

# Data Destruction And Your Legal Obligation

## IS YOUR BUSINESS COMPLIANT WITH GDPR DATA REGULATION?

Failing to dispose of personal data compliantly may result in a fine of up to €20,000,000 or up to 4% of your company's global turnover.

- 1) The new EU General Data Protection Regulation (GDPR) came into force in 2018. Jersey followed suit with the Data Protection (Jersey) Law 2018 and Gurnsey with the Data Protection (Bailiwick of Guernsey) Law 2017, both matching what has become the "global standard".
- 2) The regulation and laws created one set of rules, meaning that if your business is offering goods, services, or monitoring or profiling individuals within the EU, UK or CI, the rules apply.
- 3) The 'right to be forgotten' is now formalised, protecting the rights of individuals to have their data erased, subject to legal obligations to retain data for regulatory purposes or your own company purposes.
- 4) GDPR includes an accountability principle, which requires companies to not only comply but to demonstrate their compliance to regulators – this will include the destruction of data to globally accredited standards.
- 5) Breaches of the regulation may result in a fine of up to €20,000,000 or up to 4% of your company's global turnover.
- 6) Companies are being advised by legal firms to become compliant.

## CASE STUDY

Failing to dispose of data via an unrecoverable destruction process has led to data breaches.

- NHS Surrey was fined £200,000 by data regulators after losing sensitive information on about 3,000 patients.
- They failed to check that the data destruction company charged with getting the computers ready for recycling had properly destroyed the records.
- The data destruction company passed on data, believing that its process had been completed correctly by removal and crushing of the hard drives and that this was enough to permanently erase the NHS computers. The data destruction company missed removal of HDD from a machine later to be sold.
- The Information Commissioner's Office (ICO) was alerted to the breach by an ordinary member of the public who had purchased one of the computers and found the data on the desktop.
- Data deleted and not erased by government approved software packages can be retrieved from damaged equipment or from formatted or corrupt volumes – even from initialised disks – if the retrieving party has the 'know-how'.

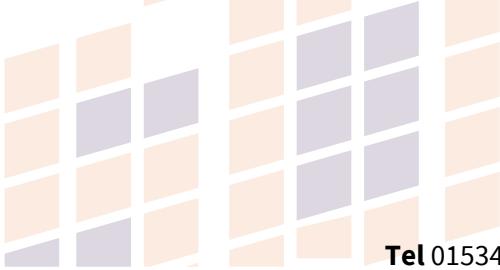
## How ITHSCI Can Help You

**Disposing of your old computer equipment and data holding devices via non-secure means can pose a significant risk to the security and financial state of your business**



ITHSCI will provide a professional GDPR compliant service with a certificate of data destruction and recycling provided for all equipment collected and processed by us.

At ITHSCI we are totally committed to disposing of all your IT equipment and data holding media in a safe, secure, confidential and eco-friendly way. We employ regimented processes to eradicate data held within devices and provide the maximum financial return for equipment sanitized through our process driven approach.



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