

BRISTOWS

GDPR almost one year in – what have we learned?

krista.muszak@techdata.com

robert.bond@bristows.com

Topics

- Appreciating the value of policies and procedures
- Increased data incidents, data subject requests, regulatory investigations and fines
- Why GDPR is setting the tone for global privacy



GDPR Transparency and Accountability



GDPR implementation was just the start...



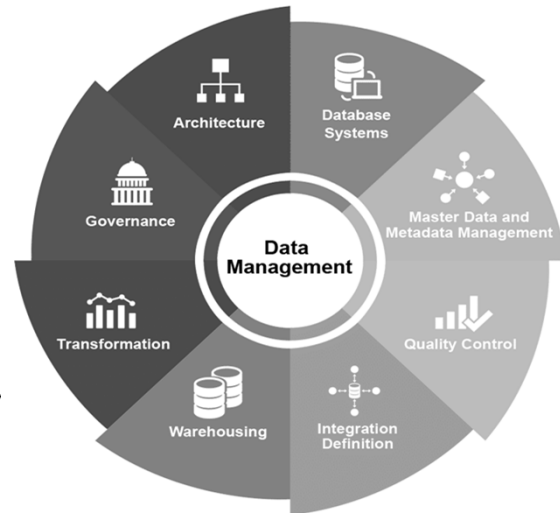
- GDPR laid the groundwork
- Legacy systems and people
- Anything else?

```
for i in people.data.users:
    response = client.api.statuses.user_timeline.get(screen_name=i.screen_name)
    print 'Got', len(response.data), 'tweets from', i.screen_name
    if len(response.data) == 0:
        tdate = response.data[0]['created_at']
        tdate2 = datetime.strptime(tdate, '%a %b %d %H:%M:%S +0000 %Y')
        today = datetime.now()
        howlong = (today - tdate2).days
        if howlong < daywindow:
            print i.screen_name, 'has tweeted in the past', daywindow,
            totaltweets = len(response.data)
            for j in response.data:
                if j.entities.urls:
                    for k in j.entities.urls:
                        newurl = k['expanded_url']
                        urlset.add(newurl, j.user.screen_name)
            else:
                print i.screen_name, 'has not tweeted in the past', daywindow
```

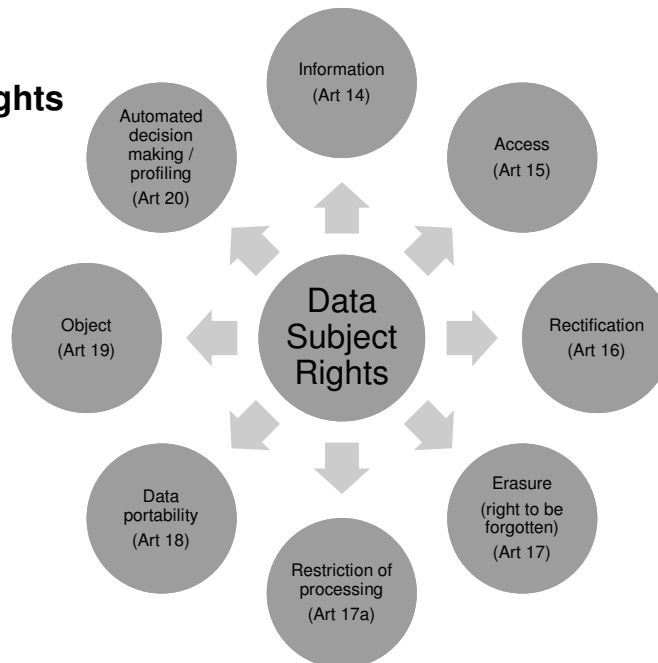


Beyond GDPR: Data Governance is the ultimate prize!

- Data dictionary
- Data quality
- Centralised decision making and prioritisation
- Single customer view
- Issues and escalation
- Data retention and deletion decisions
- Capabilities are fit for compliance
- Exec level buy-in and accountability



Data Protection Data subjects rights



Individuals' Rights and Legal Basis for Processing

Right to...	Conditions for Processing			
	Necessary for contract	Legal requirement	Legitimate interests	Consent
Access	Applies	Applies	Applies	Applies
Be informed	Applies	Applies	Applies	Applies
Rectification	Applies	Applies	Applies	Applies
Erasure ¹	Applies if data no longer needed or processing is unlawful	Does not apply unless data no longer needed	Applies if individual has objected and there are no overriding legitimate grounds for processing	Applies unless no other legal basis for processing
Restrict processing	Applies if contesting accuracy or lawfulness or if individual needs to retain data	Applies if contesting accuracy or lawfulness or if individual needs to retain data	Applies if individual has objected to legitimate interests, or if contesting accuracy or lawfulness or if individual needs to retain data	Applies if contesting accuracy or lawfulness or if individual needs to retain data
Portability	Applies	Does not apply	Does not apply	Applies
Object to processing	Does not apply	Does not apply	Applies – assessment required	Does not apply*
Object to marketing	Applies	Applies	Applies	Applies
Automated decisions & profiling	Does not apply	Does not apply	Applies	Does not apply*

*But consent may always be withdrawn

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Facebook faces \$1.6bn fine and formal investigation over massive data breach

Irish data regulator could penalize the social network after hack of nearly 50m accounts




Vote Leave data firm hit with first ever GDPR notice

By Chris Baranuk
Technology reporter

© 20 September 2018

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Brexit



Data was gathered to help campaigning during the UK referendum

Google

Google hit with £44m GDPR fine over ads

Chris Fox
Technology reporter

1 hour ago | Technology

Google has been fined 50 million euros (£44m) by the French data regulator CNIL, for a breach of the EU's data protection rules.

CNIL said it had levied the record fine for "lack of transparency, inadequate information and lack of valid consent regarding ads personalisation".

Oi, you. Equifax. Cough up half a million quid for fumbling 15 million Brits' personal info to hackers

UK watchdog demands max penalty after security snafu

By Chris Williams, Editor in Chief 20 Sep 2018 at 00:10

62 SHARE



Brexit campaigner AggregateIQ challenges UK's first GDPR notice

Canadian biz faces massive fine for allegedly exploiting personal info from Facebook

By Kieren McCarthy in San Francisco 24 Sep 2018 at 19:44

70 SHARE



A Canadian data analytics firm on the receiving end of the UK's first-ever violation notice of Europe's new data privacy laws is appealing the claims against it.

Tech giants call for national data regulations that subvert California's GDPR-style laws



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cisco

Sanctions for non-compliance are more than just for data breaches

Sanctions for non-compliance – two levels of fines...

➤ Up to the greater of **2%** annual worldwide turnover of preceding financial year or **EUR 10 million** – for matters re internal record keeping, data processor contracts, data protection officers, data protection by design and default

➤ Up to the greater of **4%** annual worldwide turnover of preceding financial year or **EUR 20 million** – for matters re breaching data protection principles, conditions for consent, data subjects' rights and international data transfers



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That dam breach or that damn breach?

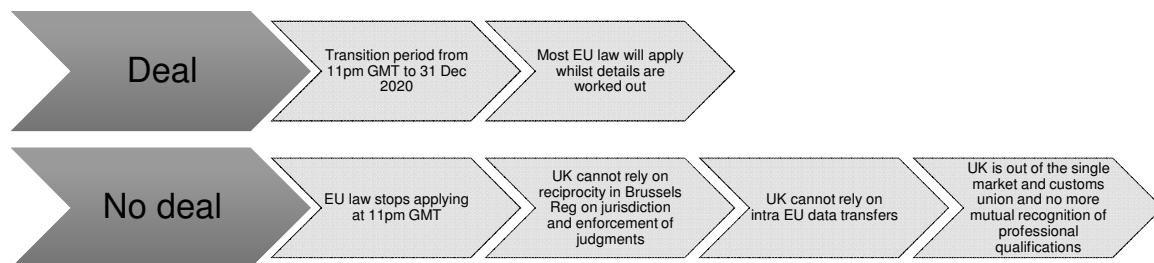


Brexit: Deal or no deal



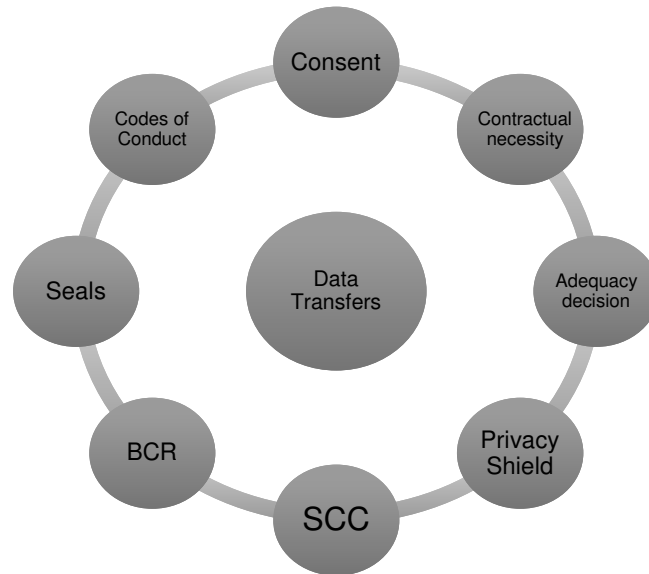
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Deal or No Deal



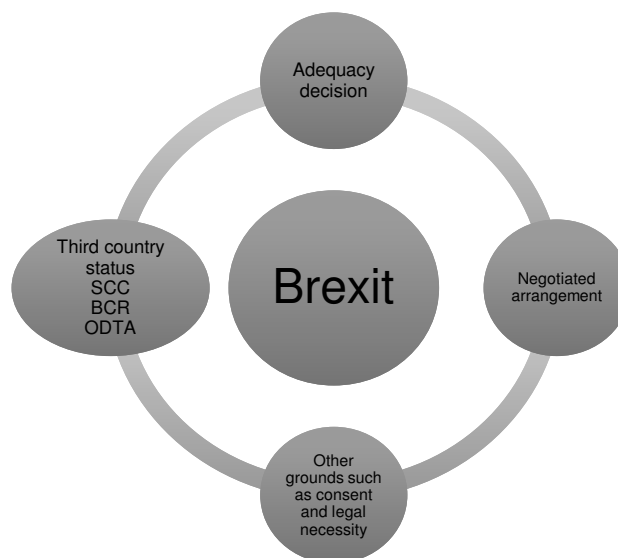
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Data Transfers pre Brexit



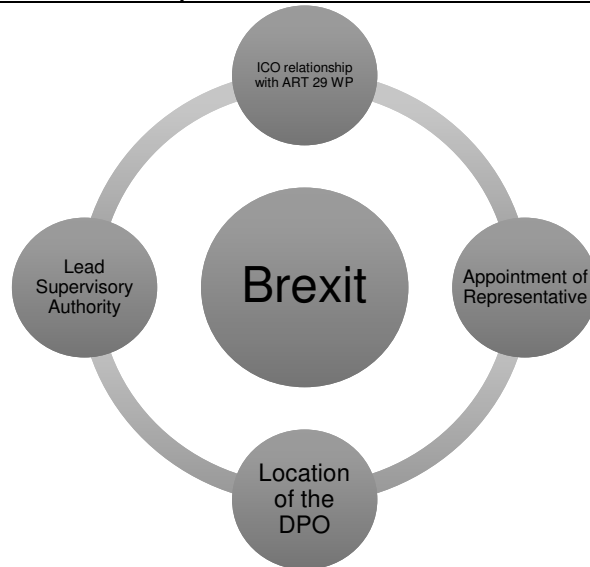
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Brexit and data transfers



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Brexit and other data consequences



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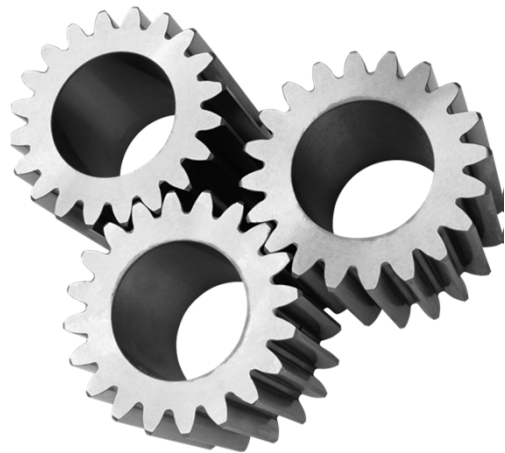
2013 Study on Trade Secrets

75% of respondents ranked them as strategically important to:

- ✓ Growth
- ✓ Competitiveness
- ✓ Innovation

Examples are:

- Commercial bids and contracts
- Contract terms
- Customer/supplier lists
- Financial data
- R&D data
- Process know how and technology
- Formulae and recipes
- Product technology
- Marketing data



Directive 2016/943 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure

- Harmonises the definition of trade secrets
 - Provides civil law rights to stop unlawful use and further disclosure of misappropriated trade secrets
 - Right to have products removed from the market that have created using illegally acquired trade secrets
 - Right to compensation
- ☐ A trade secret must be seen by the business as secret
 - ☐ It must be treated as secret by the business



How to protect trade secrets

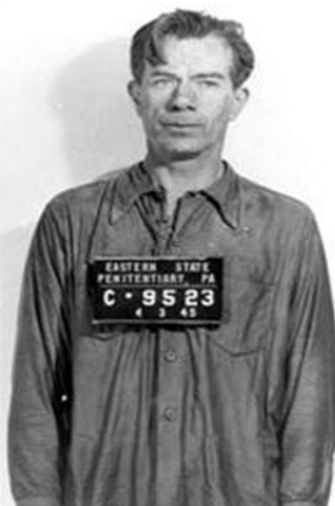
- ✓ Clean desk policy
- ✓ Shredding
- ✓ Use of NDA's and Confidentiality Agreements
- ✓ Mark materials as CONFIDENTIAL
- ✓ Take care when emailing attachments
- ✓ Consider risks of disclosing trade secrets in public places
- ✓ Manage devices in the workplace
- ✓ Train staff to protect trade secrets



Often the biggest threat is ourselves



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City & Finance

City Editor: Alex Brummer Finance Editor: James Coney

Trader boasted about secret deals on WhatsApp

A CITY investment banker has been fined more than £37,000 for boasting about deals on messaging service WhatsApp.

Christopher Niehaus, 49, was a managing director at Jefferies when he bragged to pals about how he might pocket a bonus big enough to pay off his mortgage.

about clients, according to the Financial Conduct Authority.

The scandal came to light when Niehaus handed his phone to Jefferies for an internal probe after an unrelated complaint. Investigators found conversations about deals - including one with a rival business - and the boasts. When confronted, Nie-

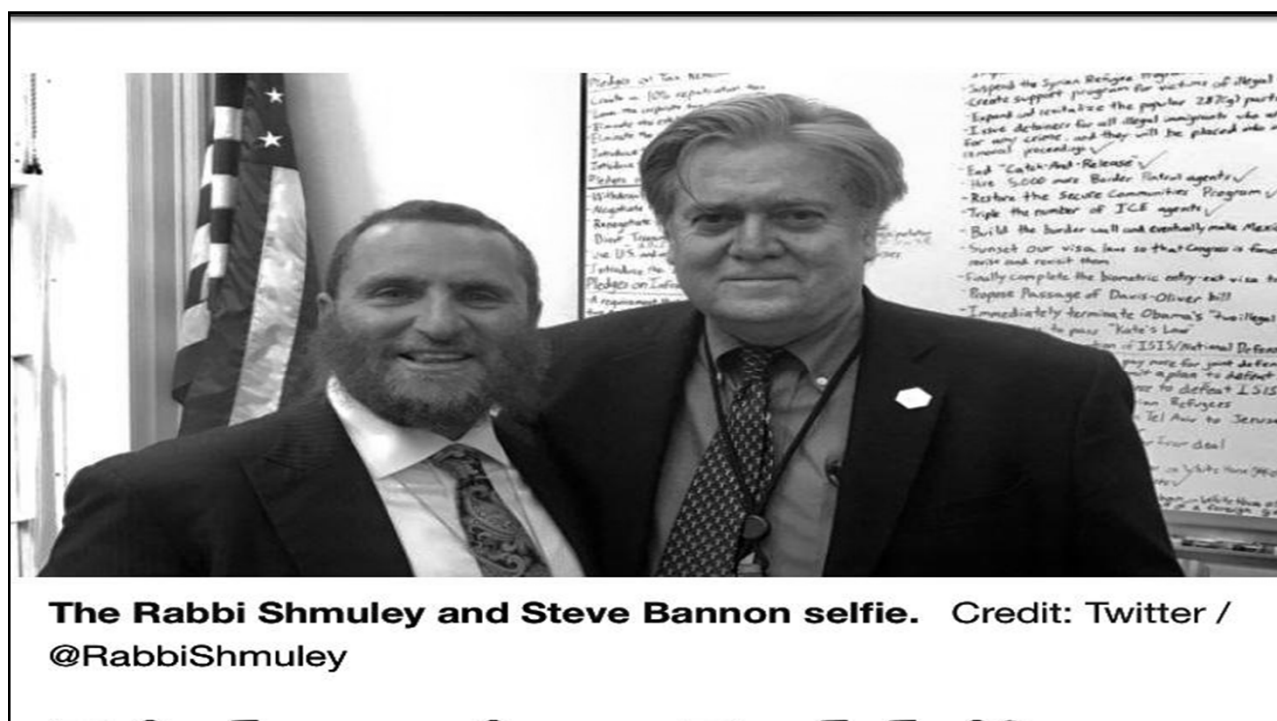
haus said he knew the information was confidential and should have known better.

The FCA accepted that no one involved traded any shares based on the insider knowledge and hit Niehaus - who, according to his LinkedIn profile, had previously worked at HSBC and Swiss lender UBS - with a £37,198 penalty.

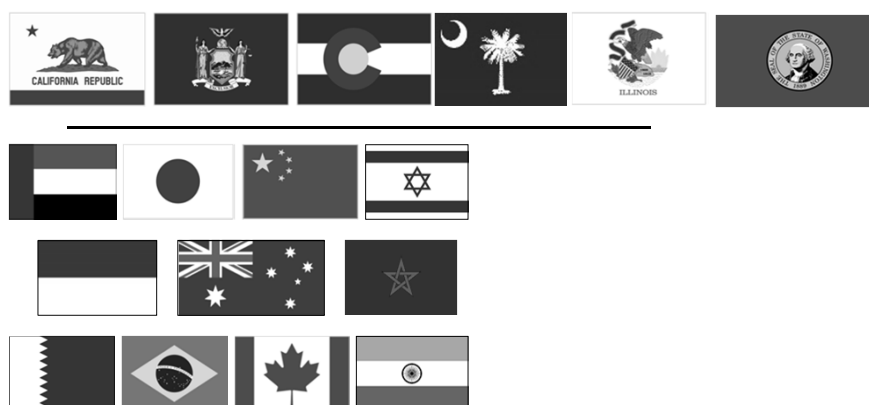
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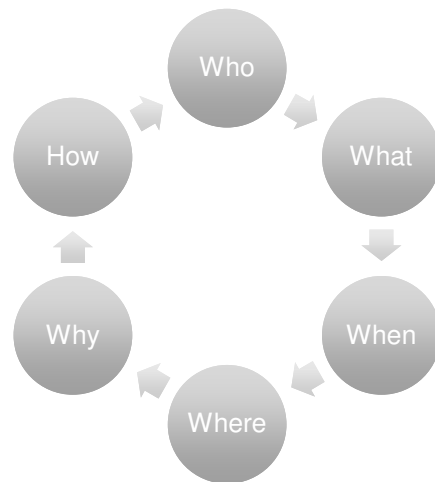
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Expanding Privacy Regulations



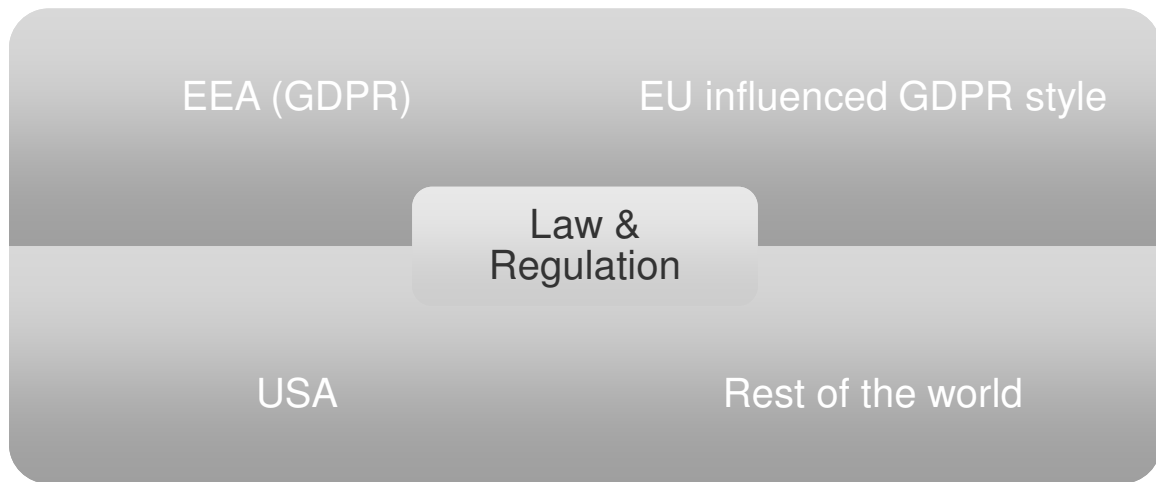
Understand your personal data estate



How do the laws apply

1. Think about history
2. Remember colonisation and conquest
3. Commonwealth countries adopt a UK approach, so Singapore, South Africa, Canada, India and Australia have English style laws
4. Spain and Portugal influence Argentina, Uruguay, Brazil and Macau
5. France influences North Africa, Vietnam and Canada

So in implementing policies and procedures.....



Questions?



Thank you

Bristows LLP
100 Victoria Embankment
London EC4Y 0DH
T +44(0)20 7400 8000

robert.bond@bristows.com

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