GDPR: The New PPI?

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ENHANCING BUSINESS DECISIONS

Agenda

- Overview
- The new PPI?
- Who does it apply to?
- Why do I care?
- Data protection principles
- What is personal data?
- Consent
- Rights and obligations
- E-Privacy
- Setting up a compliance program
- The Insurance market

Overview

- GDPR will replace UK Data Protection Act 1998
- 25th May 2018
- GDPR designed to enhance the protection of individuals
- Bringing data protection laws into the 21st century

- Equifax – millions of social security numbers
- AMP – 25,000 staff records
- Paradise Papers

The new PPI?

- Basis for general public to make a claim
- Scope for damage and loss of reputation
- Possible traps in the form of individual rights – right to access, rectification, erasure and portability
- Have to respond within a reasonable time
- Failure to comply can result in fines

- Or…compliance can be a basis for creating a great reputation

Who does it apply to?

- Applies to “controllers” and “processors”
  - Controllers say HOW and WHY personal data is processed
  - Processors acts on controller’s behalf
- To organisations operating within the EU
- To organisations outside the EU that offer goods and services to individuals in the EU

Why do I care?

- 47% of 900 surveyed organisations believe they won't meet compliance guidelines
- Fines and penalties for breach of up to £17.9m or 4% of global annual turnover PER INCIDENT
- Under the GDPR your customers can request for their personal data to be transferred from you to a COMPETITOR.
- 72 hours to report breach.

Data protection principles

1. FAIR, LAWFUL and TRANSPARENT
2. Processing must have PURPOSE

Data must be:

- ADEQUATE RELEVANT AND LIMITED TO WHAT IS NECESSARY
- KEPT UP TO DATE
- Only held for AS LONG AS NECESSARY
- SECURELY PROTECTED

What is personal data?

- Anything that enables you to identify a person, whether alone or with other data you hold
- Now includes wider elements such as an IP address, email address, biometric data
- Does not matter if automated or manual filing system

Consent and lawful processing

- Processing is lawful if:
  - Consent – special rules for children's consent
  - Necessary for performance of a contract or to enter into a contract
  - Necessary for compliance with a legal obligation
  - Protection of vital interests of data subject or a third party
  - Necessary for public interest or official authority

- Special requirements for transfer of data outside the EU and sensitive data

Rights of individuals

- Informed about processing
- Access of information
- Rectification
- Erasure
- Restrict Processing
- Data Portability
- Object to processing
- Automated decision making

Obligations under GDPR

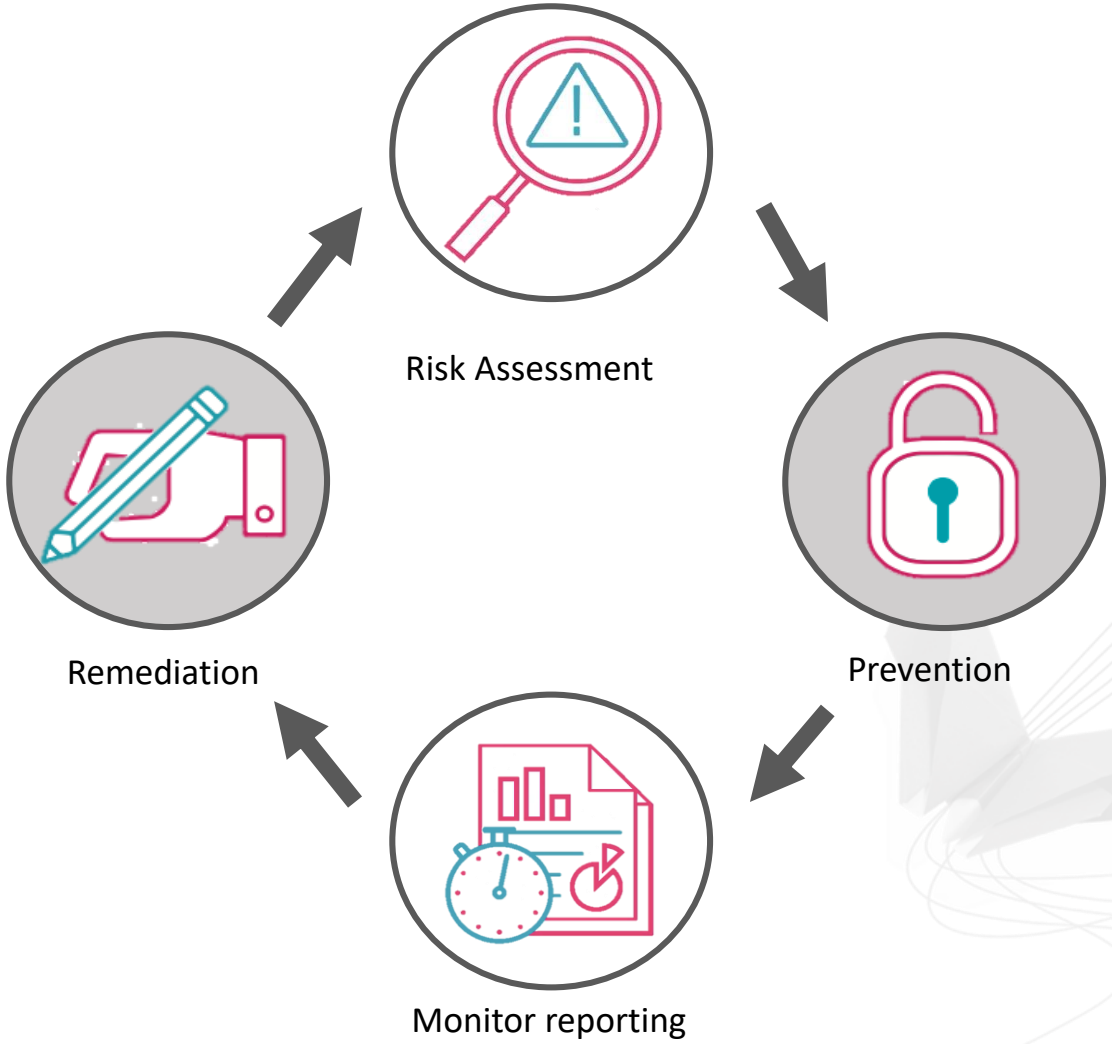
- Transparency
- Accountability and governance
- Full documentation of data processing activities
- Maybe appoint a DPO
- Data protection by design and default
- Breach notification

E-Privacy

- Proposals to operate alongside GDPR
- Regulates the way businesses communicate with individuals
- Cookies, direct marketing, email communications, cold calls
- Penalties will be of similar size to some GDPR penalties

- WATCH THIS SPACE…

Designing a compliance programme



Compliance programme key steps

- Senior management buy in
- Consider making privacy an essential strategic element!
- Data flow mapping
- Audit existing state of compliance
- Identify gaps
- Make a plan to improve compliance

- Not a ‘one time’ compliance project but must become a **‘living document’**

Special considerations for the insurance market

- Customer concerns about use of data by insurance companies
  - E.g. Admiral's plan to use Facebook data to set car insurance prices
- Possible use of social media to find evidence of fraudulent claims
- Could telematics assist with pricing policies?
- Data analytics to produce pinpoint marketing

Special considerations for the insurance market

- Review systems to make sure they incorporate “privacy by design”
- Review communications and consents especially for sensitive personal data (e.g. health and travel insurance)
  - Lloyds Market Association waiting for guidance from ICO on this
- Look into processes for data portability (e.g. from one insurer to another)
- More requirements around automated processing (and profiling) – need to explain, get informed consent. Customers can object.
- Cyber insurance an opportunity?

Conclusion

- Do not ignore GDPR
- Compliance programme needs to be put in place
- Flow mapping process to be documented ASAP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Preparing for GDPR with
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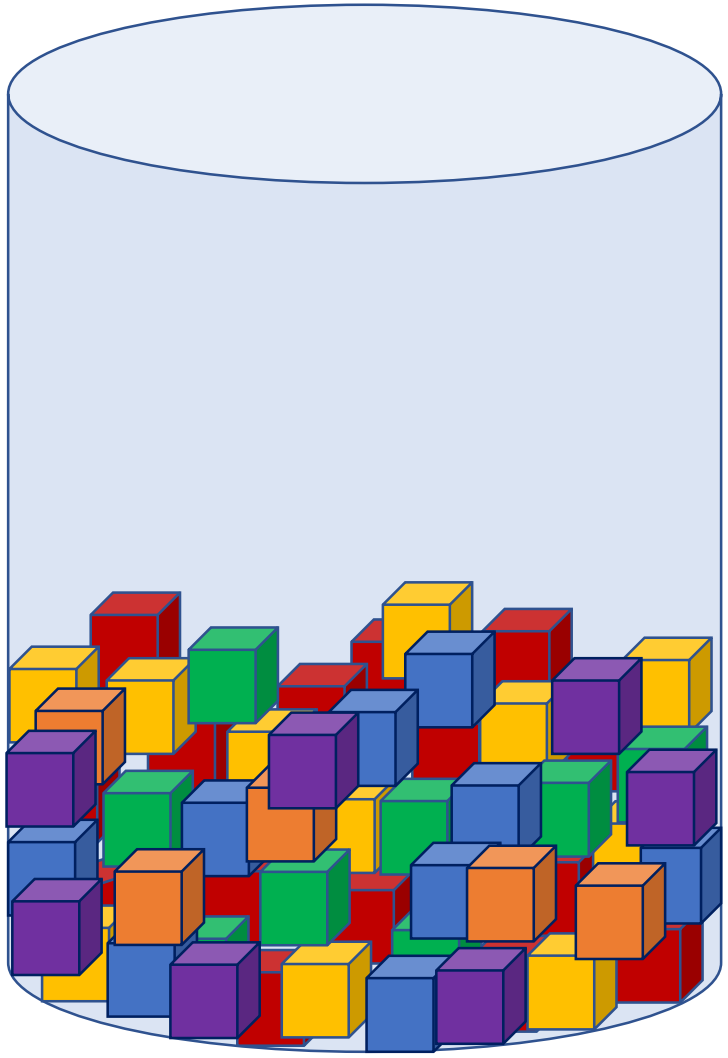
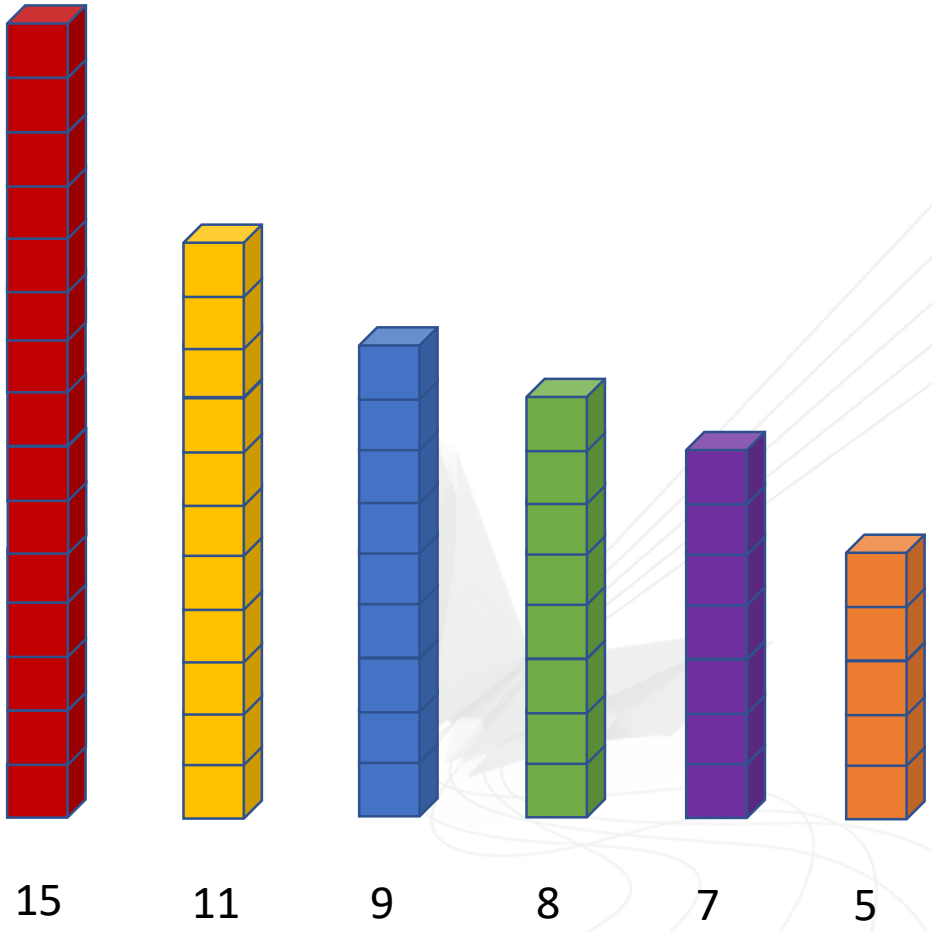
Who are we?

"I founded Giroux with the intent of engineering data warehousing and analytics solutions that are more affordable and more efficient. I built the company out of frustration of failed analytics projects…Over ten years we have developed a team of experts capable of providing an end-to-end data analytics solution whose agility, flexibility and scalability are second to none. "

What do we do?





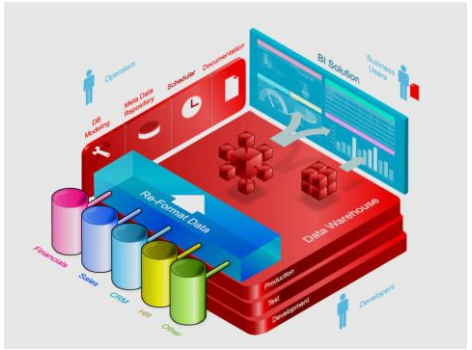
How can we help you comply?

Easy to eradicate data

Governed Information

Compliant to individual rights

Complete control



Monitoring

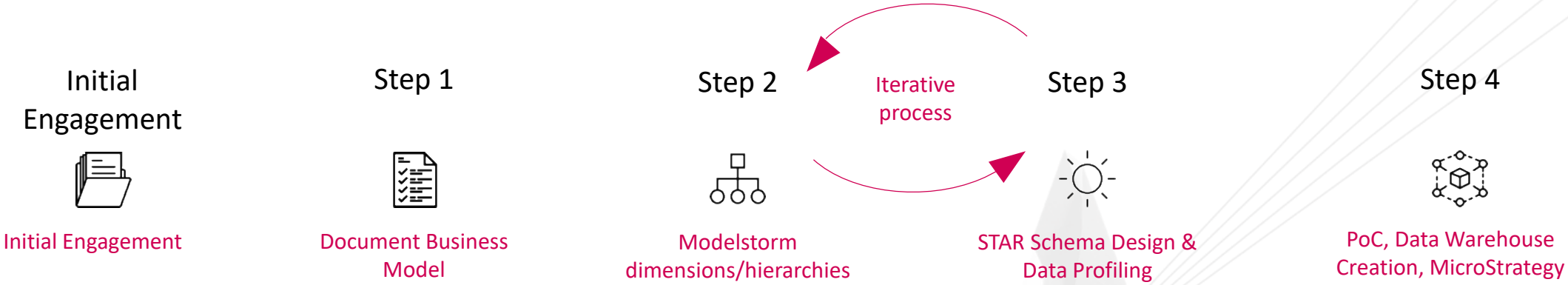
Documentation

Security

Compliant

How to get started?

6-8 Week Consulting Set-up To Get You Up And Running:



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