Mind the gap: the responsibility to remember in the GDPR era

Long-term Digital Preservation for GDPR Compliance

Gareth Aitken
Session Highlights

- What is GDPR? (as if you didn’t already know)
- The responsibility to remember
- Why digital preservation matters to GDPR
- Meeting the challenges
- Next steps
GDPR What is it?

Explicit & implicit requirements to **know** & **manage** your data
GDPR Who does it apply to?

GDPR is extraterritorial and extends to wherever data is managed – including in the cloud.
GDPR What information may be impacted?

- Pension files
- Insurance policies
- Mortgages
- Client files
- Investment portfolios
- Property deeds
- Wills and trusts
- Employment service records

- Military service records
- Health care records
- Copyrighted works
- Immigration and naturalization papers
- Social care

All are long-term commitments & obligations
Digital information subject to GDPR compliance that is older than 10 years is at risk.
“As formats change, software is retired and hardware becomes obsolete, the data that organizations might want to keep can be lost forever.”

Gartner
What about the right to be forgotten?

Article 17  Right to erasure
Article 5  Principles relating to processing

Nottage (n.)
Nottage is the collective name for things which you find a use for immediately after you’ve thrown them away

Douglas Adams & John Lloyd
The Windrush arrivals

Landing card slips were destroyed in order to comply with *an interpretation of* data protection laws.

What if the cards had been digitised & preserved?
...the Responsibility to Remember

American Family Immigration History Center

Preservica
Active digital preservation
Responsibility to Remember vs. Right to Forget

We must meet both needs
No single function or role owns GDPR compliance or digital preservation

Gartner
Digital Preservation by Design
What does Digital Preservation by Design mean?

**Organizational infrastructure**
- Governance and viability
- Organizational structure and staffing
- Procedural accountability and preservation policy framework
- Financial sustainability
- Contracts, licences, liabilities

**Digital object management**
- Acquisition of content
- Archival storage
- Preservation planning
- Data management
- Administration
- [Secure] Access management

**Risk management**
- Technical infrastructure risk management
- Security risk management

ISO 14721:2012– Open archival information system (OAIS) -- Reference model
Future-proofing digital assets of unique strategic, historical and brand importance

“We needed a system that could help us govern information over the long-term, and also integrate with our existing systems in order to give us a single, cohesive view of our most important information assets.”

Tina Staples, Global Head of Archives
Create a trusted long-term repository

- Content acquisition from multiple sources
- Active migration to new file formats
- Full audit trail back to original
- Secure, authenticated access & discovery
- Automated records disposition
- GDPR ready

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ISO 14721 OAIS
ISO 27001 ISMS
Develop an IM Ecosystem to Sustain Privacy

Holistic application integrations support classification, search, defensible disposition and long-term digital preservation

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Next Steps

Mind the gap, identify the information you need for the long-term

Leverage IM & effective solutions to address GDPR and protect your information

With the right to be forgotten comes a responsibility to remember
Thank you

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