

## ARTICLE 30 – KEEPING A RECORD OF PROCESSING ACTIVITIES

Let's look at Art 30(5) first, as it may excuse us from keeping processing records **as an obligation**. Even without such a regulatory obligation, good practice and risk management would suggest that such records ought in any event be kept.

If your organisation employs less than 250 people then Art. 30 obligations don't apply unless:

- the processing carried out is likely to result in a risk to the rights and freedoms of data subjects OR
- the processing is not occasional OR
- the processing includes special categories of data
  - as referred to in Article 9(1) OR
  - personal data relating to criminal convictions and offences referred to in Article 10

in which case they do!

Briefly, if the obligation exists, then the **controller** must keep a Processing Record which must record its processing activities as follows :

- The name and contact details of
  - The Controller
  - The controller's representative (if applicable)
  - The Joint Controller (if applicable)
  - The Data Protection Officer (if applicable)
- The purpose of the processing
- A description of the categories of data subjects
- A description of the categories of personal data
- The categories of recipients to whom the data has or will be disclosed, including recipients across borders or international organisations
  - If the above applies, the name of the country or organisation
  - If Art 49(1) (derogations) applies, record the documentation of suitable safeguards
- The planned time limits for erasure of the different categories (if possible)
- A general description of the technical and organisational security measures (if possible)

A **processor** must keep a Processing Record which must record its processing activities as follows:

- The name and contact details of
  - The processor and of each controller
  - The processor's and controller's representative (if applicable)
  - The Data Protection Officer (if applicable)
- The categories of processing carried out on behalf of each controller
- If transfers across borders or to international organisations
  - The name of the country or organisation
  - If Art 49(1) (derogations) applies, record the documentation of suitable safeguards
- A general description of the technical and organisational security measures (if possible)

The above records, if required must be in writing, including in electronic form.