



# BCS Practitioner Certificate in Data Protection

## Comparison Version 9.1 to 9.2

## Change History

Version Number	Changes Made
9.2	Legislative changes for the period May 2020 to October 2020.
	HJ completed Syllabus Comparison, June 2021

## Comparison

PREVIOUS Version 3.2	NEW Version 3.3	Notes
6.1.1.2 Privacy shield	This has been removed	No longer a valid mechanism
	6.1.2.1.1 Schrems II	Note on the syllabus
9.2.3 Overlap with the NIS Directive in relation to breach reporting	This has been removed	
Version 9.1	This has been removed – now reads ‘Version XX’	
August 2020	This has been amended to July 2021	
Footer: BCS Practitioner Certification in Data Protection v9.1	Amended to - BCS Practitioner Certification in Data Protection vXX July 2021	
	Change History, p. 3 - Inserted: ‘Version XX Syllabus amended to reflect Brexit changes enshrined in legislation and current cases’, with comment ‘Insert correct version number’	
Introduction, p. 5 - Knowledge of UK data protection law, and an understanding of how it is applied in practice, is important for any organisation holding personal data.	Amended to - Knowledge of UK data protection law, incorporating the UK General Data Protection Regulation (GDPR) and Data Protection Act 2018, as well as the EU General Data Protection Regulation (GDPR), along with an understanding of how they are applied in practice, is important for any organisation processing personal information.	
	Removed – ‘... including the EU General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018 and their practical application’.	
	Added - This version of the syllabus has been updated to take into account the UK’s withdrawal from the EU, and following the EU-UK Trade and Cooperation Agreement that was signed in December 2020. The UK does not have an adequacy decision in its favour from the EU. Any change to that position will be included in a subsequent update, planned for xx [with added comment in November 2020 – ‘The syllabus is updated to October 2020, at a time when the UK had left the EU, but an agreement between the UK and EU on its withdrawal has not yet been agreed, and the implementation of the UK GDPR	

PREVIOUS Version 3.2	NEW Version 3.3	Notes
	legislation has not yet come into effect. This version of the syllabus reflects the law as at October 2020']	
	Removed – ‘NB: As the U.K. is currently in a period of transition until the end of 2020, this syllabus has been produced to reflect legislation in place... and includes any relevant subsections within the Article or Section numbers listed’.	
Target Audience, p. 5 – ‘... the changes that the GDPR and the UK Data Protection Act 2018 will bring to data protection legislation and what needs to be done to prepare their organisations for compliance’	‘... the changes that the EU GDPR, the UK GDPR and the UK Data Protection Act 2018 have brought to data protection in practice and what needs to be done to steer their organisations towards compliance’	
The certificate will also be useful...	The Certificate will also be useful...	
	<p>Added: This qualification is likely to be of particular benefit to those working in the following areas:</p> <ul style="list-style-type: none"> <li>▪ Data Protection and Privacy</li> <li>▪ Information Governance, risk and compliance</li> <li>▪ Data Management</li> <li>▪ Project Management</li> <li>▪ Directors/Senior Managers with Data Protection responsibilities</li> <li>▪ Legal and procurement</li> <li>▪ Marketing and Sales professionals</li> <li>▪ Information Security and IT</li> <li>▪ Human Resources</li> </ul>	
Learning Outcomes, p. 6 – ‘8. The role of Independent Supervisory Authorities (ISAs)’	‘8. The role of the Information Commissioner’s Office (ICO) and Independent Supervisory Authorities (ISAs)’	
	Removed ‘11. Specific provisions in data protection legislation of particular relevance to public authorities’ and ‘13. Application of data protection legislation in key areas of industry’	

PREVIOUS Version 3.2	NEW Version 3.3	Notes
	Syllabus, p. 10 – Removed ‘as the U.K. is currently in a period of transition until the end of 2020... with a subsequent update planned for July 2021’	
‘Please refer to the recommended reading list for further guidance on Key Case Law being referenced’	Please refer to the Recommended Reading List for further guidance on key case law being referenced.	
	Learning Objectives, p. 10 – removed ‘and anticipated revisions (Draft ePrivacy Regulation 2017/0003 (COD)’ from 1.2.8	
1.2.10 The purpose of the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 1.2.11 “UK GDPR”	1.2.10 UK Data Protection Act 2018 1.2.11 The purpose of the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 1.2.12 UK GDPR	
1.3 Illustrate how the wider territorial scope and jurisdiction of the GDPR impacts the processing of personal data by global organisations, including those who may not have a business (legal entity) established within the EU.	1.3 Illustrate how the wider territorial scope and jurisdiction of the EU GDPR and UK GDPR impacts on the processing of personal data by global organisations, including those who may not have a business (legal entity) established within the EU or the UK.	
1.3.2 Co-operation between supervisory data protection authorities 1.3.3 When a representative of the data controller is needed	1.3.2 Co-operation between independent supervisory authorities 1.4 When a representative of the data controller is needed	
2.1.1.2 Criminal Offence Data (Article 10/Section 10 & 11) – recitals in relation to)	2.1.1.2 Criminal Offence Data (Article 10 GDPR/Sections 10 & 11 DPA)	
2.2 Demonstrate how the following GDPR principles regulate the processing of personal data	2.2 Demonstrate how the following GDPR principles regulate the processing of Personal Sata	Should be ‘Personal Data’
	2.2.7 – formatting amended	
1. Lawful bases for processing of personal data (5%)	3. Lawful bases for processing Personal Data (5%)	
4.4 Explain what a record of processing activity is, the information it should contain and why this is important (Article 30)	4.4 Explain what a record of processing activity (RoPA) is, the information it should contain and why this is important (Article 30)	
6.1 Recognise the general principles for transferring personal data to third countries, and illustrate what issues might arise from each of the following	6.1 Recognise the general principles for transferring personal data to third countries in both the UK and the EU, and illustrate what issues might arise from each of the following	

PREVIOUS Version 3.2	NEW Version 3.3	Notes
mechanisms:	mechanisms:	
	Added: 6.1.1.1. List of countries... 6.1.2 An adequacy decision by the UK	
	Removed: 6.1.1.2 Privacy Shield	
6.1.2 Appropriate safeguards 6.1.2.1 Standard Contractual Clauses 6.1.2.2 Binding Corporate Rules 6.1.2.3 Derogations (Article 49) and other exemptions (DPA 18 Sections 72-78)	6.1.3 Appropriate safeguards 6.1.3.1 Standard Contractual Clauses 6.1.3.2 Binding Corporate Rules 6.1.3.3 Derogations (Article 49) and other exemptions (DPA 18 Sections 72-78)	
8. The role of supervisory authorities (SAs) (7.5%)	8. The role of independent supervisory authorities (ISAs) and the ICO (7.5%)	
	Removed 'as the UK SA' from 8.2	
	Removed '8.2.3 In co-operation with other supervisory authorities'	
8.2.4 8.2.5 8.2.6	8.2.3 8.2.4 8.2.5	
	Removed '9.2.3 Overlap with the NIS Directive in relation to breach reporting'	
	To 9.4.4.1 – added '(or £8.7m under the UK GDPR) To 9.4.4.2 – added '(or £17.5m under the UK GDPR)	
9.5.3 Awareness of the existence of criminal liability regarding breaches under: 9.5.3.1 Data Protection Act 2018 (Sections 170 to 173) Computer Misuse Act (Sections 1, 2, 3A and 3ZA)	9.5.3 Awareness of the existence of criminal liability regarding breaches under the Data Protection Act 2018 (Sections 170 to 173)	
9.6.1 Appeals against decisions of the ISA	9.6.1 Appeals against the decisions of the ICO	
p. 16 – 12.2.1 Timeline of draft e-Privacy directive 12.2.2 Key concepts under draft e-Privacy directive	12.2.1 Timeline of draft e-Privacy Regulation 12.2.2 Key concepts under draft e-Privacy Regulation	

PREVIOUS Version 3.2	NEW Version 3.3	Notes
12.2.3 Application of draft e-Privacy directive in the U.K.	12.2.3 Application of draft e-Privacy Regulation in the U.K.	
p. 17 – 13.4 Explain how data sharing practices are governed by data protection law	13.4 Explain how data sharing practices are governed by data protection law (ICO Data Sharing Code of Practice)	
	Recommended Reading List, p. 17 – added – The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 <a href="https://www.legislation.gov.uk/ukxi/2019/419/contents/made">https://www.legislation.gov.uk/ukxi/2019/419/contents/made</a>	
U.K. ICO Guide to Data Sharing (Draft) (Pages 16 to 30, 51) <a href="https://ico.org.uk/media/about-the-ico/consultations/2615361/data-sharing-code-for-public-consultation.pdf">https://ico.org.uk/media/about-the-ico/consultations/2615361/data-sharing-code-for-public-consultation.pdf</a>	U.K. ICO Data Sharing Code of Practice <a href="https://ico.org.uk/for-organisations/data-sharing-a-code-of-practice/">https://ico.org.uk/for-organisations/data-sharing-a-code-of-practice/</a>	
	p. 18 – removed - U.K. ICO Code of Practice on Direct Marketing (Draft code for consultation) (Pages 1 to 40) <a href="https://ico.org.uk/media/about-the-ico/consultations/2616882/direct-marketing-code-draft-guidance.pdf">https://ico.org.uk/media/about-the-ico/consultations/2616882/direct-marketing-code-draft-guidance.pdf</a>	
	p. 18 – added – U.K. ICO detailed guidance on subject access requests <a href="https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/right-of-access">https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/right-of-access</a>	