

Data Protection, Privacy & Cyber Security Compliance

Data protection law changed significantly in May 2018 with the introduction of the GDPR and UK Data Protection Act 2018.

The 25 May 2018 deadline has passed – does this mean we can forget about data protection?

Short answer? No. This is not the end of the data protection compliance journey for organisations.

Why should we care about data protection and privacy compliance?

Protect your profits

We have all heard about the potential (eye-watering) fines for non-compliance with the data protection laws: up to 4% of your annual worldwide turnover or €20m, whichever is the higher!

Protect your reputation

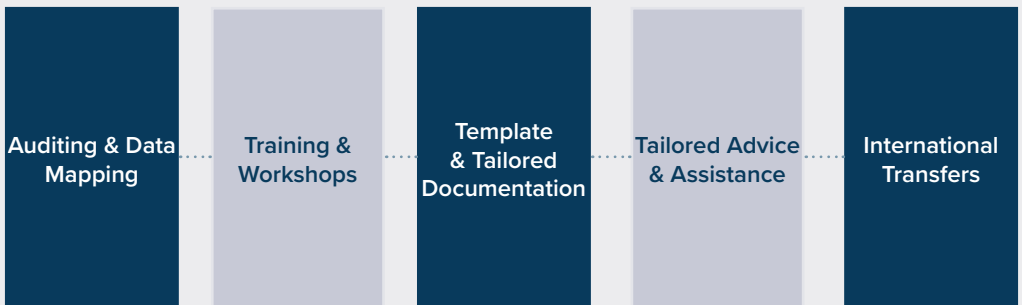
More importantly we have seen the negative press coverage when organisations get it wrong which can be very damaging to an organisation's reputation and goodwill (Data Analytics and British Airways come to mind!).

Compliance is a sell

Good data governance is increasingly becoming a requirement for ITTs, and compliance is an easy sell to potential customers.

How can we help?

We can help organisations, both controllers and processors, in a number of ways to suit business needs:



Auditing & Data Mapping

To work towards compliance you need to know where you stand currently.

We can assist you by performing a data protection audit to identify any compliance gaps in your processes and recommending compliance solutions using a 'traffic light' coded action plan.

As part of this process we help clients to 'map-out' their data flows, which forms the basis of an organisation's record of processing activities (which means from the process we undertake you are already on your way to working towards compliance requirements).

Training & Workshops

Key to compliance is **awareness**.

Online training

We can provide online training for employees and managers on a subscription basis which is a really useful tool for reaching large audiences quickly at a time and place that is convenient to them.

Face-to-face training

We can also provide interactive face-to-face training (on-site or off-site) to allow staff to ask questions and to work through practical examples. This training can be a general overview of data protection or we can provide specific tailored workshops for your market sector and on key issues such as, for example, responding to SARs, dealing with personal data breaches, drafting GDPR compliant contracts, fundraising and direct marketing, etc.



Template & tailored documentation

We have a number of template guidance tools, policies and procedures, and contracts that we can offer and tailor to your organisation's functions, including:

Legal Basis Flowcharts	To allow you to easily work-out when you can lawfully process the personal data you hold.
Privacy Notice Checklist	To help you draft your privacy notices in accordance with the detailed requirements of the GDPR.
Privacy Notices	We can assist with preparing internal privacy notices, aimed at employees and directors/trustees, and external facing privacy notices aimed at your customers, donors, supporters, applicants, etc.
Direct Marketing/ Fundraising Flowcharts	To assist you in determining whether or not you can contact individuals and businesses with your marketing and fundraising materials (this is an area that caused a lot of confusion for business in the lead up to May 2018!).
DPO Advice Note and Questionnaire	Understand if you need a DPO under the GDPR and document your assessment and decision making (data protection accountability is all about good record keeping).
Template DPIA	If you are implementing a new procedure or programme (e.g. implementation of a new HR and payroll software or the introduction of in-cab CCTV within the businesses' vehicles or considering drug and alcohol monitoring of staff) that is likely to result in a high risk to the rights and freedoms of individuals then you must carry out a Data Protection Impact Assessment (DPIA).
Data Protection Policy and Privacy Standard	Let your staff, directors, trustees, consultants and volunteers know what is expected of them when they process personal data as part of their role.

Personal Data Breach Policy and Procedure	If you have a notifiable personal data breach, you only have 72 hours from becoming aware of the breach to let the ICO know. This means that your staff need to be able to act quickly, and a procedure outlining the process for dealing with a breach will assist with this.
Procedure for Data Subjects' Rights	A request from an individual can go to anyone in your organisation, it can be made verbally, and to be valid the individual does not need to expressly make clear that he/she is making a request to exercise a data protection right. To make sure that all your staff know how to identify and deal with these types of requests it is important that a clear procedure is in place.
Guidance Tool – Determining Roles of Parties	Before appropriate contractual arrangements can be put in place, organisations need to know what role they play (sole controller, joint controller, processor, sub-processor, all of the above...) and this guidance tool assists organisations to determine this.
Data Processor GDPR Checklist	Before selecting a service provider, it is important that you are comfortable with their security measures (which should at least align with yours), their data protection compliance status, their location, and the sub-contractors they engage.
Contracts	We can provide template data processing and data sharing agreements (for use with partnering organisations) to suit the role and tone of your organisation, whether by formal contract, or a more informal FAQ/Protocol document. We can also review and update your existing contracts.
Consent	Consent is more difficult to obtain under the GDPR and also brings with it new rights in favour of the individual, placing additional and new requirements upon organisations. We can assist you with ensuring that your consent requests are valid, and we can advise you when consent is not the most appropriate legal basis to rely on and what other options are available to you.

Tailored Advice & Assistance

As well as assisting with your documents, we can also provide advice and assistance on all matters related to data protection and privacy, and we have assisted a number of clients in various sectors with tailored advice on many practical areas, including:

- ▶ SARs
- ▶ personal data breaches
- ▶ direct marketing
- ▶ monitoring and tracking employees
- ▶ internal transfers
- ▶ data sharing arrangements
- ▶ international transfers

International Transfers

We provide advice and assistance on all matters relating to international transfers; whether this is within a group structure or simply as part of an on-going business relationship.

We can assist you to ensure that your international transfers are carried out in a lawful way, whether that be providing advice on Standard Contractual Clauses or how to join the EU-US Privacy Shield or where your business needs guidance on particular jurisdictions, we can assist you in getting that guidance through our worldwide network of data protection experts.

Contact Us

Our dedicated data protection team advises businesses in relation to their GDPR compliance programme and regularly assists clients in implementing documentation and policies aimed at GDPR compliance.

If you would like any further information on compliance with the GDPR, please do not hesitate to contact our team.



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