Privacy and Data Protection compliance

Privacy compliance went from ‘nice to have’ to ‘must have’
Mastering privacy and data protection has become an imperative in today’s digital business world. Customers and regulators increasingly demand adequate protection of personal data.

The deployment of privacy invasive technologies (like Big Data, mobile apps, customer profiling, etc.) is growing and the quantity and impact of privacy related scandals are increasing. Organizations risk losing the trust of their clients and employees when personal data is not protected adequately.

Moreover, regulators worldwide intensify the oversight and enforcement actions on data protection. Both within and outside Switzerland, new rules and regulations are developed to effectively combat and prevent privacy issues.

The recently finalized general Data Protection Regulation (GDPR) will be a fundamental game changer with a broader geographic reach and will introduce controls, reporting standards and fines up to 4% of the global turnover of a firm.

In addition, Swiss data protection legislation changes are oncoming. It is expected that the new provisions will be in sync with the GDPR. The tightening regulatory framework may require substantial changes in your organization. The time to act is now!

Timelines

- **EU GDPR**
- **Swiss DPA**

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
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<tbody>
<tr>
<td>2015</td>
<td>Decision on DPA&lt;br&gt;The Swiss Federal council decided in 2015 to substantially revise the Swiss Data Protection Act (DPA). The DPA is applicable to all Swiss organizations.</td>
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<td>2016</td>
<td>GDPR formal adoption&lt;br&gt;The text of the GDPR was finalized in December 2015 and formally adopted by the European Parliament and Council of the European Union in April 2016.</td>
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<td>2018</td>
<td>GDPR enactment&lt;br&gt;The GDPR will enter into force in the EU after a transition period of two years, i.e. April 2018.</td>
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<td>2019</td>
<td>Revised DPA&lt;br&gt;Expected date</td>
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Draft Regulation Swiss DPA<br>The Swiss Federal Council has engaged the Federal Department of Justice and Police to draft the revised Swiss DPA by End of August 2016.

Is your organization prepared?

- Is your organization aware of the privacy and data protection rules and regulations to which it must comply?
- Do the relevant stakeholders in your organization know which (personal) information your organization processes, where it is located and who manages it?
- Does your organization have the adequate controls in place to ensure data flows are secure and in compliance with privacy laws?
- Does your information landscape permit privacy compliant outsourcing, offshoring and use of cloud computing?
- Does your organization have the adequate technical and organizational measures in place to prevent, monitor and follow up on data breaches?
- Is your organization ready for privacy compliant use of new technologies (e.g. Big Data, mobile apps, customer profiling)?
How do we help

Benefit from a tried and tested privacy improvement approach that is flexible and scalable, which allows us to focus on the privacy challenges of your organization.

By means of 12 framework components, we structure privacy in your organization. The components provide a pragmatic structure for assessing, organizing and overseeing Privacy in your organization.

Privacy sub-services overview

Assess
- GDPR impact and gap assessment
- Privacy maturity assessment
- Privacy management quick scan
- Mapping of (personal) information flows
- Perform (personal) information classification
- Third-party privacy compliance assessment

Design
- Information governance strategy and blueprint
- Set up privacy improvement program
- Design privacy management system
- Internal information exchange strategy and policies
- Data breach prevention strategy and policies
- Data breach response plan

Implement
- Privacy governance measure
- Data breach response processes
- Implement and configure privacy management tooling
- Privacy training and awareness program

Monitor
- Continuous privacy compliance
- Privacy controls reviewing
- Privacy audits
- Privacy certification

Why KPMG?

KPMG has broad experience with privacy assessments, technology implementations and small and large scale privacy improvement programs in a diverse range of industries.

Our multidisciplinary team of highly qualified professionals have the skills, competencies and experience to support you with the most challenging issues. Our specialists cover all aspects of privacy, including: legal, governance, controls, and technology.

We follow a proven approach to privacy management that we tailor to the privacy challenges and opportunities of your business.

KPMG understands that compliance is not the sole goal for your organization and uses their expertise and experience of risk management and data protection, in order for you to become compliant with privacy rules and regulations, while limiting the costs of compliance and maximizing ‘in control’ benefits.
KPMG has a proven track record in Data Protection. KPMG has successfully helped clients worldwide in various industries in becoming Data Protection compliant and maintaining their control status. Below a client case study is described.

**Case study**
A major international Swiss bank asked KPMG for support in the strategy definition and program execution of a client data confidentiality program. The bank initiated a global strategic program to reduce operational risks to the business and to gain flexibility and agility with regards to their operating model.

**KPMG’s approach**
- KPMG arranged access to industry leading experts for strategic advise and as a sounding board for program management
- KPMG set up a multidisciplinary team to support the client end-to-end, including: privacy strategy definition, information and outsourcing governance, process automation, system architecture, security system implementation & roll-out and overall program management support
- KPMG deployed a dynamically scalable, global delivery team
- KPMG performed benchmarking analyses within and across industries

**Client benefits**
- Our clients are recognized as industry leader in client data confidentiality
- Implemented agile business operating model which readily permits the outsourcing and offshoring of processes and services in a privacy compliant manner
- Automated privacy and security related management processes
- Dedicated high performance project management office, which ensured seamless delivery across functions that optimally supported key decision making by senior management throughout the project

**Selected credentials**

<table>
<thead>
<tr>
<th>Public Bodies</th>
<th>Major international technology company</th>
<th>Healthcare company</th>
<th>Pharmaceutical company</th>
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<tr>
<td>KPMG performs Data Protection audits on behalf of regional governments’ Data Protection Authorities</td>
<td>KPMG assesses the policies and procedures to protect privacy and freedom of expression principles.</td>
<td>KPMG advised an international med tech company on setting up information protection governance and drafting privacy policies.</td>
<td>KPMG supported an international pharmaceutical company in the design and implementation of their global data privacy framework and governance model.</td>
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<tr>
<td>2013 – 2016</td>
<td>ongoing</td>
<td>2013</td>
<td>2015</td>
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**Contact**

- **KPMG AG**
  - Badenerstrasse 172
  - PO Box 8036 Zurich
  - kpmg.ch/cyber
  - Matthias Bossardt
    - Partner
    - Consulting
    - +41 58 249 36 98
    - mbossardt@kpmg.com
  - Thomas Bolliger
    - Partner
    - Consulting
    - +41 58 249 28 13
    - tbolliger@kpmg.com
  - Jeffrey Bholasing
    - Manager, Head of Data Protection & Governance
    - +41 58 249 42 88
    - jeffreybholasing@kpmg.com

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