



JERSEY DATA PROTECTION AUTHORITY (JDPA)

**Meeting No. 27 of the JDPA Held at 5 Castle Street, St Helier, Jersey, JE2 3BT
on 01 March 2024, 09:05 – 12:06 (The Meeting)**

MINUTES

Attendees:

JDPA Members (collectively The Authority):

Jacob Kohnstamm (JK) – JDPA Chair
Stephen Bolinger (SB)
Paul Breitbarth (PB)
Elizabeth Denham (ED) – (via video conference call)
Helen Hatton (HH)
Gailina Liew (GL)
Paul Routier (PR)
Paul Vane (PV) – Information Commissioner (non-voting)

Invitees:

Anne King (AK) – Operations Director, JOIC

Apologies:

None

JDPA Secretary:

Angela Marshall (AM)

1.0 Call to Order

The JDPA Chair called The Meeting to order.

APPROVAL

The Meeting Agenda was **Approved** by the Authority.

Business of the Meeting

Introductions

The Chair opened the Meeting, welcomed the Attendees and introductions took place.

1.1 Declarations of Interest

The Chair asked the Meeting Attendees if there were any new Declarations of Interest to note with it being confirmed that there were no new Decelerations of Interest.

2 Items for Approval

2.1 Review and Approval of Minutes

The draft Minutes of Meeting No. 26 of 20 November 2023 (the Draft Minutes) had been circulated to the Meeting Attendees for review prior to the Meeting being held.

After due thought and consideration the Draft Minutes were approved.

APPROVAL: The draft Minutes of Meeting No. 26 of 20 November 2023 were **APPROVED**.

3 Board Governance, Operations and Procedures

3.1 Audit and Risk Committee

HH as Chair of the Audit and Risk Committee (ARC) gave an update to the Meeting on matters that ARC had discussed which included:

The position of funding from the Government of Jersey (GoJ) had not as yet been resolved. As a result, this continued to be of concern and it was anticipated that in the absence of funding from the GoJ, careful management of money would be necessary and planned projects may have to be re-considered.

HH detailed that the JDPa External Audit 2023 (the External Audit 2023) was scheduled to take place and ARC had met with the external auditor Baker Tilly, Jersey, Channel Islands Limited of PO Box 437, 1st Floor Kensington Chambers, 46/50 Kensington Place, St Helier, Jersey, JE4 OZE (Baker Tilly, External Auditor) and reviewed the proposed Audit Timetable.

IT WAS NOTED that the Authority had Resolved to enter into a Letter of Engagement dated 15 February 2024 with Baker Tilly, External Auditor.

JK noted to the Meeting that 27 March 2024 was the date set for the next Authority Meeting in connection with the finalisation of the JDPa Financial Statements for the Year Ended 31 December 2023 and the Audit 2023.

JK went on to confirm that should his schedule prevent him from attending the Authority Meeting on 27 March 2024, HH was to act as Chair in his absence.

Q4 2024 Management Accounts

HH presented to the Meeting the JDPa Q4 Management Accounts to Year Ended 31 December 2023 (the Q4 Management Accounts) and proceeded to give an overview of same with the following being noted:

The matter of income remains a key concern going into 2024 as the issue of funding from GoJ to cover Data Protection Work had not been resolved. The lack of funding had resulted in a scaling back of planned projects and activities.

The Authority acknowledged that the financial uncertainty made it challenging to form resilient and considered financial plans. The Authority requested that ARC keep the Authority updated on financial matters and any adverse impacts encountered.

ARC is recommending the Q4 2023 Management Accounts to the Authority.

APPROVAL: The Q4 2023 Management Accounts were approved by the Authority.



3.2 Governance Committee

GL as Chair of the Governance Committee gave an update on matters that the Governance Committee had considered which included:

JDPA Chair Recruitment

By way of background information, in advance of the current Authority Chair vacating the position on 28 October 2024, work had begun in respect of the open recruitment process to seek a suitably qualified replacement in order to ensure Authority succession planning.

GL gave to the Meeting a progress report on the Chair recruitment along with an overview of the predicted deadlines for applications to be received and interviews to take place. GL confirmed that further details would follow as was appropriate going forward.

GL confirmed that the external assessment on the performance of the Authority that was required to take place every three years had been undertaken by external service provider, CoSteer. It was anticipated that the findings of the external review would be available for the Governance Committee's next meeting that was scheduled to take place in April 2024 and further update to the Authority would follow.

3.3 Remuneration and Human Resources Committee

PR as Chair of the Remuneration and Human Resources Committee (RHR Committee) noted that they were next scheduled to hold a meeting in June 2024 and had nothing noteworthy to report in the interim.

4 Information Commissioner

PV as Information Commissioner gave an update to the Meeting on topics that he had been attending to which included:

4.1 Quarterly Report

PV presented to the Meeting the Information Commissioner's Quarterly Report, March 2024 (the Quarterly Report) and gave an overview of the same which touched on the business plan, executive and departmental priorities along with projects for the next 3 months. PV highlighted that the first part of 2024 was a particularly busy period with there being statutory filing deadlines to be met which included the 2024 Annual Registration Renewals, the completion of the JDPA Annual Report and the Financial Audit to year ending 31 December 2023.

Data Stewardship Project

PV referred to the Data Stewardship Project and gave an update on same.

A meeting of the Data Stewardship Project Team was planned with a date yet to be confirmed.

Further funding from JOIC into the Data Stewardship Project was not planned.

Grant / Fee Update

The subject of funding remained a concern and had been discussed at length under section 3.1, Q4 2024 Management Accounts of this Meeting.

Work continued on the proposed fee model, communications with GoJ were ongoing and updates would be forthcoming.

Enforcement and Statistics

PV detailed the types of complaints and cases that JOIC had received in 2023 and went on to detail cases by complaint types and by organisation types.

GL reflected on the Quarterly Report and asked if consideration could be given to producing a chart that would reflect further the engagement activities that had taken place.



4.2 Global Privacy Assembly Conference 2024

An update on how plans for the Global Privacy Assembly Conference that is scheduled to take place in Jersey, end of October 2024 (the GPA Conference 2024) were progressing was given by PV along with an update on potential events and themes to which there followed a group exchange of ideas.

The topic of sponsorship and funding was discussed with it being requested that PV forward sponsorship packs to Authority Members in order that they may be able to assist with the project and a central pooling of resources.

ACTION: PV to send Global Privacy Assembly Conference 2024 sponsorship packs to the Authority Members.

4.3 Compliance and Enforcement - Case Review

11:03: A JOIC Compliance and Enforcement Manager (the Compliance and Enforcement Manager) joined the Meeting and presented an overview of a current, ongoing case by way of example of the type of cases that were being received.

11:48: The Compliance and Enforcement Manager left the Meeting.

5 Any Other Business

HH spoke of current events in the Jersey finance sector and how potential changes may have a knock-on effect.

Discussion took place regarding the JDPA/JOIC in house electronic filing system and it was requested that ways in which improvements could be made were explored.

ACTION: AM to look into ways in which improvements can be made to the JDPA/JOIC in house electronic filing system.

The Meeting ended at 12:06

The Authority held an in-camera session.



Jacob Kohnstamm

Chair

For and on behalf of: JDPA