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GDPR Service Information Sheet

What is GDPR?

General Data Protection Regulation (GDPR) - is a policy that comes into effect from the 25th May 2018. Any business that processes the personal data of EU individuals, regardless of company location, will need to be compliant.

What are the penalties?

As of 25th May 2018, businesses will need to demonstrate their compliance with GDPR by keeping an accurate and up-to-date record of how they process data and make this information readily available to the supervisory authority upon request.

These records will need to show how, what, where and why the data is processed. Those who don't comply will be at risk of having to pay **20 million Euros, or 4%** of their company's global annual turnover of the preceding financial year - whichever amount is greater. For many businesses this poses the threat of bankruptcy, or even closure, as the pending GDPR penalties will soon become reality.

How can I manage this?

Management of data under the GDPR ruling should not be considered as a "*one off*" activity. Instead, your data needs to be **continuously** managed to ensure it adheres to the regulations.

As a starting point, a business needs to address its current state of data protection policies and technology, as well as ensuring it has a company wide understanding of what GDPR is and how it affects the business. Data breaches happen on a daily basis, therefore, being proactive in how you protect the data you hold will reduce the chances of the repercussions of GDPR affecting your business.

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Data controllers must ensure that the personal data they have has been processed lawfully, transparently and for a specific purpose - once that purpose has been fulfilled, the data is no longer required and should be removed.

As well as this, every business' data protection policy should clearly define the following;

- *Why an individual's data is required*
- *What an individual can expect in exchange for providing their information*
- *How this data will be used and processed internally*
- *Who it will be shared with*
- *Clearly state the individual's right to request to be removed from any data lists*

What measures do I need to take?

First and foremost, understanding the legislation and the possible implications that may occur is essential to ensuring your business doesn't fall short on being compliant. From this point, you will be able to build the foundations needed to evaluate and identify areas of your business that need adapting in order to meet the required standards.

Once a business has a clearer understanding, it is vital to determine what data needs to be protected and how to source it legally. It is vital to identify where an individual's data is stored, who has access and who it's being shared with. This will put you in a prime position to evaluate which data to identify and how it can be produced and protected internally.

Now, GDPR doesn't only apply to the data you already have, it also applies to how you collect new data in the future, and ensuring you obtain it lawfully. Your simple name, email and telephone form won't be compliant as of **25th May 2018**, you will be required to fully inform the individual of their rights to their data.

When collecting new data, ensuring clear and direct language is used is essential for the individual to be made aware why their data is needed, how long it will be held for, if it will be shared and what they can expect from providing their data.

What the EU subsequently considers as personal data has also expanded under GDPR, for example, IP addresses will now be considered as personal data. This, alongside anything that was treated as personal data under the Data Protection Act, is still treated as personal data under GDPR.

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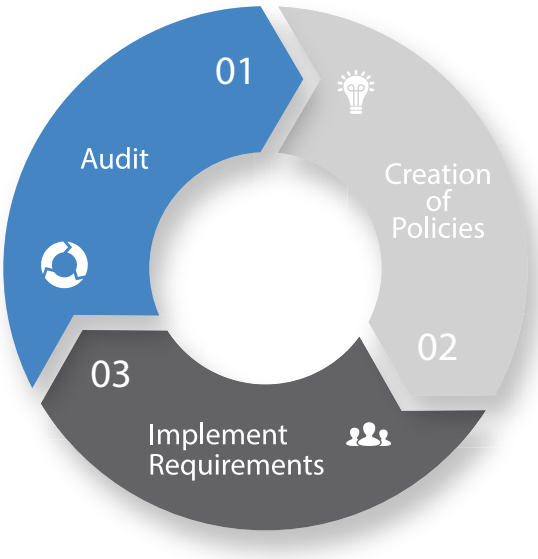
How can Netmatters help?

Netmatters can help your manage your GDPR compliance through an ongoing management process. Our approach is to create a project plan that addresses every aspect of the procedure, ensuring ongoing compliance, with the first stage being an audit to determine your current position. Once the audit is complete, we can help you develop the required policies and strategies required to adhere to the GDPR and prepare a plan of implementation.

Our team of IT consultants, technicians and trained web/software developers will work with your team to understand your GDPR position and to analyse your current data protection policy. From this point, we will not only be able to identify areas that need addressing, but also implement compliant processes and train your staff to ensure you meet with the pending GDPR regulations.

The process is as follows:

1. *Initial Audit*
2. *Creation of Policies*
3. *Implementation of Requirements*
    - *Training*
    - *Ongoing Management*
    - *Implementation of measures for Compliant Data Capture*



Initial Audit

Preparing for GDPR means your business is required to know what type of data it holds, where it's stored, who '*owns*' the data, who has access to it and who the data is shared with. Undertaking a data protection audit is essential to achieving compliance and giving your business the peace of mind needed to ensure no hefty fines will be landing at your front door.

Netmatters will review your current data flows and privacy policies to identify any areas of your current data procedures that could leave you vulnerable. Our team of experts will provide a company wide audit on your businesses current privacy management and data protection practices through an on-site review of the following GDPR principles:

1. *Lawfulness, fairness and transparency*
2. *Purpose limitation*
3. *Data minimisation*
4. *Accuracy*
5. *Storage limitation*
6. *Integrity and confidentiality*

A comprehensive GDPR compliance review will not only reduce your organisations risk of security breaches, but will boost your customers confidence in your business, as public awareness of data protection escalates.

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Creation of Policies

GDPR is all about being transparent in regard to how you manage your data. But, if you don't have transparency internally on how you handle data, you'll struggle to show this to the supervisory authority.

Internal transparency is acheived through the creation of a centrally accessible set of policies and procedures that cover every aspect of GDPR and Data Protection.

Netmatters will help you create the policies and can provide the management through its customer portal. Here you will be able to see all activity that has been carried out alongside your policies and procedures in the form of a manual.

Implementation of Requirements

This part of the process is concerned with the implementation of the policies, procedures and cleansing of data in order to meet the regulations. The work carried out on this section is entirely dependent on a businesses current position and the policies they have adopted. It is likely to include some of the following activities;

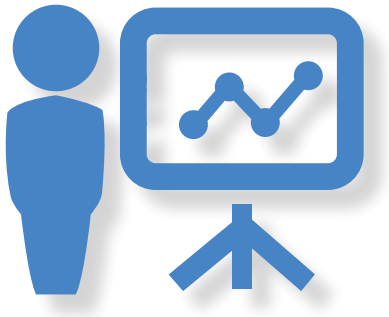
- Deleting and cleansing of data
- Redacting data where records need to be kept but personal data cannot be kept.
- Implementing GDPR compliant details and functionality to data collection mediums

Training

Our team of IT and data experts will be able to provide your business with a detailed insight into GDPR. Through group workshops and guided training, we will provide practical guidance on what your business needs to be doing to ensure it's ready to adhere to the pending changes.

The training will cover:

- *Controllers and processors - What's the difference? Which are you? What are your duties?*
- *The rights of an individual under GDPR*
- *Consent*
- *Alternatives to consent*
- *Data protection by design and data protection impact assessments*
- *Handling subject access requests*
- *Data breaches and common security failures*
- *Incident response management and reporting*



By the end of the training, your staff will have the knowledge and skills needed to know how to comply with GDPR, and manage internal data systems accordingly on a day-to-day basis.

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Refresher training:

We understand things change in your business, systems get updated, new people come and perhaps your staff's knowledge on GDPR may not be up to standard. Therefore, we will provide your staff with bespoke refresher training to cover the basics of GDPR, review your current privacy policy and suggest any changes that need to be made.

Ongoing Management

Once these new procedures have been implemented within your business, it is **vital** to maintain and ensure you continue to operate under the new GDPR regulations. This may sound simple enough, but ensuring you have the systems and technologies in place to ensure individuals have easy access to their data and that any requests to be removed from your database are done promptly, is a larger task than many envisage.

Right to Access

As part of the GDPR, individuals will have a right to access their personal data and get confirmation as to how it's being processed, where and for what purpose - providing a dramatic shift in data transparency and empowerment for individuals providing their data. **Businesses will be required** to provide a copy of the personal data, free of charge, in an electronic format that is easily accessible for the individual.

Right to be Forgotten

The individual has the right to be forgotten by the business holding their data. In this instance, the business is required to erase their personal data, and cease from using this information further.

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GDPR Compliant Data Capture

Typically, when collecting data, businesses will request certain pieces of information, such as name, email, and telephone number. But with the implementation of GDPR, businesses will need to provide individuals with additional information such as; how long their data will be held for, why it's required and their right to complain to the ICO if they consider their data is being handled incorrectly, or against GDPR regulations.

The GDPR ruling defines consent as:
"*any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her*"

In layman's terms – individuals need to be able to provide their data freely, in an "*intelligible and easily accessible form*", and be able to withdraw that same consent easily and when they wish to do so. Implied consent will no longer be enough. This means no more pre-ticked boxes implying the customer is giving their consent, or their rights hidden away in the T&C's. Customers will need to provide you with a clear, affirmative action to advise they have given you consent to their data being processed.

Netmatters will be able to work closely with your team to understand your company objectives, why you need customers data, how it will be used and to suggest a data capture method that will be consistently compliant with GDPR.

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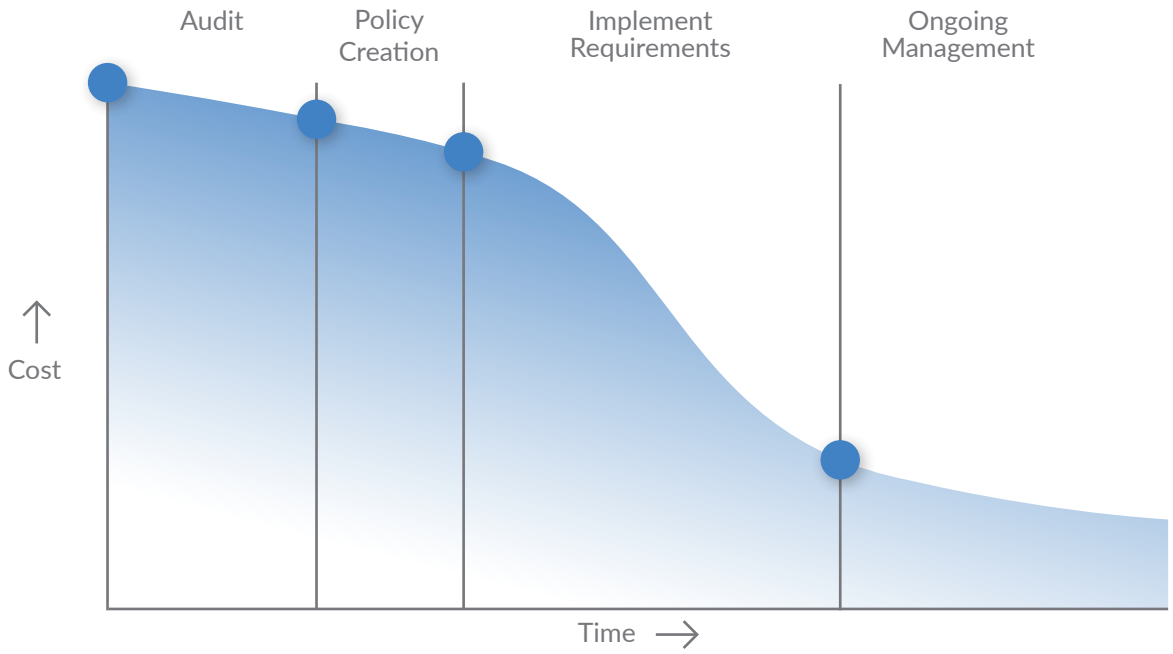
What will it cost?

The cost of managing your GDPR compliance is completely dependent on the amount of data and processes your company already has in place. We will work with you at an agreed run rate of time per month. The amount of time needed will decrease and ultimately depend on how well you manage the data and enforce policies internally.



Arrange your **FREE** consultation with one of our **GDPR Specialists** to ensure that your business complies with the new regulations.

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