

RECORD OF PROCESSING ACTIVITIES

What is a Record of Processing Activities (RoPA)?

The Record of Processing Activities is a documented inventory of the data processing activities involving processing, storage, or transfer of personal data.

The high-level requirements related to Record of Processing Activities in the ADGM Data Protection Regulations 2021 are as follows:

- According to section 28 of the DPR 2021, each Controller and Processor is required to maintain a Record of Processing Activities in a documented format.
- The Record of Processing Activities should be kept up-to-date and made available to the ADGM Office of Data Protection upon request
- The Record of Processing Activities document should be in a well-structured format that is easy to understand by people with different areas of expertise (e.g. Legal, Finance, IT).
- The Record of Processing Activities should be a live document which reflects the current data processing activities within your organization.

Benefits of Maintaining the Record of Processing Activities

Documenting the processing activities is important for several reasons:



Supports drafting of Transparency Notices

Information that has been documented in the RoPA is very similar to the information that needs to be conveyed in transparency notices



Data Subject Requests

Knowing what personal data is held and where it is held will help to more efficiently handle requests from Data Subjects to access their information



Improves data protection governance

Documentation supports good practice in data governance, which in turn provides assurance about data quality and accountability.



Increases business efficiency

Knowing what personal data an organization holds, why it is held, and for how long it is held, may help develop more streamlined business processes

What does the Record of Processing Activities need to include for Controllers and for Processors?

The Record of Processing Activity must contain certain information as required by the ADGM Data Protection Regulations. Below is an overview of the specific requirements around the information for Controllers and Processors respectively:



Record of Processing Activities Requirements for Controllers

- The name and contact details of the controller and, where applicable, the joint controller and the DPO
- The purpose(s) of the processing activity
- A description of the categories of Data Subjects (e.g. employees, customer representatives, supplier third party advisors, etc.)
- A description of the categories of personal data (e.g. contact information, financial information, employment information, etc.)
- Categories of recipients to whom the personal data has been, or will be disclosed including recipients outside of the ADGM. It is not necessary to include reference to each individual recipient, provided that all recipients are captured within a category
- Details of any transfers of the personal data outside of the ADGM or to an international organization, including the identification of that location outside of the ADGM or the international organization (where applicable) and documentation of suitable safeguards for each transfer
- Where possible, duration for which data is retained
- General description of the technical and organizational security measures referred to in section 30(1) of the DPR 2021 (where possible)



Record of Processing Activities Requirements for Processors

- The name and contact details of the processor or processors and of each controller on behalf of which the processor is acting, and the processor's Data Protection Officer (if it has one)
- The categories of processing carried out on behalf of each controller
- Where applicable, details of transfers of personal data outside of ADGM or to an international organization and documentation of suitable safeguards in the case of transfers referred to section 44(1)(b) of the DPR 2021
- Where possible, a general description of the technical and organizational security measures referred to in section 30(1) of the DPR 2021



High-level steps to create a Record of Processing Activities are provided on the next page.

How can I create a Record of Processing Activities?

Below are the high-level steps involved in creating a RoPA:



Analyze

- Before documenting the Record of Processing Activity (RoPA), the Controller or Processor should:
 - Assess their organizational structure
 - Determine which departments or business units process personal data
- Some methods that can be used for this exercise are:
 - Perform an information audit
 - Perform a data-mapping exercise



Identify

- Identify and document the processing activities performed by the respective departments. This activity can be conducted with the Data Protection Officer.
- Some methods that can be used for this exercise are:
 - Devise a questionnaire and distribute this to the areas of the organization that have been identified as processing personal data
 - Locate and review policies, procedures, contracts, and agreements such as data protection/privacy policies, information security policies, data retention policies, and data processing/sharing agreements



Develop

- Record all the relevant information for each activity to complete the RoPA (refer to previous page for requirements). While documenting your organization's processing activities, it is important do so in a granular and meaningful way
- Seek the support of respective business stakeholders or the individuals responsible for activities to confirm and validate the information recorded



Maintain

- Maintain the Records of Processing Activities as a living document.
- You may be required to provide a copy to the ADGM Office of Data Protection upon request.



ADGM ODP provides a sample RoPA template for recording relevant information on their website as part of the guidance related to the DPR 2021.