KLDiscovery

Legal Technologies **UK**

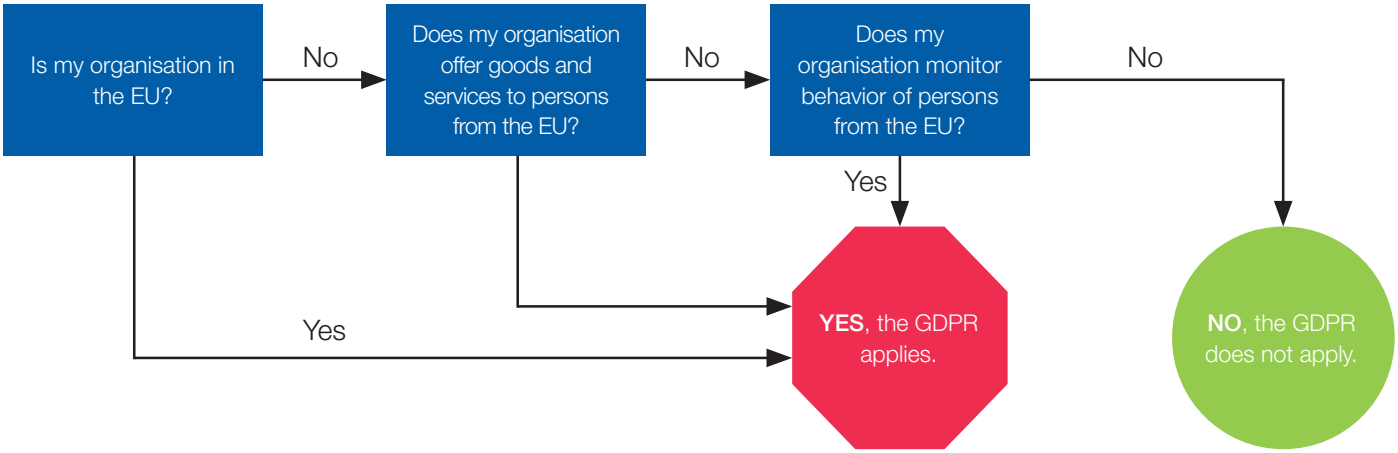
Practical Solutions for GDPR Compliance

Suppose that at least once a day you had to comb your organisation for all the personal data related to a specific person and delete it. Would you know where to look? How would you know if you identified the correct data? How would deleting the data impact your business?

This scenario is not just a hypothetical. Thousands of organisations find themselves in exactly this position, facing cumbersome data-driven challenges in their day-to-day business, especially since the European Parliament's General Data Protection Regulation ("GDPR") went into effect. The GDPR does not just apply to organisations headquartered in the European Union ("EU"); it applies to any organisation concerned with personal information of Data Subjects within the EU.

KLDiscovery provides eight distinct services addressing more than a dozen specific GDPR requirements.

Does the GDPR apply to me?



The GDPR defines both "personal data" and "processing" of that personal data very broadly: virtually any business activity that involves collecting or storing data that identifies or could be used to identify a specific person is covered. Some of the specific requirements on organisations include the requirement to notify data protection authorities of data breaches within 72 hours, provide copies of all personal data held about a person upon request, and employ adequate technical safeguards to ensure the accuracy and security of personal data.

Key Provisions of the GDPR

Business Process

- Educate and train employees
- Update, audit and maintain policies
- Data Protection Officers
- Contract management
- Data protection by design and default

Controls & Notifications

- Security practices
- Breach notification
- Legality of processing
- Records of processing

Transparency in Disclosures

- Notification of collection
- Purpose of processing
- Data retention and disposition

Data Subject Rights

- Access
- Rectification
- Deletion
- Objection
- Restriction
- Portability

The penalties for non-compliance are severe – administrative fines up to and including 4% of global annual turnover, as well as a separate civil liability, both to your contractual partners and data subjects.

This summary represents just the tip of the iceberg. With 99 articles, the GDPR is a lengthy and complicated piece of legislation. Given that even modestly sized organisations typically have hundreds of data repositories and may have data related to millions of persons, complying with the GDPR is no simple task. Nevertheless, there are certain actions that organisations can take to improve their compliance postures. These include:

1. Incorporating data protection by design and default into standard business processes;
2. Adopting appropriate security practices, including appropriate technical safeguards for information;
3. Proactively identifying and remediating incorrect or extraneous personal data where possible;
4. Establishing best practices for creating and maintaining records related to processing of personal data; and
5. Ensuring that personal data is only retained as long as required for the lawful purpose for which it was obtained.

KLDiscovery provides a range of products and services that allow organisations to accomplish these objectives simply and cost effectively.

- **Intelligent File Maintenance:** Identify and remediate personal data on file shares and other data sources.
- **Personal Data Production Services:** Generate compliant access and portability request deliverables.
- **Data Subject Access Request Services:** Limit risk by delivering all and only the right data to the right data subject.
- **Nebula™ Big Data Store:** Automatically identify personal data in real time and manage retention accordingly. Respond quickly and easily to data subject requests using an intuitive search and redaction interface.
- **Tape Services:** Facilitate data access for GDPR compliance, including audit, migration, recovery, and personal data remediation.
- **Erasure Verification Services:** Establish proof of disposition and generate records demonstrating appropriate technical safeguards.
- **Data Erasure Software and Hardware:** Data Erasure powered by Blancco and Ontrack Eraser Degausser securely dispose of end-of-life data on any type of storage media.
- **Office 365 Security and Compliance:** Leverage the power of Microsoft's GDPR investments to improve compliance.

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