

## **Good data practices are key to GDPR compliance, privacy professionals say**

(April 2, 2018) - Many sessions at the International Association of Privacy Professionals annual conference on March 27 and 28 in Washington focused on the General Data Protection Regulation, which seeks to update the current data protection framework in Europe.

The GDPR replaces Directive 95/46/EC, putting various privacy and data security requirements on those who collect and process data if they are established in the European Union or if they offer goods or services to EU residents or monitor those residents' behavior.

From day one, the GDPR will apply directly in the EU's 28 member states. For practical purposes, however, the regulation reaches far beyond the EU's borders as more businesses serve and process personal information for customers and employees worldwide.

The uncertainty of a new law combined with the potential for massive fines for noncompliance have been a cause of anxiety for many businesses.

Asked at the IAPP conference whether there would be a grace period before enforcement actions, Austrian Data Protection Commissioner Andrea Jelinek joked that May 25 is a Friday so organizations have, at least, until May 28.

In addition to her duties as Austria's lead regulator, Jelinek serves as the current chair of the Article 29 Working Party, an EU advisory body on data protection and privacy issues.

The European Data Protection Board, with the status of an EU body and more extensive powers, will replace the so-called WP29 under the GDPR.

## **GDPR is a reminder to take privacy seriously**

The IAPP's two-day conference offered numerous GDPR-related sessions to help practitioners prepare for the upcoming deadline.

Topics included country specific implementations and derogations, data subject access requests and record-keeping requirements, compliance priorities, the 72-hour breach notification requirements and the interaction with the EU-US Privacy Shield.

John Bowman, a senior principal at IBM's Promontory Financial Group LLC, explained that the regulation has moved companies to take data protection and privacy seriously.

"GDPR has prompted companies to consider how they use personal data as part of their day-to-day business and they are working hard to be ready for the May 25 deadline," Bowman said.

Bowman served as the UK government's lead negotiator on the proposed GDPR when he worked at the Ministry of Justice.

Isabelle Falque-Pierrotin, France's lead data protection authority and former chair of the WP29, said the GDPR reminds companies to take privacy seriously and to make sure privacy informs strategic, corporate-wide decision-making.

## GDPR is a prompt to focus on data management

"Many organizations don't realize that by solving for GDPR, they solve for the rest," Kon Leong, CEO of ZLTech, said.

The most important goal for companies is to understand what information they collect and control. Once an entity understands this, other issues concerning data localization, cross-border transfers and access privileges fall into place, he said.

Dana Simberkoff, the chief risk, privacy and information security officer at AvePoint Inc., similarly emphasized the importance of implementing good data governance and lifecycle management processes.

"Without data discovery, tagging and classification, it's almost impossible to understand what information you have, who can access it, what those individuals are doing with it, and most importantly, how you can protect it," she said.

While her clients have worried about responding to data subject access requests and end-to-end management of consent under the GDPR — incredibly important topics to address, Simberkoff stressed — she said she tries to encourage them not to leap too far ahead of where they are practically in terms of their data governance journey.

Many companies must first tackle massive repositories of undiscovered, unclassified legacy data, she said.

By Melissa J. Sachs

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