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Challenge Title: Managing Data Safety Within an Increasingly Agile Workforce	
Use Case Author	Sue Jennings, University of Derby
Topic	Legal Area: Data Protection Law
Overview	In order to succeed in attracting and retaining talent from an increasingly diverse working population, businesses have had to respond by creating more flexible and agile working practices. In today's society, more and more people require enhanced flexibility in the workplace to help them balance their lives at work and at home, to manage increasingly different caring responsibilities and to aid transition into retirement. Advances in technology and globalisation have aided this transition and enable individuals to work from anywhere in the world using either their own or business owned IT equipment or equipment owned by a 3rd party such as computers in hotels and internet cafes and social media. This flexibility poses huge security risks for businesses, however, not only in terms of confidentiality, brand protection and reputation but also in terms of compliance with GDPR and DPA. The challenge is to ensure businesses can continue to grow and prosper with flexible working practices but ensure that sufficient safeguards and policies are in place and are embedded into the organisation to ensure compliance with GDPR and DPA and to ensure breaches are identified and responded to effectively.
1. Engage	
Big idea	Keeping data safe within an increasingly agile workforce
Essential Question	How can organisations ensure they keep personal data safe and secure within a business culture of individuals working from home and whilst travelling using IT equipment including smart phones and social media?
Initial resources	What is agile working? https://www.cipd.co.uk/Images/hr-getting-smart-agile-working_2014_tcm18-14105.pdf
Guiding Questions	The Managing Director of an SME receives a telephone call on Monday morning from a Consultant Sales Advisor engaged by the organisation to say that they think they lost their work mobile phone whilst travelling on holiday to Thailand weeks ago. They first suspected it was lost when they went through security for their out-

	bound connecting flight. They had their personal mobile with them so were able to continue answering emails and dealing with issues whilst away. They sent an email to their contact at the organisation to inform them of the suspected loss, raising their concerns about the confidential information about the organisation's customer lists and a joint project they are working on with a competitor. They did not receive a reply. It transpires that this person was also on annual leave but had forgotten to turn on their 'out of office' message. Since arriving home, 2 weeks later the Consultant has checked at home and the mobile is nowhere to be found. The MD calls you to ask for advice on what to do. What questions should you ask the MD to start to frame the task? Brain-storm a list of questions you should ask when you call back the MD.
Reflections	Complete your learning journal and answer the following ques-tions: 1. What is interesting about this challenge? 2. How did you feel about the initial brainstorming exercise? 3. Were you happy with the list of questions you put together? Why/why not? 4. How could you dealt with this task more effectively?
Other notes	
2. Investigate	
Activity Description	Map out a process of investigation for answering the questions above.
Resources	Some resources to get you going: https://www.gov.uk/government/publications/guide-to-the-general-data- protection-regulation https://ico.org.uk/for-organisations/guide-to-the-general-data-protection- regulation-gdpr/ https://www.itgovernance.co.uk/blog/the-gdpr-a-guide-for-small-businesses/ ---- Please provide a list of additional resources that you have found and are useful in the task. Do you need to collect any other form of data? How will you collect this? Develop and implement a plan for collecting this information. Ensure that you meet your own Data Protection and ethical requirements.

Synthesis	Produce a report (maximum 5 pages) to the MD setting out clear advice on the organisation's legal obligations under the GDPR and DPA in this situation and what steps it should take immediately to either ensure compliance and/or mitigate any breaches of the rules.
Reflections	Please provide a reflective statement in your journal to summarise your answers to the questions below: 1. What are the key problems to be overcome in this challenge? 2. How did you organise the work involved in the investigation? 3. How did you collect additional data? What worked well about this? What information gaps were still present at the end? 4. How successful was the investigation process? How would you organize the work differently if you did it again?
Other notes	
3. Act	
Solution Prototypes	Identify an action plan for the organisation to enable it to balance the competing desires to have flexible working practices whilst ensuring data is safe and secure in compliance with GDPR and DPA obligations. This might include: • Data Protection Impact Assessment • Review of contracts with atypical employees/workers/self-employed individuals • Training • Strategy to embed policies into organisation
Solution	Please indicate your key recommendations to the organisation here
Implementation plan	Please develop a plan for the implementation of your recommendations
Evaluate	Please develop a journal entry which answers the following questions: 1. What are the key challenges for organisations in implementing the action plan and recommendations you identified? 2. What were the strengths and weaknesses of your overall approach to the challenge? 3. Were there any changes that could be made your advice, action plan and recommendations to make them more effective, based on your reflection on the whole challenge?

	4. If you were to run this challenge with a group of learners, how would you change it? 5. What else did you learn from this process?
Other notes	
4. Reflection and documentation	
Case notes	