



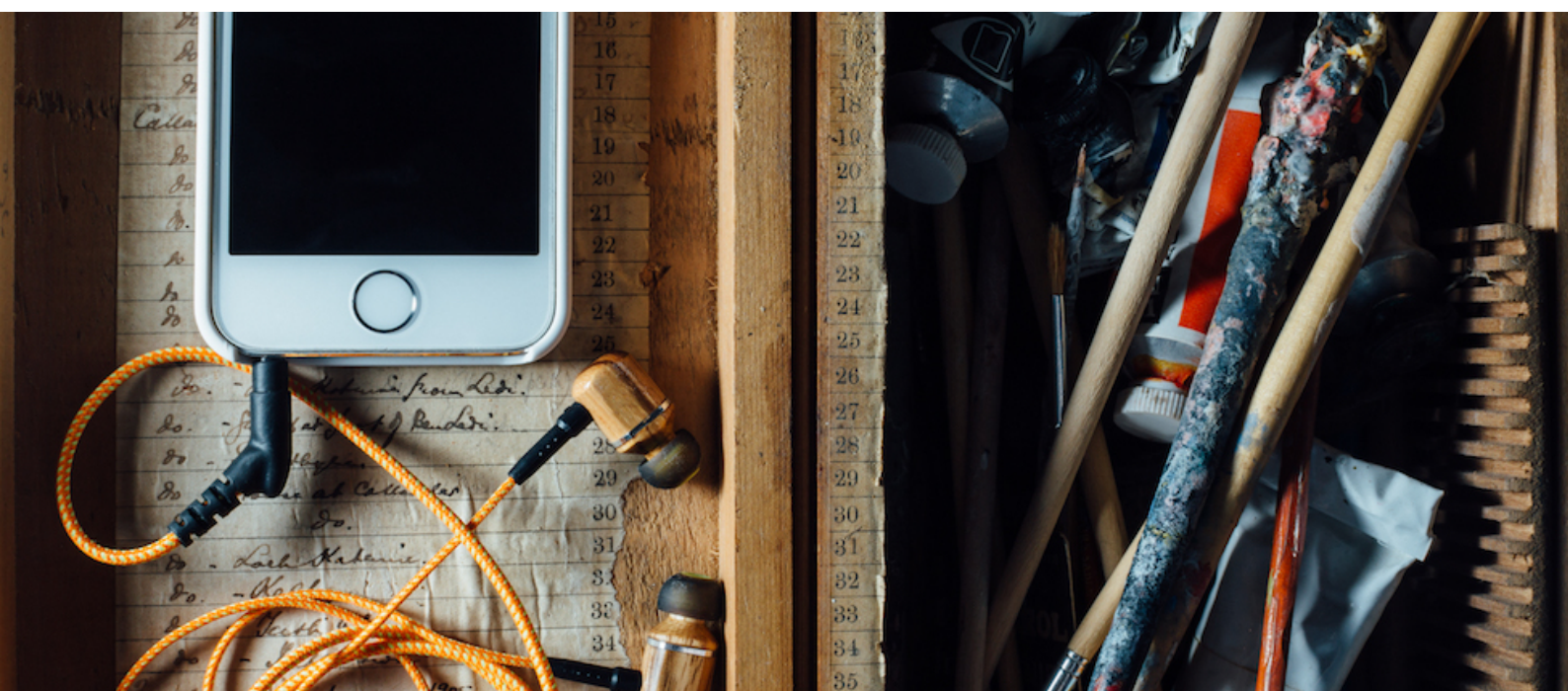
STAR

SUPPORT TRAINING ACTIVITIES ON THE DATA PROTECTION REFORM
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STAR Training materials requirements

Deliverable D2.4

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Background to the STAR project

The STAR project (*Support Training Activities on the data protection Reform*) is providing support to the training activities of European Union (EU) Data Protection Authorities (DPAs) and data protection officers (DPOs) on the EU data protection reform, especially the General Data Protection Regulation (GDPR).

The GDPR requires these two categories of data protection actors to undertake training activities (Arts 57(1) and 39(1)(b)). Each DPA developing such materials in isolation increases the overall cost, risks undermining the harmonising effect of the GDPR and puts greater pressure on its consistency mechanisms. STAR will thus provide them with necessary and efficient training materials and resources. In particular, STAR will:

- 1) formulate the training topics in close cooperation with stakeholders,
- 2) author the actual training materials,
- 3) validate and test them in pilot trainings.

This output will be freely and publicly available in a digital form. STAR is directly addressed to EU DPAs and DPOs; it also offers a benefit to other privacy professionals in the EU and beyond.

STAR supports the legal obligations of DPAs and DPOs to undertake training activities and, in order to facilitate their work, will provide them with ready-made, easy-to-customise and easy-to-run training materials, easily adaptable to specific training situations. STAR will also provide to the European Data Protection Board (EDPB) the common training programmes (Art 70 GDPR). The main outputs are thus the training materials and resources themselves. While their exact format and nature will be refined in cooperation with stakeholders, the following will at least be included:

- 1) Training scenarios for each training category,
- 2) A Seminars' Topics List, based on the training scenarios,
- 3) Seminar Material for each one of the seminars,
- 4) Webinars (selected from the Seminars' Topics List),
- 5) A training Handbook,
- 6) A takeaway reference GDPR checklist,
- 7) A ten-point GDPR introductory list.

Executive summary

This deliverable presents the finalised detailed list of the training materials to be developed by the STAR project, as well as detailed requirements for those materials.

In the next phase of the STAR project, the consortium will develop training and subsequently validate training materials for use by Data Protection Authorities and Data Protection Officers (DPO). This deliverable is therefore the reference guide for developing this training material, and these training materials should (at least in their first iteration prior to testing with end-users) reflect these requirements.

The first section of the report sets out the guiding assumptions for the training materials and rationale for these, as well as the general requirements that apply across all of the training materials, regardless of format. Guiding assumptions include focus upon EU law, language, the anticipated trainers and trainees, delivery formats (face to face and online), structure, temporal relevance and dissemination. General requirements include customisability, practicality, fostering discussion, and modularity.

The second section sets out the seminar topics lists upon which training materials will be developed, provides the rationale for their selection, and identifies key sub-topics to cover and pertinent issues. The seminar topics are:

- Introduction to the European Union Data Protection regime
- 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 authority
- Data protection in practice: technical and organisational measures
- Risk-based approach in the GDPR
- Data protection impact assessments
- Data protection communication
- Its not just the GDPR – GDPR related laws and special provisions

The third section sets out the requirements for the various specific types of training materials – seminar material (including presentations), webinar, training handbook, GDPR compliance checklist for data controllers, and one-page introduction to the GDPR.

List of Abbreviations

DPA	Data Protection Authority
DPO	Data Protection Officer
EU	European Union
GDPR	General Data Protection Regulation (Regulation EU 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data)
STAR	Support Training Activities on the data protection Reform

1 Introduction

This deliverable presents the finalised detailed list of the training materials to be developed by the STAR project, as well as detailed requirements for those materials. In the next phase of the STAR project, the consortium will develop training and subsequently validate training materials for use by Data Protection Authorities and Data Protection Officers (DPO). This deliverable is therefore the reference guide for developing this training material, and these training materials should (at least in their first iteration prior to testing with end-users) reflect these requirements. A provisional list of training materials was provided as part of the STAR project's proposal, and this deliverable sets out the results of the validation/challenging of this list based upon the findings from STAR's stakeholder analysis activities (including interviews with DPAs, DPOs and other expert practitioners, and a critical review of existing training material as recorded in D2.2 Report on the findings of the interviews¹). The aim has been to align the initially proposed list with the needs of stakeholders and ensure that the STAR training materials are useful and usable for their intended audiences.

The first section of the report sets out the guiding assumptions for the training materials and rationale for these, as well as the general requirements that apply across all of the training materials, regardless of format.

The second section sets out the seminar topics lists upon which training materials will be developed, provides the rationale for their selection, and identifies key issues to cover and pertinent issues.

The third section sets out the requirements for the various specific types of training materials.

2 Guiding assumptions and General requirements for STAR training materials.

2.1 Our assumptions about the training materials

The following set of assumptions guide the development of the STAR training materials. They have been assessed against the stakeholder perspectives:

- STAR training materials will be focused upon EU law.
 - Although training materials that included all relevant national legislation were desired by stakeholders², developing 28 version of the training materials is out of scope of the project.
 - It will be the task of the recipients to adapt and customise the STAR GDPR training materials to their particular legal systems.
 - STAR will facilitate this by:
 - including spaces in the training materials for trainers to include national considerations, and prompt them to include such considerations (for example, in seminar training slides, there could be blank sections and time in the session devoted to delivering them), or to check if such issues apply to their context.
 - using a spread of national and contextual case studies and examples throughout the training material.
- Training materials developed under STAR will be aimed exclusively at the GDPR.

¹ Marchetti, F., & Barnard-Wills, D., *Report on the findings of the interviews*, STAR Project Deliverable 2.2, May 2018.

² Ibid, p.22

- There was feedback from interviewees that they wanted training material on data protection more broadly, and all relevant legislation that might apply³, this is however out of scope for the STAR project. The project is however aware that there are other legislative instruments that sit adjacent to the GDPR.
 - In several of these cases, there is ongoing legislative reform and the final status of this legislation is unknown, and cannot therefore be included in the structure of the training material – For example the proposed ePrivacy Regulation⁴ and the proposal for reform of Directive 45/2001.⁵
 - The project will consider GDPR in relation to the wider European framework and reserves the decision to introduce this into the training material based upon legislative progress and relevant to the topic of training material.
- The training material will include reminders that other EU, national or sectoral legislation might apply. For example, it might indicate the ongoing ePrivacy and 45/2001 reforms.
- The project will make sure that diverse sectors and types of organisation are represented across the case studies used in the training material.
- Training materials will be developed in English.
 - End-users will be encouraged to translate this material into their national language(s) as they need it. The STAR interviews clearly demonstrate demand from stakeholders in the Member States for GDPR materials in national languages, particularly in relation to areas where trainees need to understand compliance requirements.
 - End-users will be invited to provide the STAR project with translated versions of the STAR materials, which STAR will then be happy to make available on its website.
- Trainers (the recipients of the training materials) will be DPA staff and DPOs who should be considered domain experts in data protection, including both an EU and national dimension⁶ (although their audiences/participants will not be).
 - The aim of the training materials is to significantly reduce the overheads and difficulties of assembling and delivering GDPR training sessions by domain experts, not to replace these experts.
 - The GDPR requires these two categories of data protection actors to undertake training activities (Arts 57(1) and 39(1)(b)).
 - As experts, the users of the training materials can and will modify these materials (STAR cannot anticipate all situations, but it is aiming for wide-as-possible coverage and usability).
 - STAR will provide guidance on how they could be adapted.

³ Ibid, p.26

⁴ European Commission, Proposal for a Regulation of the European Parliament and of the Council concerning the respect for private life and the protection of personal data in electronic communications and repealing Directive 2002/58/EC (Regulation on Privacy and Electronic Communication). Com(2017) 10 Final, Brussels, 10.1.2017.

⁵ European Commission, Proposal for a Regulation of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) 45/2001 and Decision No.1247/2002/EC, COM(2017) 8 final, Brussels, 10.1.2017.

⁶ The STAR stakeholder interviews were primarily conducted with these categories of stakeholders and they spoke from a position of experience. Some DPOs were relatively new to the role themselves and were looking to further professionalise their experience base. It is possible that the STAR materials, being publicly available, may be used by trainers with no previous experience or knowledge of the GDPR, but this is not the user group for which they are being designed.

- Trainees exposed to the STAR materials will have various levels of experience, from no previous knowledge of the GDPR, to experienced data protection professionals looking for practical strategies, or to adapt their practices to the new requirements emerging from the GDPR.⁷ The STAR training materials should encompass this diversity.
 - We can anticipate trainees to frequently be problem-centred rather than subject-centred in their learning.⁸ They are likely to be looking to the training for the solution to some particular problem or challenge, not out of general interest in the topic. In the context of the GDPR they are likely pre-occupied with learning about new developments, and ensuring that their activities (be that data processing, or producing guidance and management around data processing) are compliant with the law and do not expose them or their institutions to risk. They may be actively engaged in thinking about these processes.⁹
 - The training topics, structure and materials should be developed with an objective of meeting the learners' needs, not just assuming from a lawyer's or a DPA's perspective what they think people need to know.
 - The trainers will ultimately be responsible for adjusting the training material to the level of expertise of the training recipients, but STAR should provide guidance on this, and highlight points in the materials where they can be abbreviated or expanded.
 - Fry et al¹⁰ provide several observations that are relevant for the training material to be developed in STAR.
 - Learners experience the same teaching in different ways.
 - Learners will approach learning in a variety of ways and the ways that content is delivered by affect their learning approach.
 - Prior knowledge (existing data protection knowledge, case-based experience) needs to be activated.
 - Learners need to engage with why they are learning so that transformation and internalization can occur.
 - Learners bring valuable experience to learning.
 - Learners taking a discipline that is new to them may struggle to think in the appropriate manner.
 - Teachers need to be aware of the impact of cultural background and beliefs on learner behaviour, interpretation and understanding.
 - Feedback and discussion are important in enabling the teacher and learner to check that accommodations of new understanding are "correct".
 - Formal and informal discussion of what is being learnt in a peer (small) group can be a powerful learning tool.
- General and introductory level training material on the GDPR is already available (although the quality is mixed)¹¹, and whilst STAR's material must inevitably cover some general aspects, specific, focused training material is therefore particularly desirable for stakeholders.

⁷ Marchetti & Barnard-Wills, *Report on the findings of the interviews*, STAR Project Deliverable 2.2, May 2018, p. 17

⁸ Knowles et al, 1984

⁹ Solbrette, T.D., Englund, T., Karseth, B., & Beck, E.E, "Educationing for Professional Responsibility: From critical thinking to deliberate Communication, or why critical thinking is not enough" in Trede, Franziska, & McEwen, Celine (Eds) *Educating the deliberate professional: Preparing for future practices*. Springer, 2016.

¹⁰ Fry, H., Ketteridge, S. & S. Marshall, *A handbook for teaching and learning in higher education: Enhancing academic practice (3rd edition)*, Routledge, Abingdon and New York, 2009.

¹¹ Marchetti & Barnard-Wills, *Report on the findings of the interviews*, STAR Project Deliverable 2.2, May 2018, p. 14.

- The training materials will be delivered in face-to-face training sessions.
 - Face to face training remains common and in-demand with all data protection stakeholder groups.¹² It was identified as useful, effective and an efficient way of introducing trainees to the materials as well as the best format for fostering interaction and discussion. It also had other benefits for DPAs including building working relationships. Designing STAR training materials for face-to-face delivery integrates them with existing working practices for DPAs and DPOs and increases their likelihood of being used.
 - The effective delivery of training in this field is strongly influenced by several logistical factors in addition to the inherent nature of the training and the pedagogic strategies. This includes, for example, the time that trainees can take to receive training, travel to and from training locations.
 - Training material should be developed that can fit within the time and logistical limits of face-to-face sessions.¹³

- The training materials may also be used for online training (webinar or e-learning).
 - Some DPAs and DPOs interviewed were either making use of, or exploring the use of, online training platforms and approaches.¹⁴
 - STAR should support these activities by producing content that is usable in online training, in addition to face-to-face.
 - Training material might therefore be encountered by trainees without the scaffolding of a classroom training session (for example, they are provided with a Power Point slide deck to review at their own pace).
 - A review of evidence on e-learning in the workplace suggests that e-learning provides a potential route by which to counter the twin barriers of time and geographic isolation, is found effective by learners in formal employment (as STAR recipients will be) but is strongly mediated by the perceptions of the learners. It also found that best practices to ensure effective learning in these contexts was not yet settled.¹⁵

¹² Marchetti & Barnard-Wills, *Report on the findings of the interviews*, STAR Project Deliverable 2.2, May 2018, p. 25

¹³ Ibid, p.13 "In terms of length of the training, there is a general understanding that a general, foundational GDPR training to set the bases for future trainings or for self-study may be carried out in around one working day (7 hours with breaks). However, this preparation would not equip the trainee with the tools to work independently without further study. The 2- or 3-day format is preferred by the majority of DPAs and other stakeholders for external training, as they claim it allows them to provide an adequate substantive preparation in a time that is respectful of logistics and other aspects (travel time to and from the venue, time away from normal job roles for trainees). Concerning internal training, they tend to be shorter in terms of hours or days. Seminars may last up to 4 hours, but a few DPAs tend to organise shorter sessions, however distributed over a wider period of time (akin to continuous professional development). Finally, a small number of DPO trainers offer a more structured, typically 1-week training that leads to some sort of certification, such as DPO certification or GDPR professional certification."

¹⁴ Ibid, p.19 "[Interviewees] provided several examples of innovative and alternative training, both as a wish for the consortium to explore these areas and as an ambition for them to realise these trainings in the future. They mentioned webinars, online platforms, video series (especially with operative content and practical examples), live-chats, case studies, and Q&A sessions."

¹⁵ Carroll, C., Booth, A., Papianoannu, D., & Sutton, A., "Experiences of E-learning and its delivery among learners who work: a systematic review", in Poel, R. & van Woerkom, M. (Eds), *Supporting Workplace Learners: Towards evidence-based practice*, Springer, 2011. On the limits of existing research, see also Ifenthaler, Dirk, *Digital Workplace Learning: Bridging Formal and Informal Learning with Digital Technologies*. Springer, 2018.

- However, finding some method to create a sense of virtual community amongst learners appears to contribute towards making such training more effective.¹⁶
- The trialling of the training materials within the project should include this aspect.
- Video presentation might be a useful way to deliver the training (e.g. topic 8). But compared with Power Point slides or webinars, video materials are difficult for DPAs to translate into their local language and will be difficult to customise to reflect local laws or industry-specific considerations. STAR material should therefore be designed to be potentially converted into video format (e.g. by recording a presentation) but it not itself native video.
- STAR training materials will be structured around a set of key topics arising from the GDPR.
 - Alternative methods of structuring the materials were suggested in the interviews - for example, breaking up by industry sector or size of the group being trained.¹⁷ However, the topic approach still provides the best balance of general applicability and relevance, for the effort available. It also provides a straightforward hook for users to locate appropriate materials.
 - The detail of the GDPR topics is detailed below in section Three.
- The STAR materials should remain relevant in the mid-term future
 - We suggest that STAR training materials are designed for longer term use and do not inherently focus upon what is “new” in the GDPR, but rather on what is important, complex or otherwise requires training material.¹⁸
 - Many current training materials and practices focus upon what is new about and/or being changed by the GDPR (for example, data protection impact assessments, new rights and obligations, right to be forgotten, data portability, definition of high risk processing). This follows from the timeframe of the GDPR entering into force . Data protection professionals wish to appraise themselves of the changes in order to understand the impact upon their work.
 - Over time, this priority should be expected to change, as new professionals enter the field and require training, without any working experience of, for example Directive 95/46/EC.¹⁹
 - However, the selection of topics (section Three below) has been influenced by what is novel about the GDPR.
 - Similarly, the training materials should take account of new guidance and opinions from the data protection authorities and the European Data Protection Board as they emerge through the development process.
- The STAR training materials will be made freely available under a Creative Commons Attribution license (CC BY).
 - Interviewees were supportive of the creation of freely available, harmonised GDPR training materials.²⁰
 - This license lets others distribute, remix, tweak, and build upon STAR’s work, even commercially, as long as they credit STAR (or in specific cases individual authors) for the original creation.

¹⁶ Davidson-Shivers, G.V., Rasmussen, K.L., & Lowenthal, P.R., Web-Based Learning: Design, Implementation and evaluation.

¹⁷ Ibid, p.13.

¹⁸ Ibid, p.20

¹⁹ Ibid, p.20.

²⁰ Ibid, p.24

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- As such the project must ensure that it has appropriate rights to use any images in the training in this manner.

2.2 General requirements for the training materials

Based upon the stakeholder analysis with DPAs and DPOs, the following general requirements have been identified. These requirements apply across the training materials to be developed by STAR:

- The format for each training material should be **editable and customisable**, and ready for localisation to enable DPAs/DPOs to amend as required (for example, for them to add own logos and trademarks, but also institutional design languages – e.g. corporate colours and fonts) and otherwise interact with as they wish.
 - Content should be re-usable and re-purposable by STAR end-users. For example, DPOs indicated a desire for content that can be adapted and re-used within their organisation.²¹
 - The material may also be made available in “finished” or publishable versions with STAR branding for direct and immediate use where customization is not required.
 - Developers of training materials should seek graphic design support in order to ensure materials remain editable.
- The training material should be **easily understandable**. It should:
 - Avoid the use of legal jargon, where possible, and explain any necessary specialised terminology.
 - Define key concepts and terminology.
 - Make good use of graphical elements to support written text.
- The training materials should make as much use as possible of **practical examples and case studies**, as these were demanded by GDPR stakeholders²² and their use is supported by educational theory²³
 - Such cases can include synthetic case studies, generated to highlight specific issues or teaching points, but real case studies are particularly desired.
 - Case studies promote vicarious experience for learners.
 - Case studies in the PHAEDRA II repository may be particularly useful for such purposes, especially where an international dimension is necessary.²⁴
 - The International Law Library may also provide useful case studies.²⁵
- The training materials should provide **practical guidance and instructions** (for example, how-to instructions, Frequently-Asked-Questions lists, to-do lists, best practices, templates and tools).
- Practical exercises for trainees should be included where possible.
- Material for interactive sessions should be designed to include, **facilitate and encourage discussion** sessions and interaction between participants. Interaction was strongly identified by stakeholders as a key source of learning and sharing of experience.

²¹ Ibid, p.

²² Ibid, p.25

²³ Clark, Ruth, "Accelerating Expertise with Scenario-based learning", Training and Development, January 2009. <http://www.clarktraining.com/content/articles/ScenarioBasedLearning.pdf>

²⁴ <http://www.phaedra-project.eu/leading-cases-documents/>

²⁵ <http://www.worldlii.org/int/special/privacy/>

- Topics should be **stand-alone and self-contained** (although with links between them) so that they can be used in a modular manner.
 - Many DPAs indicated that much of their training was ad-hoc and adapted to audience need.²⁶
 - We should anticipate that trainers will use some of the STAR material, but not assume that they use all of it.
 - This means that repetition of information between material is acceptable (but should be consistent).
- Training material should **acknowledge the STAR project and its funding**.
 - (“This material was developed by the STAR project, www.project-star.eu. (*Support Training Activities on the data protection Reform*; 2017-2019) and was 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.”)
 - Guidance for the use and display of the European Union flag in relation to this acknowledgement can be found at: <https://ec.europa.eu/easme/en/communication-toolkit>
- STAR materials should comply with **accessibility** guidelines and best practices. Including for particular formats in which they are presented.²⁷
 - Users should not be prevented from making use of STAR materials because of visual or other disabilities. Creating harmonised training material that does meet these guidelines is a significant value-addition for STAR.
 - DPAs and DPOs should be assisted in the production of accessible training materials for their trainees, as currently this is noticeably lacking.
- STAR materials should be compatible with the free-to-use versions and open source equivalents of presentation and document software as well as with the commercial market leaders.

²⁶ Marchetti & Barnard-Wills, *Report on the findings of the interviews*, STAR Project Deliverable 2.2, May 2018, p. 11

²⁷ The assessment of existing GDPR training material from various sources, conducted by the STAR project found that very little of this material meets current accessibility best practices. See, *Ibid*, p. 16

3 Seminars topic list

The following section sets out the ten-plus-one topics upon which STAR will develop seminar training materials. This list was compiled by comparing the prioritized lists of topics from data protection authorities and other training stakeholders that emerged from the interviews the STAR consortium conducted²⁸ (taking high priorities from both, as well as topics that occurred on both lists) identifying “must-have” topics on a logical basis. A preliminary list was then discussed and revised by all partners in the STAR consortium. The result is a list of modular topics which can be drawn upon to build a larger course on the GDPR.

3.1 Topic 1: Introduction to the European Union Data Protection Regime

Summary: An introduction to EU Data Protection focused around the GDPR, assuming that recipients have no previous knowledge in this area. It would provide a general overview of the field and introduce key legislation, definitions, as well as an overview of the GDPR concepts and its compliance requirements in terms of actions to be undertaken.

Includes subtopics: Basics of GDPR, including legal framework and key concepts (e.g. concept of personal data), key principles, overview of operative requirements; privacy and personal data protection as fundamental rights, including their functioning, distinction and rationale; related rights and concepts (e.g. ethics); general introduction to the personal data protection regulative norms (key European data protection laws, guidelines and best practices); new EU rules, e.g. GDPR, pending reforms and their implications for EU/EEA Member States; novelties brought to the fore: accountability, risk-based approach.

Rationale for inclusion: Although many DPAs have basic guidance on the GDPR and other introductory presentations on the GDPR are widely available, a basic introductory overview was seen as a requirement by many interviewees.²⁹ The quality of some of these existing offerings is mixed. A topic on the basics of GDPR can be used to start sessions that then move to other specialist areas, and give a holistic overview. Trainers do not want to do away with the general elements because they feel it is an important precursor to specialised training, and for holistic understanding.

Additional considerations for this topic:

- This topic may be delivered at a more introductory level than the other topics and to a more diverse audience of non-specialists.
- A condensed version of this topic could be used as a starting point for more advanced participants, or appended to other topics as a refresher.
- The general training may be adapted to include specific issues (from other topics) at higher level of detail because the trainer has identified these topics as a priority for that organisation (e.g. going into more detail on data breach identification and notification procedures).
- This topic is a strong candidate for an introductory webinar and will also be important for the summary document also for the introductory training handbook (sections 4.2 and 4.5 below).
- If delivered in class, this training could last about half a day.

3.2 Topic 2: Purposes and legal grounds for processing personal data

Summary: Explores the main principles and various legal bases for the processing of personal data. Assists trainees in understanding their options in this space, including what is and what is

²⁸ Marchetti, F., & Barnard-Wills, D., *Report on the findings of the interviews*, STAR Project Deliverable 2.2, May 2018, pp.16-18 and 20-23.

²⁹ *Ibid*, p.21

not permitted, and which are the most appropriate legal grounds for their data processing. It also allows them to understand the approach they should have to GDPR compliance as a whole, due to the fact that the entire system is significantly based on these rules.

Includes subtopics: Article 6 GDPR "lawfulness of processing", principle of lawfulness, concept of personal data, Purpose limitation; consent; legitimate interest; Processing of special categories of data, personal data regarding minors, legal grounds for data processing in the workplace, personal and non-personal data; re-use of personal data collected for other purposes.

Rationale for inclusion: Core topic, functional for the acquisition of knowledge on the other obligations contained in the GDPR, DPA and DPO priority from interviews.³⁰

Additional considerations for this topic:

- Would strongly benefit from various case studies from different industries or sectors of the economy.
- These examples would regard the activities of public and private organisations online, as well as the processing of special categories of data, such as medical data, both in business activities and in research.
- This topic is suitable for a Power Point presentation, as well as for a webinar or a practice-based, group case study.

3.3 Topic 3: The rights of the data subject and their exercise

Summary: Explores the rights of the data subject in relation to the processing of their personal data, how organisations have an obligation to respect these and good practices to implement those rights in data processing. This material will help trainees to understand and protect the rights of data subjects and build systems and structures to help data subjects exercise their rights and minimise their exposure to enforcement actions of administrative and/or contractual/tortious nature.

Includes subtopics: GDPR Chapter III, transparent information and communication, right of access, right of rectification, right to object, right to erasure (right to be forgotten), right to restriction, notification obligation, data portability, rights in relation to automated data processing, including profiling, international data transfers.

Rationale for inclusion: Core topic, DPA priority(particular for DPAs with a focus upon principles, concepts and new rights in the GDPR)³¹, novel elements in GDPR that lead to a significant additional burden for organisations in the public and private sectors.

Additional considerations for this topic:

- Strongly benefits from good, real-world case studies of how to build data processing systems that respect data subject rights (e.g. allow for easy and straightforward data portability, etc).
- Suitable for Power Point presentations and Webinar. Suitable for case studies if combined with topic 4.

3.4 Topic 4: Responsibilities of data controllers and processors

Summary: Explores the obligations of data controllers and processors in terms of transparency with data subjects and authorities, organisational measures to ensure compliance with the legislation, and actions to be undertaken in case of pathological situations, such as data breaches. It also explores the new principle of accountability, a cornerstone of the GDPR regime.

³⁰ Ibid, p.21

³¹ Ibid, p.22

Includes subtopics: GDPR chapter IV, responsibilities of the data controller, responsibilities of the processor, joint controllers, privacy-by-design and by default, notification duties, liaison with the supervisory authorities, register of the processing activities, responsibilities relating to sensitive personal data, etc. Negotiating the relationship between data controller and processors.

Rationale for inclusion: core topic, complementary to the rights of the data subjects, necessary to organisations to plan, achieve, and maintain GDPR compliance. DPA priority.³²

Additional considerations for this topic:

- This topic is not highly suitable for trainees new to data protection
- Would strongly benefit from an active audience, capable of sharing their organisations' situations, problems, and best practices with the other trainees.
- Similarly, it would benefit strongly from case studies of real-world arrangements between controllers and processors if these can be obtained.
- This topic is suitable for a Power Point presentation, as well as for a webinar or a practice-based, group case study.

3.5 Topic 5: The role of the Data Protection Officer

Summary: Explores one of the most relevant changes in the new regime, which is the obligation for some organisations to appoint a Data Protection Officer (DPO), a corporate role tasked with facilitating compliance with the GDPR provisions. It gives an overview on when and how to appoint one, and what DPOs are tasked with.

Includes subtopics: Responsibility of public authorities and private organisations to appoint a DPO, background requirements, functions, roles and activities, competencies, liaison with DPAs, outsourcing, training/becoming a DPO.

Rationale for inclusion: DPO priority topic (DPOs and potential DPOs are looking for high quality training in their role³³), DPA priority topic, GDPR novelty, in need of clarification due to a mixed perception of DPO as an unnecessary cost and a nuisance for management in a company.

Additional considerations for this topic:

- Needs to be well tailored to avoid misunderstanding with trainees of legal systems in which a DPO was established under national law in the previous regime
- It is challenging for case studies and practical examples due to the recent introduction of this figure
- Suitable for a Power Point presentation and for a webinar.

3.6 Topic 6: The role of the Data Protection Authority

Summary: Explores the role and responsibilities of the key regulator under the GDPR, the Data protection authority. How can the DPA be of assistance to other data protection professionals? Trainees will be able to understand the role of the DPA and how it likely interacts with their organization, how best to approach and work with the DPA and what can be expected of it.

Includes subtopics: Roles and powers of DPAs, EDPB composition, function, and legal powers, one-stop-shop principle, sanctions and enforcement, international dimension of the DPA role. DPA/DPA relations.

³² Ibid, p.21

³³ Ibid, p.22

Rationale for inclusion: DPA priority topic ³⁴, mainly useful for DPOs to ensure that organisation's officers are aware of the support DPAs can give them and that sanctions are not their only prerogative

Additional considerations for this topic:

- We anticipate that DPAs will probably either not use this presentation or that they will heavily customize it according to their own institutional perspective and strategies. However, DPOs will benefit from the overview and a “neutral” source might be valued.
- This training material can clarify the role of DPAs for trainees, ie.g. showing how DPAs not only there to supervise/sanction, but can also help (for example in the context of providing advice to SMEs).
- Adequate for Power Point presentation or webinar. Also adequate for a video.

3.7 Topic 7: Data protection in practice: Technical and organisational measures

Summary: explores one of the main subtopics of the responsibilities of data controllers and processors to give depth to one of the main instruments to ensure compliance with the new system, equipping trainees with the adequate knowledge to direct the implementation of these measures by technical experts in their organisation.

Includes subtopics: Security of processing, information security, data minimization, anonymisation, pseudonymisation, Privacy-Enhancing-Technologies, data protection by design and by default, encryption, protection from intrusion, protection from loss, audit, penetration testing, how these measures impact liability.

Rationale for inclusion: DPO priority (high demand throughout all interviews with DPOs for practical guidance that could be applied in their organisations)³⁵, key importance to ensure the safeguard of the rights and freedoms of data subjects, operational cornerstone.

Additional considerations for this topic:

- Should be specific, case-based.
- It should bring practical help to companies, including forms, excel matrixes, etc.
- Inadequate for a single power point presentation or a video or a webinar. Adequate for a combination of ppt, auxiliary documents, and group knowledge sharing.
- Will make significant use of other existing instruments – e.g. ISO standards for information security and similar.

3.8 Topic 8: Risk-based approach in the GDPR

Summary: Explores the change of approach and culture in public and private organisations. Changing corporate cultures around processing of personal data. How does DPIA fit in. Ethics and correct approaches beyond, simple compliance. Accountability and transparency.

Includes subtopics: data protection by design and default, accountability, transparency, data protection audits, gap analyses, DPIAs and the assessment of risk, role of the data protection registers.

Rationale for inclusion: it provides further training on how to approach the GDPR. Although the purpose of this topic is not practical it builds upon practical aspects of the new regime to ensure key stakeholders understand how their organisation should tackle data protection compliance.

Additional considerations for this topic:

³⁴ Ibid, p.22

³⁵ Ibid, p.22

- Suitable for either Power Point, webinar, or even video presentation.

3.9 Topic 9: Data protection impact assessments

Summary: The GDPR introduces a new requirement around particular types of processing of personal data – the Data Protection Impact Assessment (DPIA). Essentially, for certain types of personal data processing that can be considered to pose a high risk to the rights and freedoms of data subjects, a data protection impact assessment exercise must be conducted prior to starting that processing. This training material will introduce data protection impact assessment to the trainee, provide them with a methodology approach for conducting a DPIA.

Includes subtopics: The DPIA concept; DPIA triggers; defining and identifying “high risk” processing; when and how to conduct a DPIA; validating DPIA results, the role of management and DPO, publishing a DPIA, usefulness for DPAs.

Rationale for inclusion: DPA priority topic³⁶, DPO priority topic, GDPR novelty. Cornerstone of the accountability principle.

Additional considerations for this topic:

- Should not be reduced to mere cybersecurity exercise but should include importance of the considerations of rights and freedoms of data subjects, including the consequence for them of a potential data breach based on the nature of the personal data processed in the company.
- Methodological framework for conducting a DPIA – How-to guide.
- Should identify and point to existing EU and sector-specific guides to DPIA.
- Adequate for ppt combined with excel files or other tools, such as the CNIL guidance.

3.10 Topic 10: Data protection communication

Summary: Much of the regulatory regime around data protection involves requirements for various forms of communication, for example, notifying affected parties and authorities in the case of data breach, or providing adequate information to data subjects so they can give informed consent to data process. This communication can be done well or done poorly, and this topic guides trainees in understanding their communications obligations and how to execute them.

Includes subtopics: communicating with data protection authorities, communicating with data subjects, privacy policies, accountability and compliance, transparency, publication of impact assessment reports, codes of conduct, data protection seals.

Rationale for inclusion: Data breach notification practices and procedures was a DPO priority topic³⁷, which the consortium has extended to cover all sorts of communications in data protection, to ensure organisations are prepared to enact an appropriate communication and dissemination strategy. "How to respond to data subjects' requests" was also a DPO priority topic.³⁸

Additional considerations for this topic:

- Include examples of best practices for communication
- Include examples of how DPAs expect communication
- Potential overlap with responsibilities of data controllers and processors and with rights of the data subject, but many of the good practice examples in this area are well addressed together.

³⁶ Ibid, p.22

³⁷ Ibid, p.21

³⁸ Ibid, p.22

- Adequate for regular training materials but also for videos and podcasts.

3.11 Topic 11: It's not just the GDPR - GDPR related laws and special provisions

Summary: The GDPR does not stand alone but is rather accompanied and impacted by other EU legislation, national data protection legislation and decisions, and sectoral legislation. This training material works on embedding GDPR into the context of business and organisations by helping the trainees better understand these connections.

Includes subtopics: data protection in medical, banking finance, education, marketing industries, ePrivacy directive and regulation, data protection in the law enforcement context, other sectoral regulation that may be impacted by data protection, e.g. forensic activities, e-commerce, social media; data protection in employment.

Rationale for inclusion: strongly indicated by stakeholder interviews³⁹, necessary to give a broad idea of the GDPR positioning in the wider data protection context and in other contexts.

Additional considerations for this topic:

- 4-6 case studies could be added to each topic based on the sectors identified here. also, sector-specific national laws could be listed in each topic (to allow trainers to find the most suitable case studies/legislation to their audience)
- The presentation for this section would be quite lengthy in comparison with its intended time duration, on the assumption that users would remove parts that were not relevant for their trainees.

³⁹ Ibid, p.15

4 Training material specifications

4.1 Seminar material specification and requirements

For each of the above seminar topics, STAR will produce:

Presentations

- A presentation in MS Power Point format (time can vary according to the format, but a one-hour timeslot seems consistent across the ongoing training, longer sessions can be built up from one-hour modules)
- Presentations should be annotated to support the presenter / and allow self-directed reading. Providing a good level of background information is important, because even though we assume an expert trainer, the level of expertise varies, and harmonisation of training is a project goal.
- Presentations should have elements that can be cut/reduced or expanded by the presenter to account for the different levels of expertise of trainees.
- Presentations should follow best practice and guidelines in terms of accessibility:
 - Power Point: <https://support.office.com/en-us/article/make-your-powerpoint-presentations-accessible-6f7772b2-2f33-4bd2-8ca7-dae3b2b3ef25>
 - PDF: <https://helpx.adobe.com/in/acrobat/using/create-verify-pdf-accessibility.html>

Reading material for participants

- Collection of freely accessible material appropriate to the topic (e.g. DPA guidance, Article 29/EDPB Opinions on the topic, text of the Regulation), quality-checked by the consortium.
- Links to further reading and online resources identified and quality-checked by the consortium.

Trainers instructions - guidelines to support the trainer in delivery of the material, but that would not be given to the trainees. These can be provided as either a separate document or added as notes to the presentations. These instructions should include:

- Aims and objectives of the seminar
 - Intended learning outcomes
- Pedagogic strategies and guidance
- Notes on timing
- Approaches towards difficult or commonly misunderstood sections
- Guidance on adapting presentations to differing levels of experience of trainees.
- Methodology for feedback processing

Operational forms which can be used by the trainers to support the hosting and delivery of the training session. These would be created in generic, modular format to be edited as required by the trainer.

- Invitation letter – describing the content, purpose and intended learning outcomes of the training session.
- Participants list – Including data protection consent form
- Feedback form – a structured form, built along sound methodological basis, to allow the trainer to gather feedback on the delivery and suitability of the training session. Could include insight that would be valuable to STAR.
- Invitation poster / web announcement - – describing the content, purpose and intended learning outcomes of the training session.

4.2 Webinar specification and requirements

STAR will produce a complete, ready-to-teach webinar based upon one of the above training topics – most likely the introductory topic 1. Webinars can suffer from problems such as distracted or "multitasking" participants but were seen by STAR's stakeholders as being a useful supplement to face-to-face training, particularly in terms of making efficient use of resources and scaling well. For many purposes, whilst not as effective as face-to-face training, they were seen as sufficient ("good enough") for general introductions to GDPR and GDPR requirements for non-specialist staff in the company, such as front-desk officers.

- Existing GDPR/Data protection webinars identified by STAR tended to run between 30 to 90 minutes, and the STAR webinar will fit into this timeframe, but should last no more than 60 minutes. If the material to be delivered in the webinar cannot be condensed into the 60 minutes timeframe, the webinar will be broken up into multiple, separate sessions.
- STAR will explore solutions for hosting this webinar, through online e-learning platforms, or through simpler hosting solutions, such as Slideshare or YouTube.
- The webinar should be distinct from a simple narrated presentation. The latter does not take advantage of the strengths of the webinar and is not an effective learning strategy.
 - The webinar should therefore include participation, for example, questions for the participants, exercises or polls.
 - However, the webinar will likely be recorded and re-used by non-interactive passive viewers, and the script should take this into account (for example, suggesting activities for "those of your watching this as a recording").
- STAR will develop an accompanying brief presenters-guide and -script for the webinar
 - As the presenter's script for a webinar should not simply mimic what is displayed upon screen⁴⁰, the webinar will include both a presentation and a presenter's script. The speaker's notes should take into account timings (including for transitions) and the presence of animation/slide transitions or other elements (e.g. video) as well as logistical elements (demonstrating and explaining any relevant webinar tools, responding to participant questions).
 - It will also include guidance on delivering a successful webinar (e.g. the use of dedicated host/facilitator in addition to the presenter, conducting a trial/dry-run before the webinar).
- Virtual presentations require fairly rapid slide-transitions or movement (every 20-40 second) in comparison with face to face presentations in order to retain audience attention. Otherwise, standard best practices for slide design should apply.
- Webinars should make effective and frequent use of graphical elements.
- The webinar should include opportunities for interactivity (opening exercise, polls, questions, discussion points), including a closing discussion.
 - Best practices suggest opportunities for interaction every four minutes or so.
 - Closing exercises can help participants recognise what they have learned.
- Webinars allow little time for in-depth explanations.
- Webinar should also put learners towards further sources of information and additional STAR material (e.g. further reading, and the other material detailed below) will be bundled with the webinar to be given to trainees after the session.

⁴⁰ Clark, Ruth Colvin, & Mayer, Richard, "Applying the modality principle: present words as audio narration rather than on-screen text", in Clark & Mayer (Eds) *E-learning and the science of instruction: Proven guidelines for consumers and designers of multimedia Learning*: Third edition. " 2012.

4.3 Training Handbook specification and requirements

STAR will develop a short handbook for trainers delivering training on the GDPR, and in particular those trainers making use of the STAR training materials. Whilst each of the STAR presentations (see 4.1 above) will include individual guidance, this handbook provides guidance and support across the range of materials.⁴¹

The objectives for the text are:

- To provide trainers with guidance on using the other STAR materials.
- To provide trainers with additional knowledge around GDPR training that has been gathered by the STAR consortium, including through the stakeholder interviews and the trails of the STAR materials.
- To sensitise trainers to issues that may emerge in GDPR training
- Provide pedagogic support to trainers who may lack previous training experience (e.g. a DPO).

The handbook is not intended to contain all the factual content on the GDPR, this will reside in the seminar material for each of the topics above (e.g. in presentations).

The text:

- Will be 10-15 pages in length.
- should include:
 - Introduction
 - Challenges in GDPR training
 - Best practices in GDPR training
 - F.A.Q from GDPR training
 - Description/overview of the STAR materials
 - Using the STAR materials
 - Individually
 - As a complete training course
 - Guidance on adapting the STAR materials to a trainers specific
 - Organisation;
 - Industry; or
 - Country;
- The handbook will be provided in .doc format to enable its editing and re-use within organisational environments and as a completely formatted PDF in STAR branding for immediate dissemination and use.
- An initial draft version of the handbook will be developed in Workstream 3 and then insights from the testing of the training materials will be included in the handbook as part of Workstream 4.
- The handbook will not be printed by STAR.

⁴¹ The STAR interviews (D2.4) found that from the existing training materials the project was able to access, there was little-to-no support on training methodology, pedagogic strategy or approach. (p.15) This may be a factor that much of this training has been developed by the trainers themselves for their own purpose and based upon their own experiences, and they feel little need to write these concepts down and associate them with their training material. As STAR is creating material to be used by trainers, it should also support this material and be able to explain the design decisions taken in its development from a pedagogic perspective.

4.4 GDPR Compliance checklist for data controllers specification and requirements

STAR will develop a short checklist document for data controllers (one to two pages). The questions on the checklist will be designed to assist the data controller in achieving compliance with the requirements of the GDPR.

The checklist will likely include:

- Assessing on whether the GDPR applies;
- Having a legal basis for processing
- Understanding the data held and processed by the organisation
- Checking whether procedures are adequate to fulfil duties towards data subjects
- Having appropriate security and organisational measures in place
- Deciding to appoint a DPO and details about their position in the company
- Understanding relationships with data processors
- Checking whether data breach response systems are in place
- Assessing whether data transfers occur, if they are lawful, and how they are managed

4.5 One-page introduction to the GDPR - specification and requirements

STAR will develop a single-page introduction to the GDPR document that is generic, applicable to all and aimed at wide dissemination.

It is intended to be disseminated with other STAR training materials a quick reference, but also to serve the function of a quick precis. This document would primarily be intended for DPOs to provide to other non-specialist staff who may have some engagement with the GDPR but who do not need an in-depth knowledge of the legislation. This might include staff in roles that do not intersect with personal data and even senior management in organisations that do not process significant amounts of personal data. The audience is effectively staff that may have heard the term "GDPR" but who have no further knowledge than this.

The summary will include:

- The origin of the law in the EU and the rationale for its development
- Its applicability (the people and places that it applies to).
- A definition of personal data
- A summary of the rights of the data subject
- An explanation of what a data breach is
- Link to the legislation and other next steps for information
- Major impacts or changes
- And other topics, as appropriate.

The text will include blank space for the DPO to insert their own contact information, allowing the one-page document to serve as a reminder of the point of contact within the organisation for any data protection issues, and as a call-to-action for the recipient to follow-up any further data protection concerns or questions with specialists. This space may also be used to promote training within the organisation (for example, based upon the STAR training materials).

The one-page summary will be provided in .doc format to enable its editing and re-use within organisational environments and as a completely formatted PDF in STAR branding for immediate dissemination and use.

The one-page summary will not be printed by STAR.