

# Meet Osborne Clarke's GDPR for HR team



**We recognise that HR teams are increasingly responsible for handling large amounts of personal data and that navigating complex data protection legislation can be tricky.**

It is important that your team understands how to handle all personal data in compliance with the UK GDPR and employee rights. Our expert GDPR for HR team is well versed in all aspects of employment related data protection law – we can assist your HR team in ensuring UK GDPR compliance across all employment related matters and provide tailored training on these issues.

**Please contact one of our experts or click on the icons to find out more:**



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**Our experts have a wealth of experience and can work with your businesses to navigate this tricky area. Click on the icons to find out more or contact one of our specialists.**



**Talking Heads:**  
GDPR for HR network

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## Data subject rights

Responding to data subject requests under the UK GDPR (such as data subject access requests (DSARs), erasure requests, portability requests etc.) can be an expensive and time consuming process. On top of that, if carried out incorrectly, requests can result in enforcement action (including large fines) being taken against your business.

Our team is on hand to guide you through every stage of the relevant process to help you determine where efficiencies can be made without sacrificing on accuracy and without increasing litigation/regulatory risk. Click [here](#) for more information on our DSAR offering.

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## Diversity data

Being data ready is the fundamental starting point to any successful diversity initiative. Such initiatives are increasingly vital to gaining the trust of employees, applicants and investors. However, the sensitive nature of diversity data means that your processing methods must comply with a number of additional requirements under the UK GDPR. If rolling out such programmes internationally, you will also need to find a balance between globally consistent data and compliance with local law and customs. Our experts, in collaboration with our overseas colleagues and best friend network, can advise you on the best international approach to the collection of diversity data in light of the specific purposes for which you propose to use the data.

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## Health data

Keeping records of employee health data has proved vital in ensuring the continued health and safety of employees (e.g. throughout the COVID-19 pandemic). However, health data collection and retention practices should always be balanced against the need to ensure any processing remains necessary and proportionate.

We can assist your business in handling employee health data in a UK GDPR compliant manner, while enabling you to keep your workforce safe.

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## Employee monitoring and surveillance

With ever increasing investment in new and varied monitoring methods to track employees behaviours, activities, productivity and health – this is set to be a continually evolving area in terms of data protection legislation.

Osborne Clarke's GDPR for HR team is here to assist your business in keeping up with developments and to take steps to reduce regulatory risks when implementing new monitoring and surveillance procedures (including biometric monitoring).

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## Data retention

Compliance with data retention requirements is challenging due to the significant variation in statutory retention periods across jurisdictions and differing types of information.

Our team regularly advises on best practice when it comes to records management and retention of HR data.

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## Data security & breaches

With the security of data under ever increasing scrutiny and threat, it is crucial that your business is prepared in the event of any incidents involving employee data or where an employee causes a data breach.

Osborne Clarke has a market leading team which can assist with all aspects of the response to any data and cyber security incidents, including running an investigation under privilege (with external forensics support where necessary), dealing with any responsible employees, taking steps to recover lost data, regulatory reporting and advocacy, and dealing with any follow-on litigation.

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## Overseas employment

Employee requests to work from abroad on a permanent basis present employers with an ideal way to retain or attract qualified labour and talent. Before agreeing to this type of regular, cross-border remote work, both parties should consider the legal issues surrounding employment, immigration, health and safety and data protection law, as well as social security and taxation.

Our experts can advise you on all relevant legal issues should you consider permitting employees to work from abroad.



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## Privacy information and risk assessments

Our team is on hand to help review and draft data protection provisions in employment and consultancy agreements and all necessary policy documents, notices, employee communications and risk assessments to ensure that your business is fully UK GDPR compliant. We regularly draft policies and notices including data protection policies, CCTV policies and staff privacy notices (inclusive of retention practices information). Our team is also well versed in “data protection impact assessments” where required due to high risk processing activities and “legitimate interests assessments” – we can either draft on your behalf or provide templates with helpful guidance for completion.

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## International data transfers

We recognise that it will often be necessary (e.g. as part of a cross-border working arrangement) to transfer employee data outside of the UK. However, the UK GDPR places strict requirements on employers where they seek to do so.

Our team can advise you on how best to facilitate these transfers in compliance with the evolving post-Brexit international data transfer framework.

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## Background checks

The legal position where employers seek to carry out background/criminal record checks on prospective and current employees is a complex one. Given the sensitive nature of the personal information being collected, the data protection requirements on employers are particularly strict.

Our GDPR for HR team is well versed in best practices when conducting background/criminal record checks and can advise you on the steps you can put in place to help reduce the associated risk and support compliance with data protection laws.

In addition to the UK team of employment lawyers advising on GDPR and data related issues, our wider data protection team advises on the full range of data protection, security, cyber and privacy related issues. These range from dealing with the impact of privacy legislation on your business generally, to addressing the complexity of international data transfers, to dealing with requests from data protection regulators. Above all, we can help you take advantage of the growing number of opportunities around data, and enable your business to take advantage of opportunities to commercialise its data assets.

Our market leading capabilities and expertise has also been recognised with Osborne Clarke named as one of only 25 elite firms in the list of the world's best data law firms researched and compiled by Global Data Review in the recent GDR 100 2022. It is the only global ranking that captures the capabilities, track record and market reputation of the leading firms – and the first data law ranking that does not exclusively focus on data protection and privacy. [Read more.](#)

In partnership with the [European Company Lawyers Association \(ECLA\)](#), we have released a new report exploring the challenges and opportunities associated with data-driven business models. The increasing complexity and scope of data and digital regulation means that legal teams in businesses across all sectors will need to build new skills and encourage a “hands-on” proactive mentality. [Download the report.](#)

## Osborne Clarke in numbers

1080+

talented lawyers

working with

300+

expert Partners

in

26

international locations\*

advising across

8

core sectors

with insight into

3

Transformational trends

driven by

1

client-centred approach

## Our locations around the world

### Europe

Belgium: Brussels

France: Paris

Germany: Berlin, Cologne, Hamburg, Munich

Italy: Busto Arsizio, Milan, Rome

The Netherlands: Amsterdam

Poland: Warsaw

Spain: Barcelona, Madrid, Zaragoza

Sweden: Stockholm

UK: Bristol, London, Reading

### USA

New York, San Francisco, Silicon Valley

### Asia

China: Shanghai

India\*: Bangalore, Mumbai, New Delhi

Singapore

Osborne Clarke is the business name for an international legal practice and its associated businesses. Full details here: [osborneclarke.com/verein/](https://osborneclarke.com/verein/)

\*Services in India are provided by a relationship firm

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