**STAR Research project launches free and open GDPR training materials**

**Dr David Barnard-Wills, Trilateral Research**

*Research collaboration between DPA, academics and the private sector launches new comprehensive set of freely available, high quality GDPR training materials, and invites to make use of them.*

STAR (Supporting Training Activities on the data protection Reform) supports the legal obligations of Data Protection Authorities, and Data Protection Officers to undertake training activities. In order to facilitate their work, the project aims to provide ready-made, easy-to-customise and easy-to-run training materials, easily adaptable to specific training situations. The STAR training materials are based upon research into existing training practices around the GDPR as well as gathering training needs and requirements from practitioners.

The project is a collaboration between the Research Group on Law, Science Technology and Society (LSTS) at Vrije Universiteit Brussels[[1]](#footnote-1), Nemzeti Adatvédelmi és Információszabadság Hatóság (NAIH – the Hungarian data protection authority)[[2]](#footnote-2) and Trilateral Research[[3]](#footnote-3). Its co-funded by the European Union under the Rights, Equality and Citizenship Programme 2014-2020 (REC-RDAT-TRAI-AG-2016) under Grant Agreement No.769138.

Our previous research projects[[4]](#footnote-4)had found that EU DPAs were at different places in the process of institutional change that emerged from the GDPR. STAR’s approach was to first understand the existing training activities that EU data protection authorities were conducting - and particularly the strategies behind the delivery (or lack of) of GDPR training. To this end, we interviewed senior representatives from seventeen EU data protection authorities, with a good geographic spread and including both large and small authorities. These interviews were conducted in the run up to the GDPR coming into force. We also interviewed DPOs from across the EU and across different industries and economic sectors.[[5]](#footnote-5) We also conducted a search of DPA websites in order to identify any training material they were publishing, and collected together a range of other freely-available GDPR resources. Whist we were generally not able to access paid-for training material, for example as offered by law firms and specialised training consultancies, we gained a good sense of what was freely available.

In general, most DPAs were running training, dissemination, or awareness-raising activities, particularly in the run-up to the applicability deadline of the GDPR in May 2018. However, the approach to training is highly variable across the EU. Some authorities prioritised their own internal staff training and not all DPAs saw the provision of external training as a duty, arguing that need was addressed by private-sector services.

Approaches to external training were themselves diverse. We also observed no correlation between the size of the authority and its engagement in external training as smaller DPAs do provide external training, though their capacity influences the scale of the training provided. Smaller DPAs are generally keen to take advantage of external, third party dissemination events to maximise limited resources, including giving presentations to specialised audiences in industry sector associations’ meetings and taking part in national and international conferences. DPA external training activities are sometimes organised and planned as part of a strategy, but for many authorities are developed on an ad-hoc basis responding to specific requests for training, for example by public authorities.

Nearly all of the interviewed DPAs providing training focused on the general structure of the GDPR addressed to audiences with little to no experience in data protection. Such training aims to support further self-study or training with the DPA or other training providers. Beyond this, most of the DPAs heavily focus on the innovations of the GDPR compared to the old legislation (national implementations of Directive 95/46/EC (DPD) and others). This includes teaching the new concepts and tools introduced with the Regulation (e.g. the DPIA, sanctions, territorial scope, etc.), the new obligations for data controllers and data processors (e.g. risk-based approach and accountability, data breach notification, etc.), as well as the new rights of the data subjects (e.g. data portability). In these cases, they assume their audience is at least acquainted with previous data protection law and is concerned with transitioning from the old regime to the new.

One of the most relevant differences between DPAs and other trainers is the approach to the operational dimension of GDPR compliance. While DPAs seem to adopt a more theoretical approach for conveying GDPR knowledge, such as the reading, explanation and exegesis of the GDPR text, DPO trainers tend to focus on the practical aspects of the new legislation. For example, how to conduct an adequate DPIA, the impact of the GPDR on contracts with suppliers and clients, how to update the documentation on data transfers, how to record processing activities (data registers), the function of binding corporate rules, and the practical obligations for the newly-appointed DPOs. This difference is reflected in the topics that interviewees told us should be covered in training materials. DPAs prioritised the legal basis of the GDPR, as well as the role of the regulator, and the rights of data subjects, whilst non-DPA trainers prioritised operational matters such as technical and institutional measure for protecting personal data.

A very limited number of DPAs determine the scope of their training activities based on requests from their trainees, a very common approach in the private sector. Combined with a relative lack of systematic feedback collected by DPAs from training sessions, potentially leaves DPA training at some distance from its potential users. A very limited number of DPAs did however report organising bespoke training for specific industries, such as the financial sector, the health sector, or the public education sector.

**What is currently missing from training material?**

Our study of collected training materials found that, in general their content is mostly relevant and up-to-date. However, it must also be noted that a few of the collected general guides are so theoretical, that corporate and organisational stakeholders will likely have to look elsewhere to find more operative, practical guidance on how to comply with the GDPR. Additionally, the collected material doesn’t really cover the full regulatory environment. While guidelines usually follow the structure of the GDPR and therefore cover all of its content, most of the remaining materials deal with single topics, such as Data Protection Impact Assessments (DPIAs), DPOs, or the rights of data subjects, and therefore leave other GDPR innovations to be dealt with in other materials issued by the same DPA. This likely supports a user browsing for guidance or information on a specific topic, who already has a general grounding.

Unfortunately, we found a general lack of systematic approach in training on the full GDPR system: indeed, in none of the collected materials any reference was found to the other data protection law in force, such as Directive 2002/58/EC (ePrivacy Directive) or similar. Furthermore, an extremely limited number of materials contained real life examples, case studies or scenarios.

Another missing element in a lot of collected materials, including from DPA, is any mention of the training methodology. DPAs are producing lots of material based upon the relevant legislation, but this material can only rarely be considered training material with a pedagogic design. It appears the working model is that this training material is being produced by people who might deliver this as training, using their own experience, and then it is made public. Additionally, a lot of material did not meet accessibility guidelines related to disabilities.

While many materials address the topic of international data transfers, very few of them approach data protection from a truly international perspective. Nearly all the materials address almost exclusively a certain Member State and are drafted in the language of that Member State. The interviews revealed, for example that the materials issued by the UK Information’s Commissioner’s Office (ICO) were quite often taken into account by practitioners in other Member States. ICO may or may not have issued them having foreign recipients in mind, and this may become a challenge if the UK diverges from EU data protection law in the future. The same goes for other materials issued by countries whose language is spoken or understood abroad, and for regulators in countries with many multinationals, whose guidance becomes relevant across borders.

**STAR training materials**

STAR is tasked with creating new GDPR training materials to meet the training needs of the sector, and address some of these challenges, and we’ve been working on developing those over the preceding months. They’re a collaboration between expert academics, a data protection authority and a company with deep expertise in data protection. We’re pleased to announce that the training materials produced by the project are now available, and we invite readers to check them out. They can be downloaded from the project’s website[[6]](#footnote-6). We’re holding a launch event for DPOs the Brussels Privacy Hub on 17th October[[7]](#footnote-7) and a side event for DPAs at the 41st International Conference in Tirana on the 22nd October.[[8]](#footnote-8)

STAR has produced ten training modules, covering the topics of:

* An introduction to the GDPR
* Purposes and legal grounds for processing personal data
* The rights of the data subject and their exercise
* Responsibilities of data controllers and processors
* The role of the Data Protection Officer
* The role of the Data Protection Authority
* Data protection in practice (including technical and organisational measures)
* Risk management in the GDPR context
* Data Protection Impact assessments
* Data protection communication
* GDPR related laws and special provisions.

Each of the training modules contains guides on the teaching approaches to use, support for the trainer, links to additional supporting material and resources, and guidance to adapt the modules to different audiences. To support the training materials, we’ve also produced accompanying forms such as attendance sheets and evaluation forms. STAR is also finalising a training handbook, which contains detailed guidance on how to make the best use of the STAR training modules, as well as a as well as a checklist of criteria for assessing the quality and comprehensiveness of other GDPR training. We hope that the training materials address challenges in GDPR training, including correcting myths and misperceptions, and coping with a variety of audiences.

We’re publishing all these materials under a creative commons license. Our hope is that people find a use for this material, but also that people start to customise these slides for their own industry sector, or for the specific legal system in their own countries, or even translate them into their own languages. If people want to share these back with us, also under a creative commons license, we can host them on the STAR website and keep building a common resource.

STAR also has a sister project – STAR II – which instead of focusing upon training practices, uses a similar approach to understand the efforts that EU data protection authorities have been making to support small and medium enterprises in their GDPR compliance, as well as the experiences and challenges faced by SMEs themselves. STAR II will produce guidance for DPAs on how to engage with SMEs and a handbook for SMEs to support them in GDPR compliance.

1. https://lsts.research.vub.be/ [↑](#footnote-ref-1)
2. https://www.naih.hu/index.html [↑](#footnote-ref-2)
3. https://trilateralresearch.co.uk [↑](#footnote-ref-3)
4. http://www.phaedra-project.eu/wp-content/uploads/PHAEDRA2\_D1\_20150720.pdf [↑](#footnote-ref-4)
5. The full results of this exploratory study can be found at:

   https://projectstareu.files.wordpress.com/2018/06/star-d2-2-report-on-the-findings-of-the-interviews-v1-1-final.pdf [↑](#footnote-ref-5)
6. https://projectstareu.wordpress.com/training-materials/ [↑](#footnote-ref-6)
7. https://brusselsprivacyhub.eu/events/17102019.html [↑](#footnote-ref-7)
8. https://privacyconference2019.info/conference/side-events/ [↑](#footnote-ref-8)