



JERSEY DATA PROTECTION AUTHORITY (JDPA)

Meeting No. 31 of the JDPA Held at 5 Castle Street, St Helier, Jersey, JE2 3BT
on 28 October 2024, 09:05 – 10:30 (The Meeting)

MINUTES

Attendees:

JDPA Members (collectively The Authority):

Jacob Kohnstamm (JK) – JDPA Chair
Stephen Bolinger (SB)
Paul Breitbarth (PB)
Elizabeth Denham (ED)
Helen Hatton (HH) (from 09:55)
Gailina Liew (GL)
Paul Routier (PR)
Paul Vane (PV) – Information Commissioner (non-voting)

Invitees:

Anne King (AK) – Operations Director, JOIC
Claire Le Brun (CLeB) Finance Director, JOIC

Apologies:

None

JDPA Secretary:

Angela Marshall (AM)

1.0 Call to Order

The JDPA Chair called The Meeting to order.

The JDPA Chair noted that the Meeting was quorate.

APPROVAL

The Meeting Agenda was **Approved** by the Authority.

Business of the Meeting

Introductions

The Chair opened the Meeting, welcomed the Attendees and introductions took place.

1.1 Declarations of Interest

The Chair asked the Meeting Attendees if there were any new Declarations of Interest to note with it being confirmed that there were no new Decelerations of Interest.

2 Items for Approval

2.1 Review and Approval of Minutes

The draft Minutes of Meeting No.30 of 21 August (the Draft Minutes) had been circulated to the Meeting Attendees for review prior to the Meeting being held.

The Meeting considered the Draft Minutes and requested minor amendment subject to which, the Draft Minutes were approved.

APPROVAL: The draft Minutes of Meeting No. 30 of 21 August 2024 were approved.

3 Board Governance, Operations and Procedures

3.1 Audit and Risk Committee

It was noted that HH as Chair of the Audit and Risk Committee (ARC) had cause to send apologies in her being unable to attend the ARC meeting that had taken place 23 October 2023 and that PB had acted as Chair in her absence.

PB proceeded to give an update to the Meeting on the matters that ARC had discussed which included:

Q3 2024 Management Accounts

PB presented to the Meeting the Q3 Management Accounts to 30 September 2024 (the Q3 2024 Management Accounts) and gave an overview of same with the following being noted:

Income remains a key concern for 2024 with factors such as the economy having a negative impact on business growth.

The position of funding from the Government of Jersey (GoJ) in connection with the data protection fee model is not as yet resolved and communications with GoJ in respect of same remain ongoing. The knock-on effect of not receiving funding from GoJ continues to be of concern and impacts negatively on JOIC's operating costs.

ARC is recommending the Q3 2024 Management Accounts to the Authority.

APPROVAL: The Q3 2024 Management Accounts were approved by the Authority.

PB reported to the Meeting that the contract of an independent contractor was due for renewal detailing that in accordance with expenditure thresholds, Authority approval was required. The Meeting went on to consider the range of expertise and quality of services provided by the independent contractor along with costs.

ARC is recommending to the Authority the renewal of contract of the independent contractor.

APPROVAL: The renewal of contract of the independent contractor was approved by the Authority.

External Auditor Appointment

PB explained to the Meeting that Tenders had been received in connection with the appointment of external auditor to the JDPA, to undertake audit on an annual basis.

PB further detailed that work had been conducted in conjunction with the Comptroller and Auditor General, Jersey (the C&AG) to refine the invitation to tender.

After evaluation, Baker Tilly had been considered to have presented the preferred proposal.

In accordance with the tender process, ARC on behalf of the JDPA put forward a recommendation to the C&AG to appoint Baker Tilly, Jersey as external auditor to the JDPA for audit period year ending 31 December 2024 through 31 December 2026 (with the option to extend for two financial years) (the External Auditor Appointment).

Approval: After due thought and consideration, the recommendation from ARC to the C&AG in respect of the External Auditor Appointment is approved by the Authority.

3.4 Governance Committee

GL as Chair of the Governance Committee gave an update on matters that the Governance Committee had considered which included:

Committee Membership

GL detailed that JK served as a member of the Governance Committee and post JK's imminent retirement, there would be a vacant position on the Governance Committee (the Vacant Governance Committee Membership Position). GL requested that consideration had been given to finding a suitable candidate for the Vacant Governance Committee Membership Position and requested that the Authority consider the approval of SB for same to which the Authority gave consideration.

Approval: SB was approved as a Member of the Governance Committee was by the Authority.

3.5 Remuneration and Human Resources Committee

PR as Chair of the Remuneration and Human Resources Committee (R & HR Committee) noted that they had held a meeting on 25 October 2024.

PR provided an overview of the key points that the R & HR Committee had considered which included review of JOIC staff salaries and further detailed that analysis of JOIC staff salaries had taken place which included external independent review. The R & HR Committee noted that after considering a range of factors such as Jersey inflation rates, the external independent review, overall conditions of the Jersey employment market and affordability in line with the draft budget for 2025, ARC were recommending a 5% salary increase for JOIC staff salaries, effective from 01 January 2025.

Consideration was given as to if the 2025 financial budget plan could sustain the recommended 5% salary increase to which it was confirmed that it was within budget parameters.

Approval: an increase of 5% for JOIC staff salaries 2025 was approved with effect from 01 January 2025 by the Authority.

Information Commissioner

PV as Information Commissioner gave an update on topics that he had been attending to which included:

4.1 Fee Model Update

PV spoke of the continued work that had been undertaken in respect of a revised fee model and that communications with GoJ remained ongoing.

PV confirmed that further updates would be forthcoming.

4.2 Global Privacy Assembly Conference 2024

An update on the Global Privacy Assembly Conference that is scheduled to commence in Jersey, 28 October 2024 (the GPA Conference 2024) was given by PV which included programme content, structure, speakers and panellists.

The Meeting collectively considered the operational side of the GPA Conference 2024 and the timetable of events.

5 Any Other Business

The Authority welcomed Claire Le Brun as Finance Director, JOIC.

6 Chair Handover

The Meeting noted that JK was retiring from his appointment as Chair to the JDPA and thanked him for the service and support that he had given in this role.

The Meeting further noted that ED had been appointed as new Chair to the JDPA for a four-year term with the Meeting welcoming her.

ED thanked the Meeting and confirmed that she looked forward to serving in her role as Chair.

Due to pressing time commitments, the JDPA Chair proposed that the Meeting be adjourned with a view to reconvening on 30 October 2024 (the Meeting Adjournment).

The Authority collectively agreed to the proposed Meeting Adjournment.

The Chair declared the Meeting adjourned at 10:30, to reconvene 30 October 2024.

Meeting No.31 of the JDPA Reconvened on 30 October 2024, at RJ&HS Showground, Trinity, Jersey, JE3 5JP, 13:50 – 14:15 (the Meeting)

Attendees:

JDPA Members (collectively The Authority):

Elizabeth Denham (ED) – JDPA Chair
Stephen Bolinger (SB)
Paul Breitbarth (PB)
Gailina Liew (GL)
Paul Routier (PR)
Paul Vane (PV) – Information Commissioner (non-voting)

Invitees:

Anne King (AK) – Operations Director, JOIC
Jacob Kohnstamm (JK) – Retired JDPA Chair
Claire Le Brun (CLB) Finance Director, JOIC

Apologies:

Helen Hatton (HH)

JDPA Secretary:

Angela Marshall (AM)

Call to Order

The JDPA Chair called The Meeting to order.

The JDPA Chair noted that the Meeting was quorate.

The JDPA Chair reconvened JDPA Meeting No. 31 at 13:50 on 30 October 2024.

Business of the Meeting

Introductions

The JDPA Chair opened the Meeting, welcomed the Attendees and introductions took place.

ED, in her role as newly appointed Chair to the JDPA Chair explained that on 29 October 2024 she, along with JK had opportunity to meet with some members of GoJ.

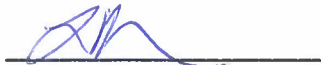
The JDPA Chair proceeded to give to the Meeting a summary of topics that had been discussed during the said Meeting with the Minister and Assistant Minister for Sustainable Economic Development-which had included:

- Agreement of extension of one year to GL's term as a voting member of the JDPA Committee, thus ensuring continuity.
- Ongoing fee model communications.
- JDPA remuneration.

The JDPA Chair reiterated that she looked forward to performing her duties as newly appointed Chair to the JDPA and building on relationships.

The Meeting ended at 14:15

The Authority did not hold an in-camera session.



Elizabeth Denham

Chair

For and on behalf of: JDPA