



JERSEY DATA PROTECTION AUTHORITY (JDPA)

**Meeting No. 34 of the JDPA Held at 5 Castle Street, St Helier, Jersey, JE2 3BT
on 21 May 2025, 09:10 – 12:35 (The Meeting)**

MINUTES

Attendees:

JDPA Members (collectively The Authority):

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

Invitees:

Anne King (AK) – Operations Director, JOIC
Claire Le Brun (CLeB) – Finance Director, JOIC
Steve Wood (SW) – Director, Privacx Consulting (12:00 – 12:30 via video conference call)

Apologies:

Helen Hatton (HH)

JDPA Secretary:

Angela Marshall (AM)

1.0 Call to Order

The JDPA Chair called the Meeting to order.

APPROVAL

The Authority reviewed and approved the Meeting Agenda.

Business of the Meeting

Introductions

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

The JDPA Chair noted that the Meeting was quorate.

The JDPA Chair gave a brief overview of the Meeting content.

1.1 Declarations of Interest

The JDPA Chair asked the Meeting Attendees if there were any new declarations of interest to note with it being confirmed that there were no new declarations of interest.

2 Items for Approval

2.1 Review and Approval of Minutes

The draft Minutes of Meeting No.33 of 19 February 2025 (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 after due thought were subsequently approved.

APPROVAL: The Draft Minutes of Meeting No.33 of 19 February 2025 were approved.

3 Chair Update

ED shared that over the previous two days, PV and herself had met with a broad cross-section of stakeholders in Jersey. These meetings had provided a valuable opportunity to connect, foster collaboration and explore potential areas for future engagement. ED emphasised that these interactions had served as a good foundation for continued relationship building, with further opportunities to engage with other stakeholders going forward.

4 Board Governance, Operations and Procedures

4.1 Audit and Risk Committee

In HH's absence, PB gave an update on behalf of the Audit and Risk Committee (ARC) confirming that an ARC meeting had taken place 30 April 2025 and proceeded to give an update on the matters that ARC had discussed which included:

Q1 2025 Management Accounts

PB presented to the Meeting the JDPA Q1 Management Accounts to 31 March 2025 (the Q1 2025 Management Accounts) and gave an overview of same with the following being noted:

The uncertainty in respect of funding from Government of Jersey (GoJ) continued to be of concern. In line with the reduction of GoJ funding for 2025, JOIC manages its finances carefully keeping expenditure within the operating budget and aligned with priorities.

The Meeting acknowledged that the need for prudent financial management had led to the deferral of staff recruitment for vacant roles over 2024 and 2025 with concerns being noted about potential negative impact on operational services if staffing levels are insufficient to sustain what is required to maintain operations. It was agreed to monitor the situation for any impact on day-to-day activities.

ARC is recommending the Q1 2025 Management Accounts to the Authority.

APPROVAL: The Authority approved the Q1 2025 Management Accounts.

External Audit 2024

It was confirmed that the Audit 2024 carried out by appointed external auditor Baker Tilly, Jersey had completed on time with no major concerns being raised.

4.4 Governance Committee

SB confirmed that the Governance Committee had held a meeting on 17 April 2025 and proceeded to give an update on the matters that the Governance Committee had considered which included:

JDPA Succession Planning

SB highlighted that there was currently a recruitment drive taking place in respect of enlisting a new JDPA Voting Member which had been created by the pending departure of JDPA Voting Member HH whose term was due to expire 01 August 2025.

It was also noted that Paul Routier's term as a Voting Member of the JDPA was due expire 01 August 2025 and that he had expressed a willingness to serve a further term. ED confirmed that communications with GoJ were underway in respect of a potential extension of PR's term.

SB further noted that PV's term as JOIC's serving Information Commissioner was scheduled to complete July 2026 and that in order to ensure continuity, the Governance Committee is recommending to the Authority that thought be given to extending PV's role of Information Commissioner post his term expiring July 2026.

The Authority Members considered the role of JOIC's Information Commissioner and went on to detail that in accordance with the Data Protection Authority (Jersey) Law 2018, section 5 Appointment of Information Commissioner, the Authority is responsible for the appointment of the Information Commissioner.

It was further noted that the Data Protection Authority (Jersey) Law 2018 stipulates that the Information Commissioner is eligible for re-appointment

It was further noted that PV had confirmed his willingness to serve further as Information Commissioner post expiry of the current term in July 2026.

Merger of JDPA Sub Committees

SB spoke of the various JDPA Sub Committees namely the Audit and Risk Committee, the Remuneration and Human Resources Committee and the Governance Committee (collectively the Sub Committees) that were in place along with the services each undertakes. Thought was given as to if there was scope to enhance the efficiency of the operations of the Sub Committees and as part of an initiative to streamline process, consider if it may be beneficial to merge the Governance Committee and the Remuneration and Human Resources Committee.

The Governance Committee is recommending the merger of the Governance Committee with the Remuneration and Human Resources Committee to the Authority.

APPROVAL: The merger of the Governance Committee with the Remuneration and Human Resources Committee was approved by the Authority.

The Governance Committee recommended to the Authority that PR serve as chair of the merged Governance Committee and Remuneration and Human Resources Committee.

APPROVAL: PR to serve as chair of the merged Governance Committee and Remuneration and Human Resources Committee was approved by the Authority.

The Authority requested that PV draft a Terms of Reference for the merged Governance Committee and Remuneration and Human Resources Committee

ACTION: PV to draft a Terms of Reference for the merged Governance Committee and Remuneration Committee.

4.5 Remuneration and Human Resources Committee

PR as Chair of the Remuneration and Human Resources Committee (R & HR Committee) noted that the last meeting had been held on 25 October 2024, the details of which had already been relayed at the Authority Meeting of 28 October 2024. The R & HR Committee were next scheduled to meet Q2 2025 and in the interim, there was nothing further to note.

5 Information Commissioner

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

5.2 Quarterly Report

PV noted that the Information Commissioner's Quarterly Report, May 2025 (the Quarterly Report) had been circulated to the Meeting for their information and review. PV went on to give an overview of the Quarterly Report and touched upon various topics including on-line harms and complaints. The Meeting further noted that recent communications with GoJ had taken place in respect of on-line harms and the challenges faced.

The Meeting further considered the issue of on-line harms, acknowledging the associated challenges and explored potential solutions. Support for assuming an expanded role in overseeing specifically scoped legislation was expressed, indicating a willingness to provide oversight for potential new regulatory framework, if required.

Fee Model

PV gave a verbal update on the communications that had taken place with GoJ in respect of the Fee Model with PV confirming he is researching alternative fee model options. It was acknowledged that communications are ongoing and that PV would provide further update in due course.

Value for Money GoJ Review

PV referred to an external value for money review that had been commissioned by GoJ to be undertaken on JOIC noting that the results had not as yet been received.

5.1 Strategic Plan

PV spoke of the Draft Strategic Plan, the purpose of which is to set a framework of aims and projects to be undertaken by JOIC over the next three years (2025 - 2028), to run alongside the statutory regulatory work that JOIC undertakes (the Strategic Plan). PV further detailed that the Strategic Plan was in draft format and that it is necessary to hold back from rolling it out until the uncertainty regarding funding from GoJ has been resolved, rationale being it will be necessary to work within financial budgeting parameters which at present, are not confirmed.

The Meeting went on to consider key elements of the proposed Strategic Plan.

11:51 – Meeting paused.

11:58 – Meeting resumed.

6 Any Other Business

Steve Wood: Report on JOIC Enforcement Policy

12:00: Steve Wood, Director of Privacx Consulting (SW) joined the Meeting via video conference call at 12:00 and introductions followed.

It was noted that SW had been commissioned by the JDPA to undertake an independent review of the JOIC Regulatory and Enforcement Policy for data protection as published November 2020 (REAP) and presented to the Meeting his findings in a report titled Review of the JOIC Regulatory Action & Enforcement Policy for Data Protection (the Review Report).

SW went on to detail that the Review Report included assessment of how the current REAP discharges the aims and functions of the Data Protection (Jersey) Law 2018 and Data Protection Authority (Jersey) Law 2018, benchmarking and comparison with the practice of other relevant data protection authorities and regulatory good practice.

The Meeting proceeded to consider the content of the Review Report and there followed an exchange of thoughts in respect of its content and findings.

The Meeting thanked SW for his contribution.

12:30 - SW left the Meeting

The Meeting concluded that the Review Report had served as a useful tool in assisting with evaluation of effectiveness of the REAP and current practices and identifying potential modification.

The Meeting ended at 12:35

An in-camera session was not required.



Elizabeth Denham, Chair
For and on behalf of: JDPA