

GDPR for HR



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.

Click on the icons overleaf to find out more about the services that our employment specialists provide.



Talking Heads:
GDPR for HR network



GDPR for HR



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.



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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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Whistleblowing and data

Whistleblowing practices are increasingly scrutinised globally to ensure employees are adequately protected when they “speak up” in respect of internal misconduct or malpractice. In the UK, whistleblowers have long been protected by the Employment Rights Act 1996 and the Public Interest Disclosure Act 1998 and the more recent EU Whistleblowing Directive, which has a broader scope, requires businesses with 50 or more employees in EU Member States to establish internal channels for whistleblower complaints. Across the EEA, organisations must also comply with data protection requirements under the GDPR when processing personal information collected from whistleblowing hotlines and similar rules apply in the UK. Compliance with local whistleblowing and labour laws must therefore be addressed hand in hand with local data protection requirements and our team can help to navigate this.



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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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AI in the workplace

The workplace is experiencing a significant rise in the use of AI by both employers and employees. To streamline operations and enhance decision-making processes, employers are deploying AI systems to complete tasks such as data analysis, automation and customer service. Likewise, employees are utilising AI (particularly generative AI and chatbots) to augment their capabilities, enabling them to work smarter and more effectively. When procuring an AI tool, data protection is paramount and ensuring the tool complies with data privacy laws and safeguards customer and employee information is essential for maintaining trust and legal compliance.

Our team can assist by providing legal and strategic advice to ensure compliance with AI-related regulations (including data protection laws) and effectively integrating AI into their operations.



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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.



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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; we are ranked as the number one European-headquartered legal practice for data and related services in the 2024 edition of the GDR 100 and ranked at number six in the overall global table of law firms. The GDR 100 is the only global ranking that captures the capabilities, track record, and market reputation of the leading firms advising on data. [Read more.](#)

Contacts

Meet your team. Click photo for full biography:



Olivia Sinfield
Partner
T +44 20 7105 7480
olivia.sinfield@osborneclarke.com



Amy Moylett
Senior Associate
T +44 118 925 2140
amy.moylett@osborneclarke.com



Julia Deacon
DSAR Paralegal Manager
T +44 117 917 4324
julia.deacon@osborneclarke.com



Dong Malwal
Paralegal
T +44 20 7105 7657
dong.malwal@osborneclarke.com



Johnson Chan
Paralegal
T +44 20 7105 7417
johnson.chan@osborneclarke.com

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1

client-centred approach

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