



Is your data protection compliance Brexit-ready?

Expert data protection advice and contract services

Whether the UK leaves the EU with a deal or there's a no-deal Brexit, data protection (DP) compliance must be achieved and maintained. Whether your operations are national or international, are you meeting this challenge?

The UK Regulator, the Information Commissioner's Office (ICO), has recommended six steps to take to be Brexit-ready on a no-deal Brexit. Here is a brief description of how our DP legal specialists can help.



ICO: Post-Brexit you must continue to comply with all relevant DP law

Compliance with GDPR principles, rights and obligations will remain key post-Brexit. There will be a UK GDPR and the DPA 2018 will remain. Your DPO may also have responsibilities within the EU. We can give you pragmatic expert advice, perform gap analyses, liaise with our international network and provide a range of services for you to achieve and maintain compliance.



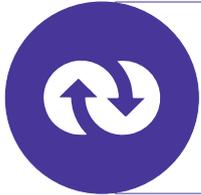
ICO: Consider impact on post-Brexit data transfers to the UK

We can review current and prospective data flows from the EEA to the UK and coordinate EU advice relating to such flows. Where no exemption will apply, we can ensure you are ready to put in place appropriate GDPR safeguards (such as EU standard contractual clauses or binding corporate rules). We can review, and where appropriate, help change contracts (e.g. third party and intra-group).



ICO: Consider impact on post-Brexit data transfers from the UK

We can review data flows and identify where data is transferred from the UK to the EEA or beyond, so that any new basis for those transfers under UK transfer rules can be documented. Again, contracts may need to be reviewed and revised. We can assist with this.



ICO: Consider impact on post-Brexit European operations

We can review your structure, processing operations and data flows to assess which DP regime(s) will apply to your business post-Brexit and call on our network of local lawyers for advice. UK based businesses will lose the benefit of the regulatory One-Stop-Shop and your business may need to appoint a European representative to meet continued EU requirements.



ICO: Review and update DP policies, notices, contracts and other items

We can review your privacy notices, policies, records and contracts to cover changes in terminology and applicable regimes. Privacy impact assessments involving data transfers between the UK and the EEA and risk registers should also be reviewed.



ICO: Take steps to ensure organisational awareness of Brexit DP issues

Prompt and effective communication of DP compliance issues and Brexit-related business planning is a vital step. We can help you achieve this.

Our approach



Assessing compliance

We can help map your data flows, work with you on gap analysis exercises and review key contracts. A typical deliverable is a bespoke action plan with priorities highlighted.



Multi-disciplinary solutions

We often work with our Privacy and Cyber Security specialists to provide a one-stop fully integrated multi-disciplinary service.



Expert advice

Our highly experienced team offer a wide range of services including preparation and updating of privacy policies, notices, processes and contracts. They can also training to suit different stakeholders.



Technology

On suitable projects, we use scanning technology to perform initial contract reviews and to determine priorities prior to remediation.



Global capabilities

KPMG's Global Legal Services network of over 2500 legal professionals across member firms in 77 countries includes many DP specialists. This is in addition to KPMG's extensive Global Privacy network.



Flexible services

We can provide DP advice and tools for use by in-house teams, Brexit reviews and support negotiations. Our advice may benefit from legal advice privilege.



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