

My Personal Message For You



Dr Bizhan Rahim

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I hope you will find this brief guide to the European Union's GDPR law informative.

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I hope this helps with your endeavors

Dr Bizhan Rahim

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General Data Protection Regulation – EU Regulation 2016/679 – is regulation mandated by the European Union to strengthen and unify data protection for all individuals within the European Union.

GDPR Organisational Overview And Strategic Plan

Are You GDPR Compliant?

This Report Assists You In Understanding GDPR's Concept
And How To Get Started With Your Compliance Project

Release 1.1, March, 2017

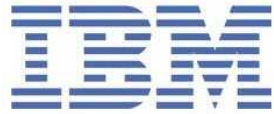
By Dr Bizhan Rahim

For the latest release of this free resource visit
<https://LakeLiberty.com/gdpr>

About The Author

Dr Bizhan Rahim is a British senior IT consultant.

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Manchester Town Hall



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1- Purpose of GDPR

GDPR is the result of harmonising the implementations of the previous directive on data privacy and data protection that were/are currently implemented at the national level.

Such national regulations have variations and have been enforced to varying degrees. While GDPR can be costly to implement, the previous variations make compliance costly and difficult for larger organisations operating across national European borders. They are prohibitively expensive for smaller entities trying to work within and across Europe.

The lack of harmonisation hinders international work and collaboration which is a principal objective of the European Union.

Enhancing data protections benefits individuals and organisations. GDPR is not a directive but is law and becomes enforceable in May of 2018.

2- Who is covered by GDPR?

GDPR's objective is to strengthen and unify the privacy and protection of data for all individuals within the European Union.

An individual is described as anyone who works and lives within the borders of the European Union, even if on assignment from other parts of the world.

Put succinctly, GDPR is far reaching and its protections are likely to spread far beyond the borders of the European Union.

3- Organisations that GDPR applies to

GDPR applies to all organisations which hold personal details or sensitive information about large numbers of individuals.

This is regardless whether your organisation has offices or other physical presence in the EU or not.

If you provide products and/or services to EU citizens, you must become and remain GDPR compliant.

Also note, regardless how small your organisation is, you must still comply with GDPR for the secure collection, storage and processing of personal information.

Penalties for non-compliance can be the greater of 4% of your global revenue or €20 million, which apply to breach of privacy not data.

4- Checklist of areas worthy of attention for compliance

In your organisation you must review or perform the following:

1- Map and audit your data flows

What data you have, where it is stored, where it is sent, how it is processed and what information you provide about your processing

4- Checklist of areas worthy of attention for compliance

In your organisation you must review or perform the following:

2- Identify Third Party Processors Of Your Information

You must identify the third parties who have access to your information and ensure that they are compliant. Examples include, external payroll agencies, health providers and pension organisations.

4- Checklist of areas worthy of attention for compliance

In your organisation you must review or perform the following:

3- Identify Cross-Border Transfers Of Information

Rules vary depending on the regions in question.

Establishing an inventory of such information transfers makes it easier to deal with them appropriately.

4- Checklist of areas worthy of attention for compliance

In your organisation you must review or perform the following:

4- Data Protection Officer

Depending on the size of your organization, you may need to formally appoint a data protection officer to manage and maintain your compliance efforts and more importantly the protection of your data.

4- Checklist of areas worthy of attention for compliance

In your organisation you must review or perform the following:

5- Relying On Individual's Consent Is No Longer Adequate

You can no longer simply rely on a person's consent and go ahead and process their info anyway that you wish. There must be legitimate reasons why you need to process such information.

These include, legal obligations, business contracts and proportionate processing of data for legitimate business interests.

Consent must be as easy to withdraw as it is to obtain. And there is a time limit of 18 months that now applies to such consent.

4- Checklist of areas worthy of attention for compliance

In your organisation you must review or perform the following:

6- Update Your Privacy Notices And Privacy Policies

Previous 'privacy policy' documents are no longer adequate.

You must clearly explain why, how and what you process about the individual person, i.e. the data subject. Being clear and transparent about your analyses and audits helps you with this particular objective.

4- Checklist of areas worthy of attention for compliance

In your organisation you must review or perform the following:

7- Data Subject Access Requests

Changes are afoot for the way requests are made and handled with respect to data you hold on individuals. You will need to examine and implement the changes.

The previous admin fee no longer applies and your time limit of complying with a request is reduced from 40 days to one month.

There are several other changes in the new regulations. Some actually favor your organisation.

4- Checklist of areas worthy of attention for compliance

In your organisation you must review or perform the following:

8- Data Subject's Right To Be Forgotten

When personal data is no longer required for the original purpose, data subjects have the right to request from the data controller to erase personal data and also to cease its dissemination.

The procedure to do so must not be complicated and cannot unduly impede swift compliance with the request.

4- Checklist of areas worthy of attention for compliance

In your organisation you must review or perform the following:

9- Data Portability

Under the new regulation, data subjects have the right to obtain and reuse their own personal data. They may do so for their own purposes by transferring the data across different IT systems.

Electronic data records must be supplied in suitable format to accommodate the data subjects' transfer requirements.

4- Checklist of areas worthy of attention for compliance

In your organisation you must review or perform the following:

10- There Are Privacy Implications At All Stages

Consider the privacy implications when you conduct your analyses and audits. You must of course carry out privacy impact assessments during the entire GDPR readiness and subsequent maintenance.

4- Checklist of areas worthy of attention for compliance

In your organisation you must review or perform the following:

11- Data Breach

There are new rules about the handling of any data breach such as hack, theft or loss of data.

Security breaches are rising on a massive scale and you need to work harder than ever to both prevent breaches and also to deal with the aftermath of a breach.

You have strict limits for dealing with breaches, including a 72-hour time limit to inform the data subjects and also the authorities.

4- Checklist of areas worthy of attention for compliance

In your organisation you must review or perform the following:

12- Training Is Critical

It is imperative that you conduct training to inform and empower your management and staff.

Of course your training will cover the new regulations. It is however even more important to make clear the role of every person within your organisation with respect to GDPR compliance. Everyone must take suitable precautions and understand how to handle security issues in relation with their roles.

Regular security training updates contribute greatly to the health of your organisation and the data safety of your data subjects.

4- Checklist of areas worthy of attention for compliance

In your organisation you must review or perform the following:

13- Know Your Lead Regulator

Every EU member country has its own regulatory organisation. Find out who that is and have its details within easy reach of your relevant data personnel. You may seek clarifications and assistance from your regulatory body

In Britain, the regulator is 'ICO'. However, after the exit from the European Union, British companies will have to nominate a regulator in an EU member country that best suits their operations. A great deal of consideration must go into this choice.

5- GDPR Strategic plan for compliance

Your strategic plan for compliance may look something like this:

1. Investigate, Assess, Audit
2. Planning and Design
3. Implementation or Transformation
4. Testing & Review
5. Operation or Go Live
6. Conform, Compliance

5- GDPR Strategic plan for compliance

Your strategic plan for compliance may look something like this:

1. Investigate, Assess, Audit

This is probably the most convoluted part of your compliance project and is unique to every entity.

Your existing data, processes and infrastructure must be critically examined and documented, if not done so already.

The examination must be with respect to both privacy and security.

5- GDPR Strategic plan for compliance

Your strategic plan for compliance may look something like this:

2. Planning and Design

Your stage 1 findings govern what action you need to take, where and how. These findings feed into your planning and design of your GDPR compliance solution.

5- GDPR Strategic plan for compliance

Your strategic plan for compliance may look something like this:

3. Implementation or Transformation

Depending on your planning and design outcomes you will then formulate appropriate implementation or transformation project(s) to attain compliance status and to remain compliant going forward.

5- GDPR Strategic plan for compliance

Your strategic plan for compliance may look something like this:

4. Testing & Review

Per NASA engineers' favourite quote:

“One test is worth a thousand expert opinions”

Testing and review at this point will feedback loops to refine any issues that may have been revealed. UAT and other suitable mechanisms will aid decisions to go forward or loop back to earlier stages.

5- GDPR Strategic plan for compliance

Your strategic plan for compliance may look something like this:

5. Operation or Go Live

Your entire GDPR implementation or completed and validated parts of it may go into your production environment.

Depending on the size of your operations it is possible and sometimes prudent to have a staged rollout.

For example, GDPR may have presented the opportunity for new security implementations or brought advanced and integrated alterations to your security.

It may therefore be a valuable exercise to roll out the security implementation in an earlier stage to other GDPR plans. Doing so provides for staff/users to get suitable training and catch up before further changes due to GDPR.

5- GDPR Strategic plan for compliance

Your strategic plan for compliance may look something like this:

6. Conform, Compliance

By this stage, your entire organisation will be on board and operating your GDPR implementation as a matter of routine.

Your designated teams however, must be regularly monitoring and reviewing compliance according to your planning and design prescriptions for this stage.