

Role Profile

Role Title	Senior Data Protection Lawyer
Role (Job) ID	NPGCS16
Directorate	Services
Reports to	Chief Services Officer
Role type	<input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Fixed Term <input type="checkbox"/> Secondment <input type="checkbox"/> Contract
Line Manager responsibilities (Yes/No)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Level	19
Location	2 Thomas More Square, London. Reasonable travel.
Organisational Context	<p>Pay.UK maintains and develops the UK retail payment systems and standards that are core to the economy being able to function on a day-to-day basis.</p> <p>From Bacs to Faster Payments and cheques – we act as the single operator for all UK retail payments. We put the needs of consumers and businesses at the heart of everything we do, working in the public interest to ensure that the systems the country relies on for its banking transactions are safe, open, innovative and resilient.</p> <p>Our payment systems underpin the services that enable funds to be transferred between people and institutions. In 2018, the UK’s retail payment systems processed 8.8 billion transactions worth £7 trillion through Bacs Direct Credit, Direct Debit, Faster Payments, and cheques.</p> <p>Every day, individuals and businesses use the services we provide to get their salaries, pay their bills and make online and mobile banking payments. Our vision for the future is to enable a vibrant economy, with Pay.UK delivering the best-in-class payment infrastructure and standards for the benefit of consumers and businesses nationwide.</p>

This document is intended to describe Pay.UK’s current thinking as to its subject matter. Please note in particular that the information contained in it is subject to change as new information comes to light and ideas are developed – without limitation, this may involve new or amended principles or the addition of detail; consistent with the above, it is issued for discussion purposes only and does not reflect any firm or final decision; to the extent that any decision is taken in relation to the subject-matter of this document, it will be communicated in accordance with Pay.UK’s policies and regulatory requirements but note that by subsequent decision, it may be amended; it does not give rise to any legal rights or obligations.

	<p><u>Directorate:</u></p> <p>The General Counsel’s Directorate provides legal advice and counsel to enable Pay.UK and each of its Directorates to meet their regulatory, statutory, legislative, commercial and strategic obligations. It also supports Participants of Pay.UK products and services with general guidance relating to their obligations under contract, law or regulation.</p> <p>The General Counsel’s Directorate also:</p> <ul style="list-style-type: none"> • Co-ordinates and facilitates Pay.UK’s corporate governance and company secretariat function, supporting Pay.UK and NPA Programme Boards (including their Directors), Pay.UK’s sub-committees, its Participant Advisory and End User Advisory Councils, Pay.UK’s executive committees and participant or executive working or operational groups. • Ensures compliance with Pay.UK’s Companies Act responsibilities. • Ensures Pay.UK has appropriate data privacy protection, and GDPR, licensing and trademark advice, as well as having sufficiently robust processes in place to manage data breaches and subject access requests if and when they occur. • Monitors and advises Pay.UK’s Compliance function, within the Risk Directorate, on our statutory and legislative responsibilities and obligations, mapping these against Pay.UK’s strategic direction, business needs and risk appetite. • Provides legal advice and counsel to Pay.UK’s Regulatory Engagement and Policy Directorate on matters requiring a legal interpretation of regulatory rules.
<p>Summary of Role</p>	<p>Ensure that Pay.UK complies with applicable data protection legislation and regulation including the UK Data Protection Act (DPA) 2018 and GDPR.</p> <p>Ensure that the business has proper systems of controls over the personal data that it holds and deals promptly with requests for information, including but limited to subject access requests (SARs) and data breach notification to the UK Information Commissioner’s Office (ICO). Ensures that controls, processes and procedures are in place for on-going compliance with data protection laws.</p>

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Commitment and time period	<input checked="" type="checkbox"/> Full time <input type="checkbox"/> Part time	100	FTE (%)
	Time period: -		
Internal & External Interactions	<ul style="list-style-type: none"> • General Counsel • Board Directors as necessary • Point of contact for regulatory bodies such as the ICO • Pay.UK Directorates (including the General Counsel Directorate) • Participants & Suppliers as necessary • Other senior and external stakeholders (such as colleagues in Compliance, Internal Audit and Risk as relevant) 		
Accountabilities	<p>Principal Accountabilities</p> <ul style="list-style-type: none"> • Identifies and mitigates data protection risks to ensure Pay.UK is compliant with all applicable data protection laws. • Monitors Pay.UK’s group-wide compliance with relevant regulation, e.g. GDPR. • Manages the Pay.UK Data Protection Team (up to 3 direct reports) <ul style="list-style-type: none"> ○ Responsible for the day to day management of the Data Protection Team. ○ Promotes high quality communication between the Data Protection Team, other colleagues in the General Counsel’s Directorate and within the wider Pay.UK business. • Point of contact <ul style="list-style-type: none"> ○ Acts as a point of contact for the ICO on data protection matters. • Policies and Procedures <ul style="list-style-type: none"> ○ Manages Pay.UK’s data protection policies. ○ Implements a program of continuing improvement to ensure that policies remain current and fit for purpose. ○ Ensures that any amendments are made effectively as well as signing 		

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	<p>any material waivers from or instances of non-compliance.</p> <ul style="list-style-type: none">• Incident Logs & Subject Access Requests (DSARs)<ul style="list-style-type: none">○ Investigates and reports on data related incidents.○ Manages the log of data protection incidents and remedial recommendations and actions. Assists with the co-ordination of responses to data breaches and data breaches that require reporting to the ICO.○ Ensures DSARs are dealt with appropriately. Manages / assists with responses to DSARs.• Pay.UK Reporting<ul style="list-style-type: none">○ Provides reports, to evidence Pay.UK's compliance with the Data Protection Act and GDPR and any other related requirements.• Advice and Direction<ul style="list-style-type: none">○ Provides advice (including legal advice as necessary) and direction to the Data Controllers and Processors (internal to Pay.UK and its payment schemes).○ Oversees the implementation of appropriate data protection and data privacy responsibilities within Pay.UK.○ Provides advice and guidance as deemed necessary to employees (including contractors and temporary staff) relating to their roles and responsibilities regarding data protection and other associated legislation or good practice.○ Provides advice as necessary to key stakeholders within the organisation as to the direction, implementation and compliance of future data protection laws.○ Liaises with internal and external auditors to ensure that personal data is included, as appropriate, within an audit programme. Occasional participation in audits may be required.• DPA / GDPR Programme Delivery<ul style="list-style-type: none">○ Leads and oversees Pay.UK DPA / GDPR programme delivery team
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	<p>responsible for DPA / GDPR compliance. Co-ordinates scope of work, deliverables, risk / issues management purpose and delivery of the programme with the payment schemes, UKPA and Pay.UK's change management teams.</p> <ul style="list-style-type: none">● Principles, Policies, Guidance, and Best Practices<ul style="list-style-type: none">○ Manages the development / update of policies and internal guidance relating to the processing of information particularly regarding the DPA and GDPR, to ensure that these are in compliance with the relevant statutory requirements and review / update on an annual basis.○ Manages the development of new policies and best practices with regards to data sharing, either in-house between departments or with other 3rd parties, and sit on groups and forums to represent Pay.UK.○ Ensures written information on data protection is available for provision to stakeholders, workers and other third parties.● Data Flow & Impact Assessments<ul style="list-style-type: none">○ Manages the development and implementation of a mechanism for defining and maintaining data flow maps within Pay.UK, providing advice where necessary.○ Provides advice and is consulted on data protection impact assessments (DPIA) within Pay.UK and monitors its performance and frequency.● Activities & Training<ul style="list-style-type: none">○ Co-ordinates data protection activities and training with information (data) owners and attends such user group meetings as necessary.○ Manages the establishment and maintenance of a register of information (data) owners for sets of information (e.g. paper files, databases) as well as educates the information (data) owners on their responsibilities (what is the data, how is it used, who has access to it).● External Events & Best Practices<ul style="list-style-type: none">○ Keeps fully informed of developments in the field of data protection by attending appropriate conferences and continuing personal
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	<p>development.</p> <ul style="list-style-type: none"> ○ Ensures relevant committees and key stakeholders are informed of new developments and makes recommendations for changes to Pay.UK policies / procedures where appropriate. <p>Additional Duties</p> <ul style="list-style-type: none"> ● Assists with the co-ordination and reporting of data breaches and issues around crisis management, information security, business continuity and disaster recovery as deemed necessary. Acts as a point of contact for the ICO for breach reporting purposes. <p>Other Obligations</p> <ul style="list-style-type: none"> ● Data Protection <ul style="list-style-type: none"> ○ Ensure that policies and procedures are followed in a consistent and uniform manner across the entire organisation. Assisting with monitoring compliance and offering appropriate training where deemed necessary. ○ Ensures compliance with Pay.UK Data Protection policies, processes and all relevant legislation. This includes maintaining specific retention schedules, records of data processing and ensuring that any data protection risks are identified, communicated and mitigating actions put in place. Undertaking periodic monitoring and working closely with the compliance and internal audit functions to ensure on-going compliance with data protection laws. ○ Maintain effective communication on data protection compliance with key stakeholders within the organisation. ○ Identifying section specific data protection risks and assisting with putting in place mitigations.
<p>Knowledge and Experience</p>	<ul style="list-style-type: none"> ● A comprehensive understanding of the practical application of the legislation and official guidance relating to processing information and

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	<p>personal data.</p> <ul style="list-style-type: none"> • Prior extensive / in-depth knowledge of DPA, GDPR and future legislation around data privacy, security and protection. • A well-developed commercial understanding of standards, best practices and governance.
Specific Skills	<ul style="list-style-type: none"> • Highly organised and able to manage a broad range of responsibilities in a fast paced environment. • Excellent communication skills with experience in liaising with senior stakeholders and third parties. • Detail-oriented, self-motivated, independent worker. • Highly professional in attitude and outlook. • Excellent written and verbal skills.
Qualifications and Training	<ul style="list-style-type: none"> • Degree educated in relevant disciplines. • (Desirable) Experience of working in-house in a diverse and rapidly changing organisation. • (Desirable) Qualified Solicitor or Barrister in England and Wales with (as a guide) at least 7 years PQE specialising in data protection. • (Desirable) BCS, The Chartered Institute for IT – Practitioner Certificate in Data Protection. • (Desirable) International Association Privacy Professionals (IAPP), Certified Information Privacy Manager and Certified Information Privacy Europe. • (Desirable) Relevant experience working in the payments/financial services sector.
Competencies	<ul style="list-style-type: none"> • In alignment with Pay.UK competency framework.

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Confirmation

I confirm my understanding and my agreement to the above job description.

Signed: _____

Date: _____



Version Control

Document Owner	General Counsel Directorate			
Version number	1.4			
Governance	Draft: HR	Review: []	Approve: GC	Approval Date:
Review Frequency			Next review date:	
Document reference				

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