing.</p> <p>JDPA Recruitment Progress GL as Chair of the Governance Committee provided an update on the JDPA Recruitment Process and noted that candidates were selected after a rigorous recruitment and selection process with the excellent support of Arthur Craven, an independent search firm. A strong field of candidates were identified with a focus on expert knowledge of:</p> <ul style="list-style-type: none"> • The European General Data Protection Regulation (GDPR). • The Data Protection Act 2018 (UK GDPR) • Global data protection regulatory frameworks. • Data Protection (Jersey) Law 2018 (the DPJL). 	

<p>Agenda Item 6.3</p>	<ul style="list-style-type: none"> • The impact of emerging technologies on privacy and data protection laws. <p>From an initial long list of more than 70 candidates, eight candidates were interviewed in London during 21 and 22 February 2023 by the selection panel. While all of the candidates at interview were appointable, it is the combination of the three successful candidates, Elizabeth Denham, Paul Breitbarth and Stephen Bolinger, that is particularly impressive.</p> <p>The Authority recommended the appointment of these three new members and is pleased to note that the Minister accepted the Authority’s recommendation. The Minister presented the appointment to the States Assembly in a Ministerial Report dated 20 March 2023.</p> <p>The Authority noted that Elizabeth Denham, Paul Breitbarth and Stephen Bolinger would serve as new Authority members, effective 1 May 2023, each for a four-year term.</p> <p>At 12:15 GL left the Meeting</p> <p>JDPA 2023 Amendment to Meeting Dates Discussion took place regarding 2023 meeting dates for Authority and Sub-Committee meetings.</p>	 <p>Action: AM to confirm and circulate dates to Authority members.</p>
	<p>The meeting ended at 12:35</p>	
	<p>The Authority held an in-camera session.</p>	