

## GDPR-proof your business

Our specialist Data Protection Compliance Team can help. We can meet with you to discuss your requirements and complete a scoping questionnaire.

From this, we will provide you with a fixed-fee proposal to carry out our Data Protection Audit and Review.

Please contact Joanne Henderson or Carla Murray to arrange an appointment.

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# Data Protection Compliance Service

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# Data Protection Compliance: Key Facts

Your business must comply with the EU General Data Protection Regulation (GDPR) and the UK's new Data Protection Bill. The new regime will apply to all UK businesses from 25 May 2018; there is no alternative to compliance.

GDPR, and the related UK legislation, will introduce additional data protection obligations for data controllers and data processors. The aim is to provide more effective protection for the privacy of consumers and employees.

You will need to ensure your business has an up-to-date data protection compliance programme matching the stringent requirements of the new legislation. Brexit will not affect your requirement to comply.

## What do businesses need to do?

Your business needs to demonstrate compliance with data protection principles by:

- adopting a renewed approach to data protection
- adopting policies, procedures and processes to ensure the privacy of consumers and employees

If you are a data controller, you will need to put in place measures such as:

- Data Protection Consents
- Privacy Notices and Terms and Conditions
- procedures to protect enhanced individual rights
- a policy of privacy by design – factoring privacy into the design of new business systems

Depending on the size of your business and your processing activities, you may also need to:

- adopt a record-keeping system or data-protection register in relation to processing activities
- appoint a Data Protection Officer (DPO)
- carry out Data Protection Impact Assessments (DIPAs).

Data processors must also ensure they comply with relevant data protection requirements and the terms of agreements with data controllers.

### Consequences of non-compliance

Failure to comply with the new regime may result in reputational damage and tough penalties for businesses, including:

- a ban or suspension of data processing, and/or
- fines for infringement up to EUR 20 million or 4% of global turnover

Individuals, either singularly or as a group, will be able to bring civil claims for damages for hurt feelings and distress in the event of a data breach.

# Myerson Compliance Plan

Myerson has developed Data Protection Audit and Review – a tool to evaluate your data processing activity and review your current practices and procedures and their adequacy under the new regime.

Myerson has also developed a straightforward Data Protection Compliance Package designed to be tailored to your business, ensuring an intelligent and proportionate approach to data protection compliance.

The UK Information Commissioner's Office issues on-going guidance on how UK businesses should comply with the new regime. Myerson, through its retainer-based Compliance Support programme, is committed to keeping you up to date on developments through regular updates and training.

Our retainer services also offer Helpline Advice to guide you through data protection issues such as Data Subject Access Requests, reporting of data breaches and requirements to complete Data Protection Impact Assessments.

We would be pleased to support you in achieving compliance with data protection principles through our 5 step Data Protection Compliance Plan detailed in the flow chart below:

## Compliance flow chart



# The Myerson 5 Step Data Protection Compliance Plan explained

## Step 1: Identifying your Data Protection Requirements

We will meet with you to provide an overview of the new and enhanced requirements under GDPR and the new regime, to understand the scope and extent of your data processing activity and your approach to data processing. Based on our discussions and using our scoping tools, we will be able to deliver a fixed-price proposal to conduct a comprehensive audit and review of your data processing activity.

## Step 2: Myerson Data Protection Audit and Review

The obligations of each business depend on the size and nature of the business, the nature of the data processed, types of processing and the risks to privacy that such processing involves.

Using our Data Protection Audit and Review tool, we will fully evaluate your data processing activities and identify your specific obligations under GDPR and the new regime.

## Step 3: Myerson Data Protection Compliance Report

Our Data Protection Compliance Report will tell you what steps to take to ensure compliance with the new regime. Importantly, the report will identify your business's lead supervisory authority and make recommendations in relation to requirements for a Data Protection Officer (DPO), a Data Protection Register and any requirements to carry out Data Protection Impact Assessments.

## Step 4: Myerson Data Protection Compliance Package

Our Data Protection Compliance Package will be tailored to your business. It provides data controllers with policies, procedures and protocols that demonstrate compliance to supervisory authorities and data subjects. A separate package is available for data processors.

We acknowledge that proportionality and workability are key, so the package will be adjusted to match your business requirements and processing activities.

## Step 5: Myerson Data Protection Compliance Support

We will offer support services on a retained basis to keep you updated on developments driven by the EU and the ICO, which will continue to assess the impact of GDPR and UK legislation and provide compliance guidelines. Our retainer support services also include:

- Training for Data Protection Officers (DPOs), Board members and other senior managers with responsibilities for business strategy and data protection issues
- Periodic compliance health checks to ensure your compliance programme is workable and effective
- Helpline services to guide your response to Data Subject Access Requests, data processing breaches and requirements to undertake Data Protection Impact Assessments