

Benchmarking GDPR preparedness

GDPR: Three months to go

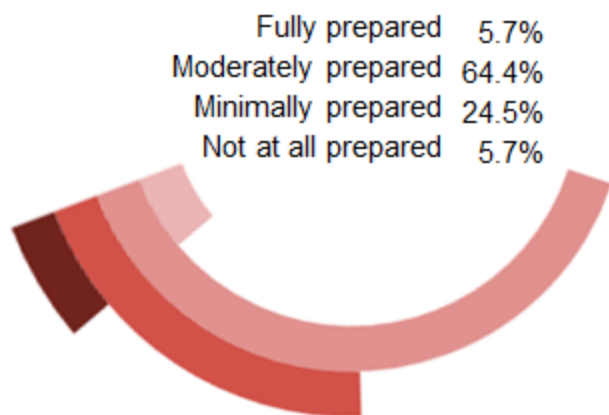
GDPR: Three months to go

On February 22, 2018, Reed Smith's IP, Tech & Data Group hosted a webinar discussing key priorities and strategies for compliance during the final three months remaining before the Global Data Protection Regulation (GDPR) comes into force on May 25, 2018. We have prepared the following benchmarking report based on the data of more than 250 respondents spanning a variety of industry sectors.

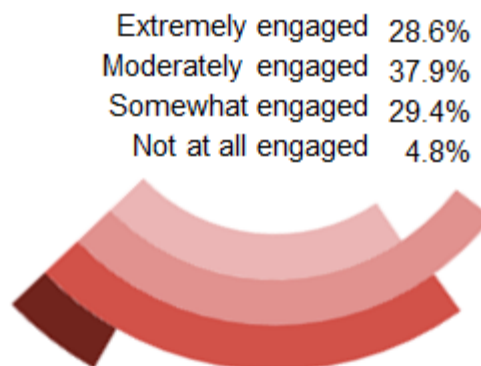
The survey results show that there is still a mixed picture in relation to compliance with the GDPR with over 30 percent of participants either minimally prepared or not prepared at all. Interestingly, the trend and percent of those fully and moderately prepared were closely aligned to organizations with moderate to high senior management engagement. When it comes to the compliance tasks, the percentages show that companies are on the path to compliance over the next three months, but over 50 percent of participants still need to agree on strategy and implement the changes to the supply contracts, and nearly 36 percent of companies are still trying to understand requirements and to agree on a strategy for compliance.

GDPR preparedness

How prepared do you feel your organization is for GDPR?



How engaged is the most senior management of your organization on GDPR compliance?



What's currently being discussed?

- No clear guidance on applicability of GDPR to non-EU organizations
 - What is “processing in context of the activities of an establishment” (Art. 3 (1))?
 - How can “monitoring behaviour of EU data subjects” be avoided in case of website tracking (Article. 3(2b))?
- Authorities have different expectations on the exact content of Register of Processing Activities (Art. 30 GDPR; e.g. CNIL and Belgian DPA) CNIL and BE DPA
- Do EU-Model Clauses (Processors 2010) need amendment to meet Article 28 GDPR?
- Many local GDPR laws are not yet finalized.



The GDPR brings in a host of new obligations for all businesses with interests in Europe, so it is vital that organizations are well on their way to compliance.

Register of processing activities

What, if any, investment has your organization made in understanding the bases for processing personal data?

Detailed data mapping



Detailed system-by-system analysis of data flows



Review with legal and data protection office re basis of processing



Amended or changed business processes because of GDPR



Issued new guidelines or policies regarding collection, use and disclosure of personal data



None

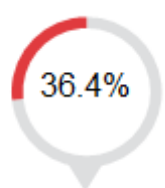


Supplier management and data processing agreements

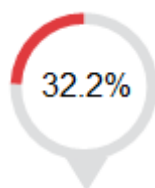
Has your organization agreed a strategy for ensuring GDPR processor obligations are in your existing vendor/supplier agreements?



Yes, we have agreed on a strategy



We are still assessing suppliers/vendors in scope



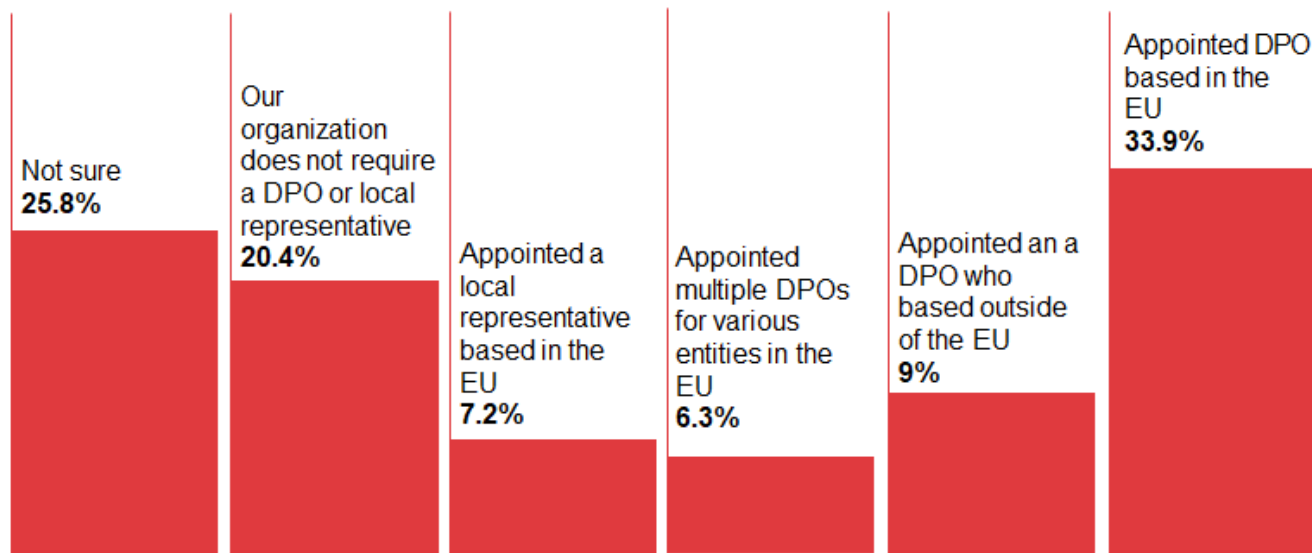
We have started implementing requirements



We're not sure how to go about it

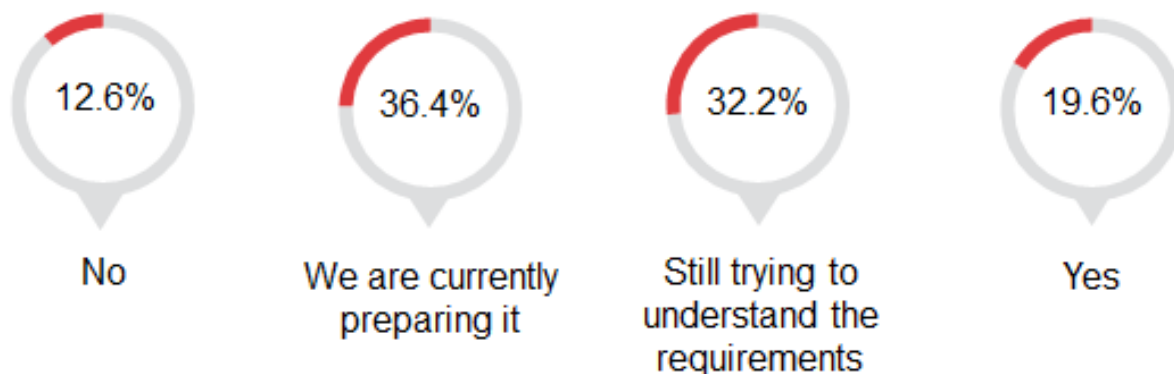
Governance and data protection officer

What strategy does your organization follow in context of appointment of a data protection officer (DPO)?



Data breach notification

Has your organisation updated its written incident response plan to contemplate notification of EU residents and data protection authorities?



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