

Helping businesses negotiate the data privacy maze





GDPR at a glance

With GDPR, firms will reshape their approach towards data protection and privacy concerns and will need to take extra precaution while handling sensitive data.

Background

Post 1995, rapid technological advancements have reduced human interactions and improved decision-making. The journey from 'internet' to 'internet of things' has helped generate reams of data, which can be sliced and diced to create specific information on users. But what happens to privacy in a world where consumers are leaving digital dust behind every second?

Effective 25 May 2018, the General Data Protection Regulation (GDPR) is the European Union's (EU) new data protection regulation for EU residents. It addresses the gaps in Data Protection Directive by revamping it to address the modern age systems where data communication is happening through social media, cloud computing and geolocation services.



4% of annual global turnover or €20 million (whichever is higher) is what a company will have to pay as non-compliance fine.

Why GDPR?

GDPR is meant to give control to the residents/individuals over their personal data by unifying and harmonising the data protection regulations with strict compliance requirements. Businesses will also have a holistic view of customers' data, creating opportunities to respond to their requests by engaging them in a non-intrusive manner. This will also push businesses to adopt innovation faster with the objective of enhancing customer experience.

Recently, multiple incidents of data theft have surfaced globally, ranging from credentials theft to interpreting electoral stance of individuals using behavioural analytics. This has now raised questions on the use of online public resources.

While personal data of customers has been protected by the laws and regulations across different countries, privacy is rarely accounted for.

With the exponential increase in the amount of data being processed, it is important to maintain not only the confidentiality, integrity and availability of the data, but also the reliability of the network which transmits it.

With GDPR compliance, organisations will have improved overall data governance and clean reputation.



GDPR is not only applicable to organisations located within the EU, but also to those outside the EU who collect, store or process Personal Information (PI) and Personal Identifiable Information (PII) of EU citizens.

With GDPR, the definition of personal data has become broader and includes identifiable numbers, travel records, religious affiliations, web search results, biometric data from wearable fitness monitors, Internet Protocol (IP) or personal computer addresses or the factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person. It doesn't include news articles, legal actions or public records.

Key features

GDPR offers a consistent approach to protect data across all member states of the EU. It aims to functionally improve and increase organisational accountability for all aspects of data protection, from collection of personal data to its disposal.



Enhanced rights for data subjects

An individual will have the right to object to some data profiling and automated decision-making, and will also be able to request removal of unnecessary personal data.



Enhanced organisational obligations

Firms will now have to publish the rights of data subjects and the way in which they processes their data.



Stringent consent requirements

Consent/permission should be explicit, freely granted for specific purpose and easy to retract.



Stricter breach reporting

Data breaches must be reported within 72 hours to the regulator and sometimes to the individual/data subject.



Privacy impact assessment

Emerging privacy risks need to be identified before any project is undertaken.



Privacy by design

All new and existing business processes must be designed with data protection and privacy in mind.



Record keeping

Firms should maintain a register for entry of all activities being carried out with mandatory DPIAs (Data Protection Impact Assessment) for high-risk data processes.



Appointment of Data Protection Officer

A mandatory Data Protection Officer is to be appointed who will be different from IT Head, CIO, CTO, etc.

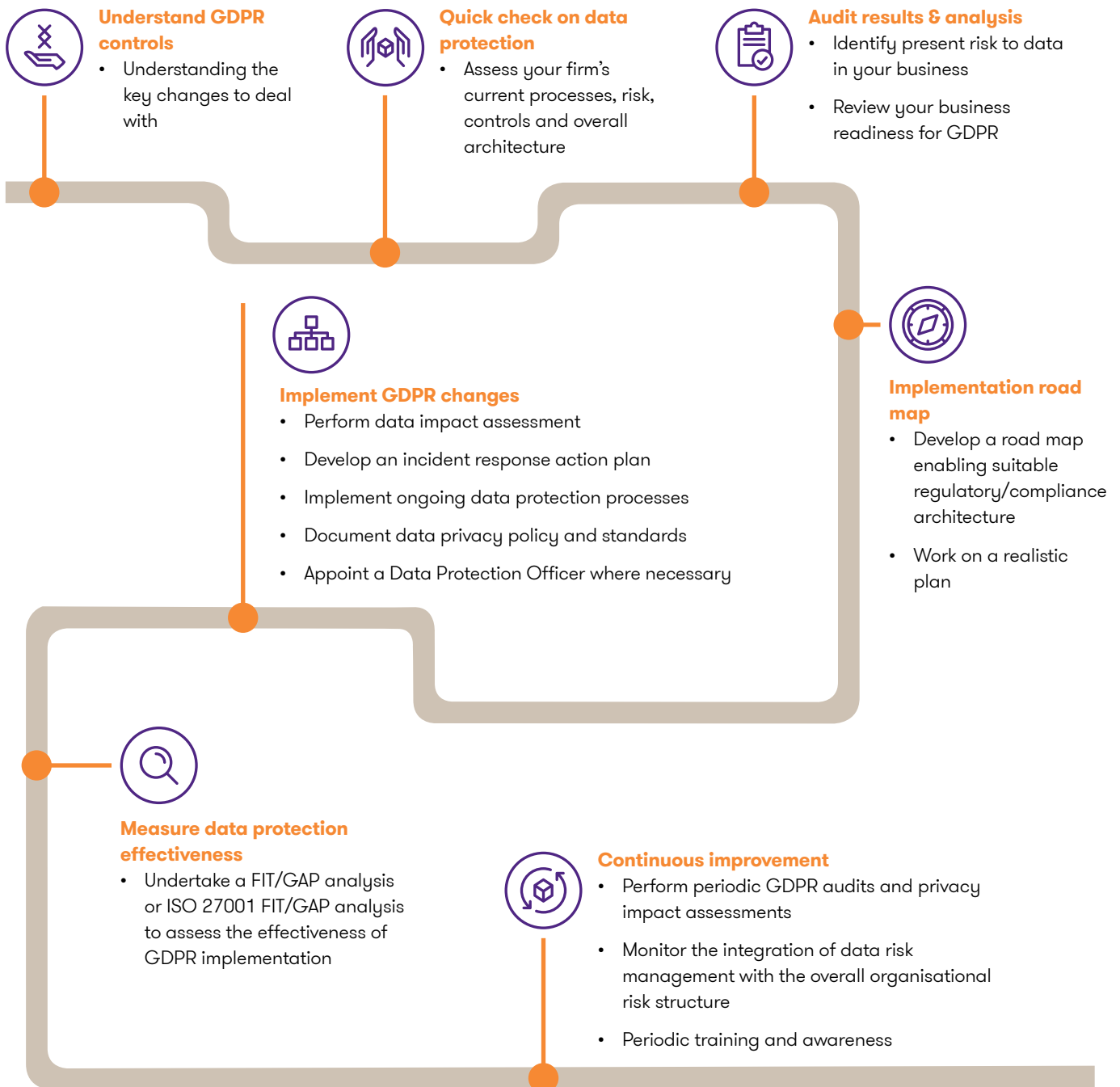


Wide regulatory scope

The regulation will be applicable for both, the controller and the processor.

Our approach

GDPR compliance journey has seven key steps. These help to identify, analyse, plan, implement, measure and improve the controls to maintain data privacy and protection. Grant Thornton will not only provide complete assistance for making your business GDPR compliant, but also ensure that you make the most of the regulation's benefits with our specialised architecture & integrated approach.



Grant Thornton in India

We understand the new and upcoming regulations and what they mean to you. Our subject-matter experts have relevant industry experience in all aspects of data privacy and protection. Our experts will customise a GDPR compliant solution best suited for your business and stakeholders.



Akshay Garkel
Partner, Advisory
E: akshay.garkel@in.gt.com



Prashant Gupta
Partner, Advisory
E: prashant.gupta@in.gt.com



Contact us

To know more, please visit www.grantthornton.in or contact any of our offices as mentioned below:

NEW DELHI

National Office
Outer Circle
L-41 Connaught Circus
New Delhi 110001
T +91 11 4278 7070

NEW DELHI

6th floor
Worldmark 2
Aerocity
New Delhi 110037
T +91 11 4952 7400

AHMEDABAD

7th Floor,
Heritage Chambers,
Nr. Azad Society,
Nehru Nagar,
Ahmedabad - 380015

BENGALURU

5th Floor, 65/2, Block A,
Bagmane Tridib, Bagmane
Tech Park, C V Raman Nagar,
Bengaluru - 560093
T +91 80 4243 0700

CHANDIGARH

B-406A, 4th Floor
L&T Elante Office Building
Industrial Area Phase I
Chandigarh 160002
T +91 172 4338 000

CHENNAI

7th Floor, Prestige Polygon
471, Anna Salai, Teynampet
Chennai - 600 018
T +91 44 4294 0000

GURGAON

21st Floor, DLF Square
Jacaranda Marg
DLF Phase II
Gurgaon 122002
T +91 124 462 8000

HYDERABAD

7th Floor, Block III
White House
Kundan Bagh, Begumpet
Hyderabad 500016
T +91 40 6630 8200

KOCHI

6th Floor, Modayil Centre point
Warriam road junction
M. G. Road
Kochi 682016
T +91 484 406 4541

KOLKATA

10C Hungerford Street
5th Floor
Kolkata 700017
T +91 33 4050 8000

MUMBAI

16th Floor, Tower II
Indiabulls Finance Centre
SB Marg, Elphinstone (W)
Mumbai 400013
T +91 22 6626 2600

MUMBAI

9th Floor, Classic Pentagon
Nr Bisleri factory, Western
Express Highway, Andheri (E)
Mumbai 400099
T +91 22 6176 7800

NOIDA

Plot No. 19A, 7th Floor
Sector - 16A
Noida 201301
T +91 120 7109 001

PUNE

3rd Floor, Unit No 309 to 312
West Wing, Nyati Unitree
Nagar Road, Yerwada
Pune- 411006
T +91 20 6744 8800

For more information or for any queries, write to us at contact@in.gt.com



Follow us @GrantThorntonIN

© 2018 Grant Thornton Advisory Private Limited. All rights reserved.

"Grant Thornton in India" means Grant Thornton Advisory Private Limited, a member firm within Grant Thornton International Ltd, and those legal entities which are its related parties as defined by the Companies Act, 2013.

Grant Thornton Advisory Private Limited is registered with limited liability with CIN as U7410DL2001PTC111284 and has its registered office at L-41 Connaught Circus, New Delhi, 110001.

References to Grant Thornton are to Grant Thornton International Ltd (Grant Thornton International) or its member firms. Grant Thornton International and the member firms are not a worldwide partnership. Services are delivered independently by the member firms.