



JERSEY DATA PROTECTION AUTHORITY MEETING

Held via video conference due to COVID-19 outbreak.

15 B. *[Signature]*
09-10-25

MINUTES

Authority Meeting 15
11:00 – 14:15, 2 June 2021
Chair Present. Jacob Kohnstamm
Voting Members Present. Paul Routier Gailina Liew Helen Hatton Clarisse Girot David Smith
Apologies for Voting Members.
Non- Voting Members Present. Dr Jay Fedorak – Information Commissioner
In Attendance by Invitation. Paul Vane - Deputy Information Commissioner Anne King – Communications and Operations Manager & Corporate Secretary Adrian Hayes – Compliance and Enforcement Manager
Guest Speaker Joe Moynihan, CEO Jersey Finance

Decisions/Recommendations	
1.0	JDPA Members agreed they are happy with the revised letters from the Minister setting out their terms of office dates correctly.
1.0	The Authority agreed that minutes from the main JDPA meetings and full audited accounts will be published on JOIC website.
	Committee Updates
2.1	It was agreed to include SD & CLeB in all further discussions relating to staff and Authority remuneration.
2.1	The JDPA appointed APK at corporate secretary.

Action Items	
	Committee Updates
1.0	GL/APK to review SharePoint document structure on 8 June
1.0	APK to provide calendar of JDPA dates. (APK/GL to liaise on 8 June)
1.0	APK to set up Remuneration and Human Resources Committee (RHRC) meeting before 11 June.

[Signature]



2.1	GL & SD to complete peer review and JDPA skills matrix evaluation to present on 20 August JDPA meeting.
2.1	APK to add Peer Review & skills matrix to August 2021 JDPA agenda
2.1	PV/APK set out reappointment plan for JDPA members new terms of office.
2.1	JDPA members to recommend/propose guest speakers and relevant business sectors. Chair requested that guest speakers focus on dilemmas and challenges.
2.1	ROUNDTABLE 19 August PV to prepare a paper for the JDPA to map out the issues of cross border data transfers in light of Schrems II. This is to help shape the JDPA roundtable event. GL/CG/JK to prepare Roundtable meeting, attendees & external partners.
2.1	JOIC Emails. APK to request an alert mechanism to be put in place to advise JDPA members of the arrival of a JOIC email.
3.0	GOVERNMENT GRANT – HIGH PRIORITY PV to write funding paper. Paper to be approved by the JDPA via email. PV to set up meeting with the Minister.
4.4	DATA STEWARDSHIP & DATA TRUSTS PV to provide a summary paper for the JDPA.
4.5	APK to change format of Issues and Accomplishments report. GL requested a broader operational report. APK/GL to discuss on 8 June




	Item	Action
1.0	<p>Call to order. The Authority Members approved the agenda.</p> <p>Approval of the Authority Meeting Minutes (No minutes to be approved)</p> <p>Review of Action points from previous meetings.</p> <p>The Chair reviewed the action points.</p> <p>Publication of Authority minutes and audited accounts.</p>	<p>Outstanding items; (2.2) GL/APK to review SharePoint document structure on 8 June. (2.3) JDPA Members agreed they are happy with the revised letters from the Minister setting out their terms of office dates correctly. (4.8) The Deputy Commissioner confirmed the JDPA had agreed the proposed new JOIC structure during the 'In Camera' session on 26 February 2021 JDPA meeting.</p> <p>The Authority agreed that minutes from the main JDPA meetings only will be published on JOIC website.</p> <p>It was also agreed by the JDPA to publish the Audited Accounts in full.</p>
2.0	Board Governance, Operations and Procedures –	
2.1	<p>Committee updates and recommendations from each Committee Chair.</p> <p>Audit and Risk. HH (Chair of ARC) reported that the ARC has focussed on Audited accounts over recent months. It is intended to make more progress on the audit process issues soon.</p> <p>Remuneration and Human Resources. PR (Chair of RHRC) raised the JDPA members salary review and asked the Deputy Commissioner for an update.</p> <p>PV advised that the external review of Authority members pay was completed last year.</p> <p>It was agreed that the topic be discussed further at a RHRC meeting.</p>	<p>APK to provide calendar of JDPA dates. (APK/GL to liaise on 8 June)</p> <p>It was agreed to include SD & CLeB in all further discussions.</p> <p>APK to set up RHRC meeting before 11 June.</p>

	<p>Governance Committee.</p> <p>GL (Chair of Governance Committee)</p> <ul style="list-style-type: none"> • Requested that the JDPA have a formal resolution to appoint a corporate secretary. • Highlighted the progress of the peer evaluation and updating of the JDPA skills matrix. GL confirmed that this will be completed before the 20 August 2021 JDPA meeting. The process will consider the rotation of voting members and succession planning. <p>The Chair of the JDPA expressed his satisfaction with the existing Authority member's skills mix.</p> <p>DS explained that he would only be happy to be reappointed for a maximum of 2-years.</p> <p>GL & JK requested that the JOIC/JDPA put into place a reappointment plan for second terms of office for JDPA members.</p> <p>GL discussed the mutual value of inviting guest speakers to attend the JDPA meetings.</p> <p>The Governance Committee are arranging a JDPA Roundtable to map out the issues of cross border data transfers in light of Schrems II.</p> <p>GL has requested JOIC/APK to formulate a JDPA milestones and dates annual calendar.</p> <p>GL requested all JDPA/JOIC emails to be sent via JOIC email addresses only.</p>	<p>The JDPA appointed APK at corporate secretary.</p> <p>GL & SD to complete peer review and JDPA skills matrix evaluation to present on 20 August JDPA meeting.</p> <p>APK to add this to August 2021 JDPA agenda.</p> <p>PV/APK set out the reappointment plan.</p> <p>JDPA members to recommend/propose guest speakers and relevant business sectors. Chair requested that guest speakers focus on dilemmas and challenges.</p> <p>PV to prepare a paper for the JDPA Roundtable.</p> <p>APK to arrange timing for the Roundtable on 19 August 2021.</p> <p>GL/CG/JK to prepare Roundtable meeting, attendees & external partners.</p> <p>APK/GL to discuss first draft on 8 June meeting.</p> <p>APK to request an alert mechanism to be put in place to advise JDPA members of the arrival of a JOIC email.</p>
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3.0	(3.0) Funding Model - Discussion re possible changes.	
	<p>The Authority members discussed at length the ongoing funding situation with Government of Jersey (GoJ)</p> <p>Key issues raised.</p> <ul style="list-style-type: none"> • JK reminded members that DP is in the centre of the Human Rights (HR) obligation and as such the JOIC/JDPA should be funded by the GoJ. • It was agreed by the Authority that FoI should be funded by GoJ. • After the meeting in March 2021 with GoJ, the Minister is receptive that 30/35% of JOIC budget should come from GoJ. The Minister is willing to listen to JDPA views and to consider a compromise. • Aim to avoid the annual grant debate – JDPA looking for stability and consistency. • The importance of JDPA/JOIC independence from GoJ. <p>JK (Chair) summarised the discussion.</p> <ul style="list-style-type: none"> • Consider changing grant to fee. • Jersey has had a low tax regime over the duration of our grant funding – so primarily nothing has changed. • Principle of Human Rights fundamental. • Freedom of Information to be funded by GoJ. • 20% of JOIC casework generated by GoJ/Public Authority. • We will not bring fining into current discussion with GoJ. (GL/DS voiced their agreement of this matter) • JDPA/JOIC should keep discussion as simple as possible. • PR highlighted that law changes may be impacted by States Assembly elections next year. • JK asked PV to write a second paper re GoJ funding based on a principles-based discussion, workload and moving to a fee. <p>JK requested that PV proceed as a matter of urgency and to meet with the Minister to discuss the proposals ASAP.</p>	<p>PV to write funding paper. Paper to be approved by the JDPA via email.</p> <p>PV to set up meeting with the Minister.</p>

4.0	<p>JOIC Update – Commissioner & Deputy Information Commissioner</p> <p>There was insufficient time at the meeting to discuss this section of the agenda fully.</p>	
4.1	<p>Business Plan 2020/21 Performance – Presentation update of deliverables progress. Deputy Commissioner, Compliance and Enforcement Manager, Communications & Operations Manager.</p> <p>Not discussed or presented.</p>	
4.2	<p>Case Data Statistics – To review Q1 case data and outcomes, trends and actions. Communications & Operations Manager. [Filename- 19052021_Case Data Statistics Q1 2021 Agenda Item 4.2]</p> <p>Not discussed.</p>	
4.3	<p>Appeal update and discussion.</p> <p>The Compliance and Enforcement Manager AH provided a very brief snapshot summary of the recent appeal and of an ongoing breach case.</p>	
4.4	<p>Financial Performance Q1 2021 – Finance Manager [Filenames- 2021 Q1 Financial Summary (4.4)  Finance Report Detail (4.4) </p> <p>The success of effective communications and registrations project on revenue 2021 was discussed. The revenue target has been exceeded by £500k.</p> <p>A brief discussion followed regarding JOIC future plans & growth. The revenue process is only in its second year and the JDPA agreed that it is too early to make any adjustments.</p> <p>HH proposed for future consideration the JDPA/JOIC explore the concept of data sovereignty to see if the concept can be turned into a strategic advantage. An opportunity to use the surplus to develop a new economic activity.</p> <p>JF confirmed that Jersey Finance, GoJ, Digital Jersey and JOIC looking at the issue of data trusts. The issue of data warehouses</p>	

	<p>and their appeal to the Jersey community was raised.</p> <p>GL urged JOIC to consider independent policy expertise in this area.</p> <p>PV highlighted the work undertaken in this space of data stewardship and data trusts with reference to digital health.</p>	<p>PV to provide a summary paper for the JDPA</p>
4.5	<p>'Q1 2021 Issues and Accomplishments' the leadership team will briefly review the issues in Q4 and highlight the planned activities in Q2 & Q3 2021. [Filename Q1 2021 JOIC Accomplishments, Issues & Activities (4.5) </p> <p>The presentation of the information was briefly discussed. PR requested that the issues and accomplishments are provided in a standard report format.</p>	<p>APK to change format of this report. GL requested a broader operational report.</p> <p>APK/GL to discuss on 8 June.</p>
5.0	Other Business.	
5.2	20 August JDPA Meeting Agenda	JK/PV/APK to discuss agenda items, timings and action points ahead of the August meeting.
5.3	<p>Joe Moynihan, Chief Executive Office Jersey Finance</p> <p>GL provided a brief history as to why JM is presenting to the JDPA. JM reached out to GL & HH (separately) to discuss the relationship between JDPA/JOIC & Jersey Finance.</p> <p>The Chair welcomed JM to the meeting and thanked him for his time. The presentation identified how JF collaborated with other industries.</p> <p>JM identified that communication is key to a constructive and positive relationship.</p>	<p>JK/GL/CG to discuss inviting JM to data transfer Roundtable.</p> <p>JM presentation available on JOIC SharePoint.</p>
5.4	<p>Farewell & thank you.</p> <p>JK commented that he and the Authority are grateful as to the way in which JF has fulfilled his role and tasks, with particular reference to his strategic and political oversight. JK extended his thanks to JF and his family.</p> <p>JF thanked JK and the JDPA for their kind words. JF said that it has been his best job and a great experience, the quality and expertise of the team has been outstanding. Covid spoilt the second half of his term, is JF's only regret.</p>	



	It is hoped to have an in -person farewell once travel is permitted.	
	The meeting closed at 14:45	

Authority 'In-Camera' Session

