

GDPR Checklist

This GDPR Compliance Checklist sets out the requirements that the General Data Protection Regulation will introduce into EU Privacy law on 25 May 2018. The Checklist summarizes the nature of the provision and refers to the GDPR.

Accountability

- Implement a data protection policy including processes for privacy by design and the creation and maintenance of a record of processing activities:
- Privacy compliance;
 - Art. 5, 24, 25, 30 of the GDPR;

Governance

- Exam whether a data protection officer is required;
- Review insurance coverage and consider whether it needs to be updated in light of the higher fines and penalties under the GDPR
 - Art. 5, 27, 37-39 of the GDPR;

Consent and Fair Processing

- Review your grounds for lawful processing. Will it be sufficient under the GDPR?
- Is your organization processing any sensitive personal data? Ensure that the requirements for processing such data are satisfied;
- Review existing consents to ensure they meet the GDPR requirements; If not, implement a process to seek new consents;
 - Art. 5, 6, 7, 9, 10, 85- 91 of the GDPR;

Data Subject Rights and Procedures

- Update data privacy policy and internal processes for dealing with requests;
- Ensure technical and operational processes are in place to ensure data subjects' rights can be met, e.g. right to be forgotten, data portability and the right to object;
 - Art. 16, 17, 18, 19, 20, 21, 22, 23 of the GDPR;

Record of Processing

- Identify all data processed in a detailed record of processing;
- Implement and maintain processes for updating and maintaining Record of Processing
Art. 30 of the GDPR;

Privacy by Design and Default

- Ensure processes are in place to secure privacy by design and default into projects (technical and organizational measures are in place to ensure data minimization, purpose limitation and security);
- Put in place a privacy impact assessment protocol;
Art. 25, 35, 36 of the GDPR;

Contracting

- data protection wording for agreements;
- Search all contracts that require data protection wording for contracts;
- Ensure procurement process has controls to ensure privacy by design (security diligence, data minimization, visibility of onwards data flows);

Data Breach

- Develop Data Breach Compliance;
- Review insurance coverage for data breaches;
- Consider liability provisions in agreements for breaches caused by providers;
Art. 32-34 of the GDPR;

Data Export

- Identify all cross-border data flows and review data export mechanisms
- Update cross border mechanisms if necessary
- Use standard contract clauses by dealing with cross-boarder businesses;
Art. 44-50 of the GDPR;

FOR MORE INFORMATION:

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