

# Minutes of General Data Protection Regulation (GDPR) Issues Committee Meeting 18

19 December 2019 | 10:00 – 12:00

Teleconference

Status of the Minutes: Approved

## MEMBERS PRESENT

Helyn Mensah	HM	Chair	Kulwinder Johal	KJ	Committee Member (Wholesaler)
Caroline Gould	CG	Committee Member (Wholesaler)	Arabella Prothero	AP	Alternate for Abigail Morgan
David Oliver-Sheppard	DO	Committee Member (Wholesaler)	Trevor Nelson	TN	Committee Member (Retailer)
Michelle Coglán	MC	Committee Member (Retailer)			

## OTHER ATTENDEES

Huw Comerford	HC	Secretariat / MOSL	George Monea	GM	Secretariat /MOSL
Stuart Boyle	SB	Observer/MOSL	Oliver Robins	OR	Observer/MOSL
Andrew Johnson	AJ	Observer/MOSL			

## APOLOGIES

--	--	--	--	--	--

## 1. Welcome and Introductions

- 1.1. The Committee Chair welcomed attendees to GDPR Issues Committee meeting 18 and also welcomed Oliver Robins and Andrew Johnson to the meeting.

## 2. Minutes and Outstanding Actions

- 2.1. The Committee approved the minutes for GDPR meeting 16 and GDPR meeting 17.
- 2.2. The Committee agreed with the approach for the outstanding actions and to close actions:
- G12\_A01;
  - G13\_A06;
  - G14\_A08, G14\_A09, G14\_A10, G14\_A14;
  - G16\_A01, G16\_A02, G16\_A03, G16\_A04, G16\_A05, G16\_A06, G16\_A09, G16\_A10; and
  - G17\_A01, G17\_A02, G17\_A03, G17\_A08.
- 2.3. The Chair asked Committee members if they had experienced communication issues internally with their Contract Managers/Data Protection Officers (DPO) regarding CPW073. A Committee member confirmed that they had but that this was not the fault of the Market Operator (MO) and steps have been taken internally to avoid this issue in the future.
- 2.4. A Committee member suggested adding DPO's as part of the contact list when consultations are issued in the future. The Secretariat agreed to investigate offline; adding the DPO's as part of the contact list for future consultations.
- G18\_A01**
- 2.5. Another Committee member enquired with the Secretariat who its DPO is. The Secretariat agreed to investigate this offline and respond to the Committee.
- G18\_A02**
- 2.6. The Chair noted that the Secretariat would need to circulate DLA advice regarding G16\_A11 with the Committee on the basis that it was requested by the Committee.

**G18\_A03**

### 3. Review of Koola Consulting Supplemental Report and Selection of Security Standards

- 3.1. HC presented the ranking of security standards (1. NIS; 2. PASS 555; 3. CIS and 4. ISO27001) alongside the rationale from Koola Consulting.
- 3.2. The Committee unanimously agreed they were happy with the four standards provided and their rankings.

### 4. Review of CPM019 – GDPR Data Security Standards Draft Recommendation Report

- 4.1. HC presented the report and explained that it had received a few minor amendments from a Committee member which had been actioned.
- 4.2. Jason King, from Koola Consulting, had provided rationale in his report and the Committee discussed inclusion of this rationale in the Draft Recommendation Report for CPM019.
- 4.3. The Committee agreed to include the rationale, provided by Jason King, for NIS in the Draft Recommendation Report apart from the last 2 bullet points (GDPR18\_02\_05 - Attachment E - Koola Consulting Supplemental Expert Report; Summary; NIS table). The Committee agreed to include the full rationale for PASS 555, CIS and ISO27001.
- 4.4. Following discussion, and having referred to the Security of Network and Information Systems Regulations 2018, Schedule 2, the Committee agreed to redraft the first sentence of the Committee rationale for selecting NIS (GDPR\_18\_02 CPM019 DRR, Section 3.1, NIS Standard, page 5) by including the following wording: ***'This is a standard that Wholesalers are currently obligated to comply with in relation to network and information systems which are essential for supply of potable water, and as such they will have experience and knowledge of this.'***
- 4.5. The Committee agreed unanimously not to consult as the changes were advisory only and placed no additional obligations on Trading Parties.

- 4.1. HC presented the legal drafting for CPM019 and advised that no comments had been received before the meeting. A Committee member suggested using United Kingdom regulations as a reference for NIS rather than the European Union regulation. It was agreed to keep what the expert had referenced in his report, however the Secretariat suggested they check this with DLA. The Committee agreed with the suggested approach and were happy to follow guidance from DLA on this point.

G18\_A04

- 4.2. The Committee agreed unanimously to recommend the DRR to the Panel subject to the amendments discussed at the meeting. The Secretariat would circulate the final draft to the Committee prior to submission.

G18\_A05

## 5. Natural Persons

5.1. GM presented this agenda item.

5.2. The Committee discussed if the 'Microbusinesses' definition should be removed from the document as it introduced ambiguity. Following discussion, it was decided that GM would work with AJ to update the caution on Microbusinesses in the Natural Persons guidance document and recirculate to the Committee.

**G18\_A06**

## 6. AOB

6.1. There was no AOB therefore the Chair concluded the meeting.

6.2. It was confirmed that the next Committee meeting would be in January and that the dates for the March meeting will be circulated shortly after the meeting.

## Actions

- **G18\_A01** – Secretariat to investigate creating a DPO circulation list for future consultations.
- **G18\_A02** – Secretariat to investigate whether MOSL has up to date DPO contact information for Wave.
- **G18\_A03** – Secretariat to circulate DLA advice regarding G16\_A11 to the Committee.
- **G18\_A04** – Secretariat to contact DLA for clarification on whether United Kingdom or European Union regulations should be referenced regarding NIS in the report for CPM019.
- **G18\_A05** - Circulate final draft of CPM019 prior to Panel paper day.
- **G18\_A06** – Secretariat to consult with AJ and update caution on Microbusinesses in the Natural Persons guidance document.