

Global Data Protection Day

by Copenhagen Compliance®

January 28, 2021, Online Conference

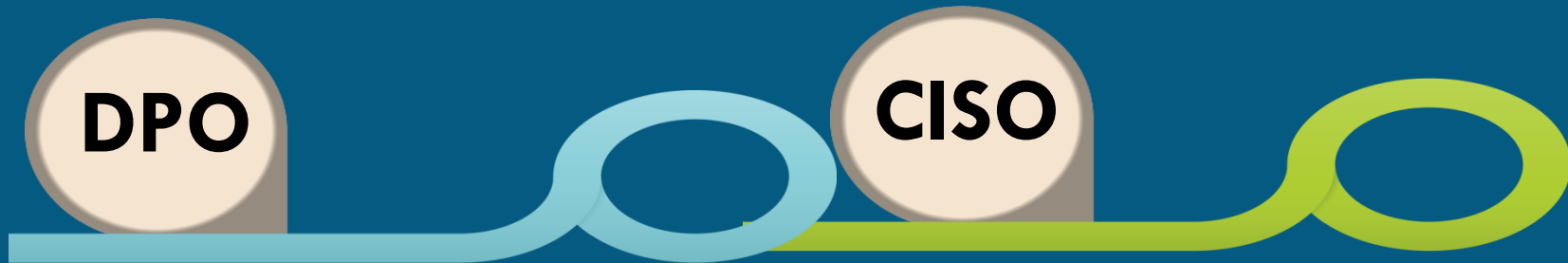
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Minimising Privacy Risk
from a global DPO perspective

The risk of poor accountability



Accountability for risks



Compliance

Data subject

Illegal process

Data breach

Data integrity

Continuity

Accountability for risks

A diagram showing two light beige ovals, one labeled "Controller" and one labeled "Processor", connected by a light blue loop. A green loop is also present to the right of the Processor oval. The ovals are positioned above a horizontal line that is light blue under the Controller and green under the Processor.

Controller

Processor

Illegal instructions

Wrong selection

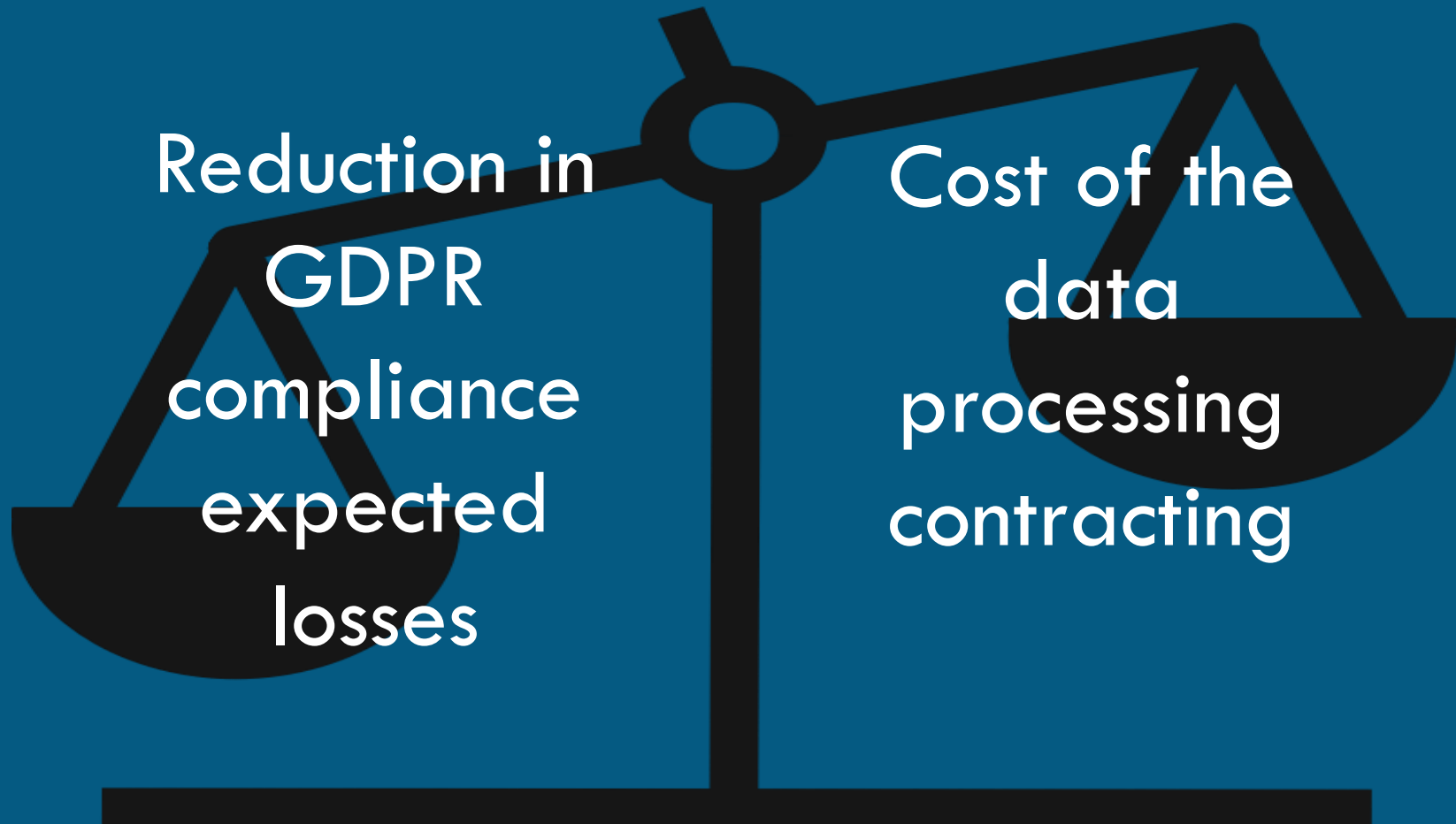
Lack of audit

Deviation from

instructions

Insufficient controls

When to outsource?



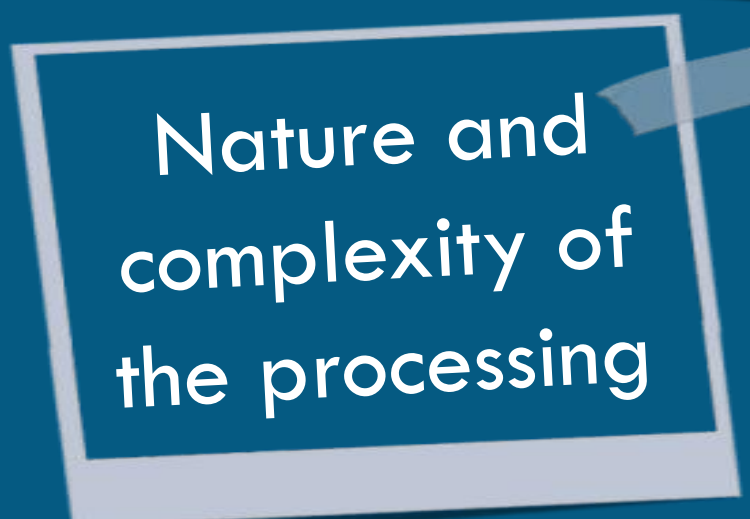
Risk factors in outsourcing

A white-bordered polaroid-style photograph with a white border, tilted slightly to the right, containing the text "Scale and duration of processing" in white. It is secured to the blue background with two pieces of white tape at the top corners.

Scale and duration
of processing

A white-bordered polaroid-style photograph with a white border, tilted slightly to the left, containing the text "Bargain power" in white. It is secured to the blue background with two pieces of white tape at the top corners.

Bargain
power

A white-bordered polaroid-style photograph with a white border, tilted slightly to the right, containing the text "Nature and complexity of the processing" in white. It is secured to the blue background with two pieces of white tape at the top corners.

Nature and
complexity of
the processing

A white-bordered polaroid-style photograph with a white border, tilted slightly to the left, containing the text "Sensitivity for subjects" in white. A thin black pen is resting on the top right corner of the photo. It is secured to the blue background with two pieces of white tape at the top corners.

Sensitivity for
subjects

Sensitivity for subjects

social disadvantage

physical harm

fraud

humiliation

discrimination

financial loss

reputation harm

identity theft

right limitation

violation of secrecy

social trust loss

Tool

Use the
following slides
to assess risk
scenarios for
data processors



Risks of data processors

Over processing of personal data

- Deviation from instructions
- Poor stipulations in contract
- Illegal data transfers
- Disclose w/o need-to-know/share

Risks of data processors

Non-compliances

- Missing controller's documentation
- Missing or delayed breach notification
- Data subject access requests discoordination
- Incomplete data deletion

Risks of data processors

Data confidentiality and integrity loss

- Failure to encrypt or anonymize
- Reverse pseudonymisation
- Interface errors
- Lack of data quality and logs
- Failure of data validation controls

Risks of data processors

Discontinuity of services

- Poor response protocols
- Unstable infrastructure
- Physical hazards
- Poor backup restoration

Modular DPIA

A hand-drawn diagram on a blue background showing a modular DPIA process. It consists of two main rectangular boxes, one above the other, connected by a horizontal arrow pointing from the top box to the bottom box. Each box has a vertical list of small, illegible text items on its right side. The top box contains the text "Need assessment" and "Project Mgr to DPO". The bottom box contains the text "Describe processing" and "Architect to Project Mgr".

Need assessment
Project Mgr to DPO

Describe processing
Architect to Project
Mgr

Modular DPIA

A diagram illustrating a modular DPIA process. It consists of two main rectangular boxes, one above the other, connected by a horizontal line. Each box has a vertical line on its left side with an arrow pointing downwards, and a vertical line on its right side with an arrow pointing upwards. The top box contains the text "Consultation Subject Matter Experts". The bottom box contains the text "Proportionality analysis DPO".

Consultation
Subject Matter Experts

Proportionality analysis
DPO

Modular DPIA



Modular DPIA

A hand-drawn diagram on a blue background showing a modular DPIA process. It consists of two main rectangular boxes, one above the other, connected by a horizontal line. Each box has a vertical line on its right side, suggesting a list or table. The top box contains the text "Risk reduction plans SMEs to PM" and the bottom box contains "Sign off PM + DPO".

Risk reduction plans
SMEs to PM

Sign off
PM + DPO

Binding corporate rules

Processors should **notify controllers** when using or changing companies in the same business group covered by BCRs as sub-processors

Binding corporate rules

Processors should monitor that sub-processors under BCR-P put **effective data security and compliance controls** in place throughout the employees of the group in third countries

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