General Data Protection Regulation ("GDPR")

Victoria Leigh
Squire Patton Boggs (UK) LLP

31 October 2017
GDPR – an overview

• Harmonising data protection laws across the EEA
• Expected to apply post Brexit
• Compliance deadline – 25 May 2018
• More stringent requirements than DPA 1998
• Risk Registers
• Take action NOW
Where are we now?

- Data Protection Bill published
- Published Guidance
  - Existing ICO guidance under DPA 1998
  - ICO draft guidance
  - WP29
- Still to come..
  - ICO General Guide to GPR and final versions of current drafts
  - WP29
- Current Compliance picture – mixed in the extreme
GDPR – Why do we care??

• Big increase in fines
  – ICO Blog – it’s a big stick but we don’t want to use it

• Increased risk of data security breach
  – Likely area of enforcement focus, along with unauthorised marketing/use

• Reputational damage

• Individual’s right to sue data controller and/or processor

• Class Actions
Steps to Comply

- Data mapping
- Data sharing and service providers
- International data transfers
- Data security and breach management process
- Privacy by design and default
- Privacy governance
- Individual’s rights
- Review consents and automated processing
- Privacy notices
- Data protection impact assessments
- Roll out compliance tools…
Key Areas

- Data mapping & data audit
- Data security and breach reporting
- Justification for processing
- Privacy notices
- Data retention
- Supplier/service provider/customer contracts
So let’s get going…

• Lots to do and not much time to do it in
• Data mapping/audit urgent priority
• Records of processing and compliance are critical
• Many areas of uncertainty remain and 100% compliance unlikely to be realistic
• Demonstrating intention to comply is key
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Contact details

Victoria Leigh

Partner, Manchester, UK
T +44 161 830 5058
victoria.leigh@squirepb.com