



Data movement is global!

Staff Awareness Training

Arvi Virdee

arvi@meetingstec.com

SMARTEC BUSINESS SOLUTIONS



- Formed 2013 in London
- Technology and Data solutions for meetings and events
- GDPR qualified practitioner 2017
 - The Meetings Show, London 2019 – GDPR, Brexit and Events
 - TEAMS, Louisville 2018 – Data Management in Sports
 - Eventsforce briefing, London 2018 – GDPR for the events lifecycle
 - Venuedirectory.com briefing, 2021 - Effect of Brexit on UK-EU data
- Client projects for:
 - Deloitte, Takeda, Interpol, Vauxhall Cars, Banque Saudi Fransi, Argus Media,
 - Flanders Tourism, VisitWales.com, VisitBirmingham.com

DISCLAIMER



- **The material presented is for information purposes and is not be construed as legal advice.**
- **Please consult a data protection officer, legal counsel or professional adviser for your specific circumstances.**

WHAT IS GDPR AND PERSONAL DATA



- **The EU General Data Protection Regulation - GDPR**
 - May 2018 legislation designed to increase the protection of personal data for individuals
 - Applies to the data of EU (European Union) citizens but reach is extra-territorial
- **Personal Data**
 - Any data which can directly or indirectly identify a living person
 - Address, social security number, photograph, etc.
 - Includes **company** data – not just personal... e.g., @gmail.com
 - Client, supplier, partner, staff, contractors, members, event attendee, etc.

TERMS YOU NEED TO KNOW



- **Special Categories of personal data**
 - Sensitive data such as race, sexual orientation, health information, etc..
- **Processing**
 - Any action that takes place on personal data, including storing, sharing, editing, etc...
- **Data subject, Individual, Natural Person, Consumer**
- **DPO – Data Protection Officer**
 - An individual within an organization who ensures the personal data processing is in line with GDPR – the role is mandatory for some companies

CONCEPTS BEHIND DATA PROTECTION

- **Who owns the data?**
 - **WE do, the data subject.** Companies have a duty to look after it with care.
 - Obtain it **legally** and use it for the **purposes** for which it was intended
 - If they sell it to make money - it's not theirs to sell, unless we give **consent**
 - If they lose it, it could lead to identity theft which could leave us out of pocket, as well as causing distress - **data security**
 - If they **share** it with a 3rd party, it must also protect our data
 - Example: Facebook and Cambridge Analytica
- **TRANSPARENCY AND ACCOUNTIBILITY**



CONCEPTS BEHIND DATA PROTECTION

- The GDPR and CCPA are about **Data Privacy / Protection**, which is different to Data Security
- Data privacy is the **appropriate use of data**, while data security refers only to its safeguarding
- GDPR is concerned with using data for **specific and legitimate purposes** only, in line with **agreements** with the data subject
- The data subject has **rights** and can ask for **a copy of their data**, or for all their data to be **deleted**, if they choose. These requests must be honoured within **30 days**, unless there is a legal reason not to

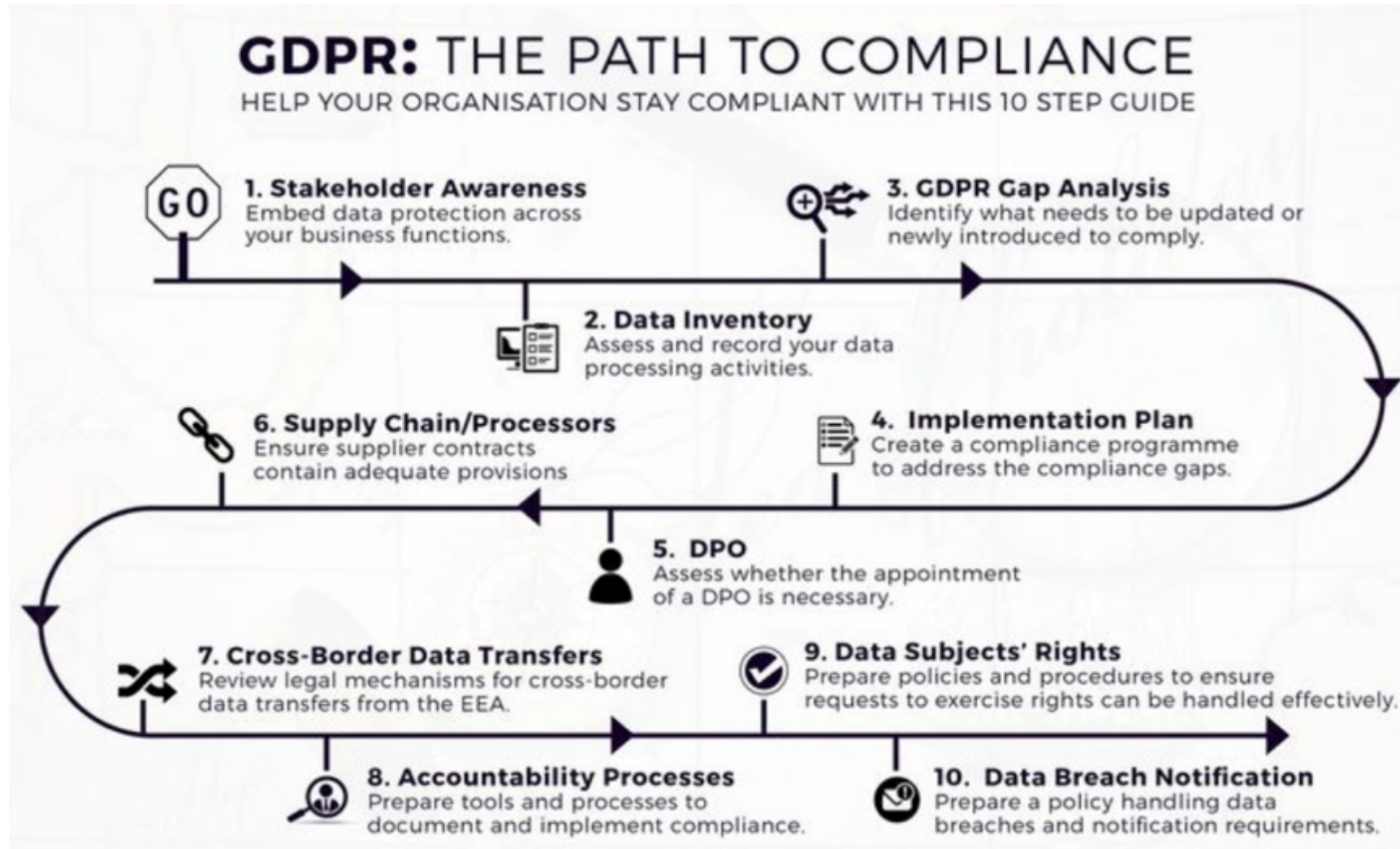


IMPACT ON BUSINESS

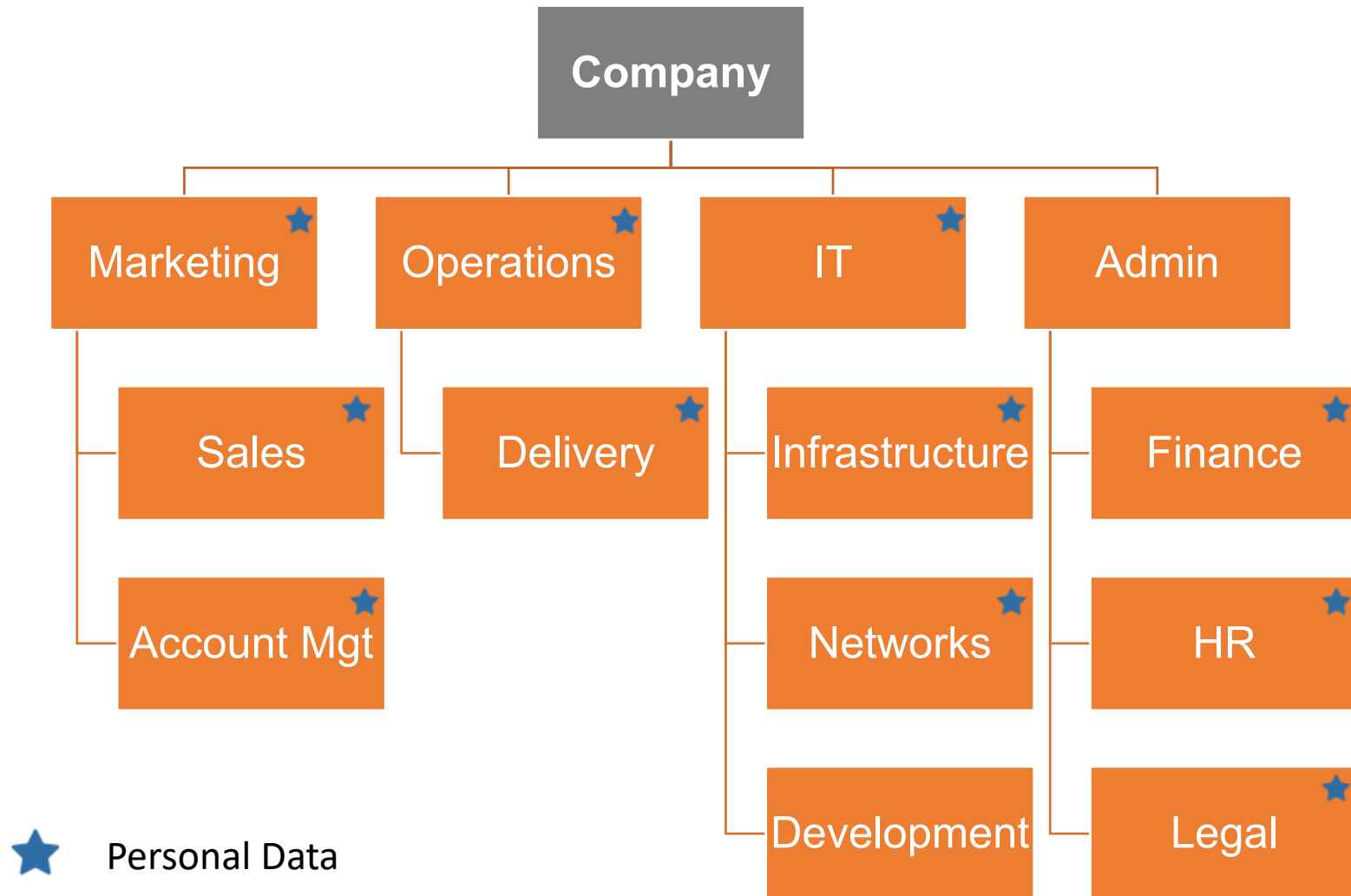
- Business is **global! International transfers of data**
- Invariably, companies have a lot **more data than they think**.
 - E.g., years of email marketing lists with the marketing automation tool
- **‘GDPR Compliance’** means a company adheres to the 99 Articles of the regulation.
 - <https://www.eugdpr.org/article-summaries.html>
- GDPR requires companies to only work with **others who are GDPR Compliant** or suitably data aware
- Applies to **structured, unstructured data, both digital and paper**
- Reach is **extraterritorial**



COMPLIANCE JOURNEY



WHERE IS PERSONAL DATA?



Employees

Recruitment

Clients

Suppliers

Contractors

Partners

Sponsors

Members



WHERE IS PERSONAL DATA?

- Common systems with personal data used by every business:
 - Customer Databases in Excel format
 - Lead / CRM System (Customer Relationship Management)
 - Email Marketing System
 - Website Contact form
 - Membership Systems
 - CCTV (Closed Circuit Television) for recording and monitoring movement
 - HR Management System / Recruitment / 3rd party Agencies
 - Payroll / Back office Accounting System
 - Email System – Inbox, Sent Items, Archive folders



DEPARTMENTAL IMPACT ON BUSINESS



- **Sales and Marketing**

- Where did the data come from in the first place? Events, business cards, bought lists, etc..?
- How long can we keep marketing to a person if we never hear from them?
- Do we need consent or can we rely on legitimate interest?

- **IT (Information Technology)**

- Monitor staff network access, including helpdesk
- Manage security – cyber, network, PC, laptop, remote working, etc.

DEPARTMENTAL IMPACT ON BUSINESS

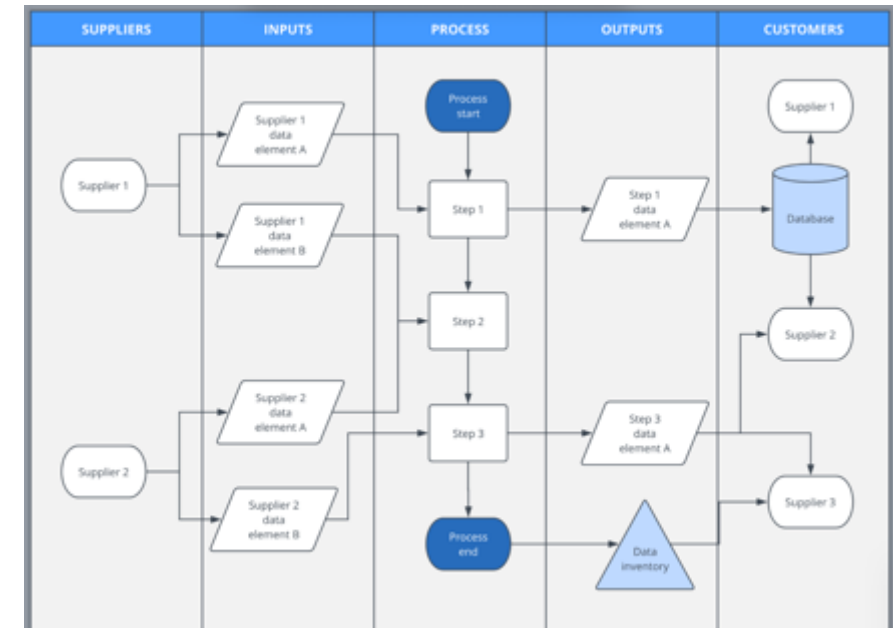
- **Operations**

- Understand the flow of personal data - map data flow
- Training for all users who process personal data



- **Human Resources and Administration**

- Employee data is also personal data
- Managing recruitment resumes and CVs



CASE STUDY – AN EVENT

- **Pre-Event**

- Event marketing
- Invitation process
- Registration and delegate management
- Supplier management, contracting and sharing data
 - Flights, accommodation and transportation
 - Event management system, badging system, event app, survey tool, etc.
- Badge and collateral printing
- Sensitive data
 - Dietary requirements, age, etc.



CASE STUDY – AN EVENT

- **Onsite**

- Walk-in registrants
- Pre printed badge display
- Printed lists – onsite 'clipboard'
- Staff and contractor management
- Event app
- Lead capture

- **Post Event**

- Session, speaker and event surveys
- Delegate reports and data analysis



CASE STUDY – COVID 19



- **Contact Tracing**

- Health data is classed as special category
- Legal basis of processing – Vital Interests or Public Interest
- Google and Apple apps will collate movement of people
- How will this data be used? Can it be anonymized? Data leakage

- **Working from home**

- VPN access to the office?
- Work data printed at home
- Work data copied onto local hard drives

GDPR PRINCIPLES



Personal data – any information that can identify an individual



Reach – any organization that offers goods and services, or monitor the behaviour, of EU citizens



Sharing - written contract between Controller and Processor



International transfers – restricted without appropriate safeguards



GDPR PRINCIPLES

All personal data should be:

- Processed **lawfully, fairly** and in a **transparent** manner
 - Collected for **specified**, explicit and legitimate purposes
 - Adequate, relevant and **limited** to what is necessary
 - **Accurate** and, where necessary, kept up to date
 - Retained only for **as long as necessary**
 - Processed in an appropriate manner to maintain **security**
 - **Accountability**
-
- Question to clients: do you have policies, procedures and training in place that embed the principles above into your daily operations?



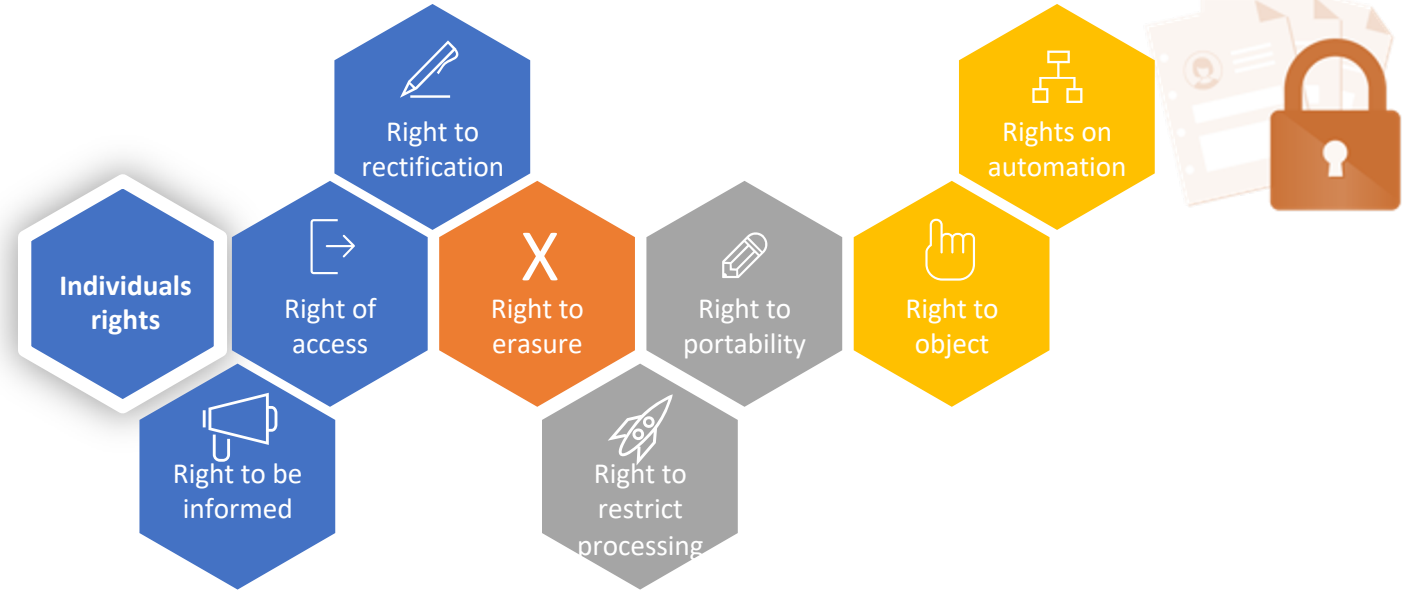
LAWFUL BASIS OF PROCESSING

- **Consent** has been given by the data subject for a specific purpose (e.g., marketing approval on a registration form)
 - Preparation and fulfilment of a **Contract** for the data subject
 - The **Legal Obligation** of the controller (e.g. accident reports for H&S records)
 - Protect the **Vital Interests** of the data subject (e.g. health emergency)
 - In the **Public Interest**
 - The **Legitimate Interest** of the controller (e.g., B2B marketing)
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- Client exercise – have you carried out a data audit and established a legal basis for all the personal data you hold?



DATA SUBJECT RIGHTS

- Right of **Access**
- Right to **Rectification**
- Right to **Erasure**
- Right to **Restriction**
- Right to **Portability**
- Right to **Object**
- Right to be **Informed**
- Rights relating to automated decision making/**profiling**



- Client exercise – Could you respond to a DSR (Data Subject Request) within 30 days?

SHARING DATA

- **Data Controllers and Processors**

- ‘Data controller’ means the body which determines the purposes and means of processing
- ‘Data processor’ means the other body which processes personal data on behalf of the controller.

- Sub processors are processors appointed by a processor

- **Contracts** must be in place between controllers and processors – **joint liability**

- **International transfers of data** is restricted without appropriate safeguards

- Client exercise - can you list ALL the companies you share your personal data with and classify them as a controller, processor or joint controller? Which country are they in?



OTHER AREAS OF LEGISLATION

- Privacy Notice
- Data Protection Officer
- Representative Company
- Data protection impact analysis (DPIA)
- Data Breach management process
- Policies and procedures
- Record keeping – Article 30 report
- Security - Encryption of data
- Privacy by Design and Default



QUESTIONS?



Thank You

Arvi Virdee

Smartec Business Solutions

arvi@meetingstec.com

www.meetingstec.com

I: [linkedin.com/in/arvivordee/](https://www.linkedin.com/in/arvivordee/)

Thank You



www.meetingstec.com



info@meetingstec.com



U.K +44 (0)7974 451677

