

GDPR Compliance in Norwegian companies



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What is GDPR



- General Data Protection Regulation (GDPR)
- Effective as of 25th of May 2018
- Made by the EU
- Purpose is to protect European citizens personal data
- The Regulation consists of 99 Articles
- The article focus on what challenges and opportunities Norwegian companies face when complying with GDPR

What is personal data?



- *..”means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to [...] that natural person”. (Article 4, GDPR)*

What does the article state



- They focus on 11 articles which would have significant influence in IT developers and how they build up systems going forward and (information systems)

The 11 articles they focus on



- *Article 5: Principles relating to processing of personal data*
Article 7: Conditions for consent
- *Article 15: Rights of access by the data subject*
- *Article 17: Right to erasure (“right to be forgotten”)*
- *Article 20: Right to data portability*
- *Article 22: Automated individual decision-making, including profiling*
- *Article 25: Data protection by design and by default*
Article 30: Records of processing activities
- *Article 32: Security of processing*
Article 33: Notification of a personal data breach to the supervisory authority.
- *Article 37: Designation of the Data Protection Officer*

Refers to 12 different papers/research



To mention some of them:

- To make a strategy. But still needs more research. Could use the Colesky.
- Lomas: the opportunities were fewer than the challenges, but one benefit typically dealt with cleaning up data
- mapping of data and creating scenarios in order to be ready if an individual should demand access to data (Hyland, 2017)

Survey summing up



General awareness of our companies in the survey.

Table 2

To what extent has GDPR been a topic in the company during the last year?

GDPR has been a priority topic

57%

GDPR has been a topic on a regular basis

25%

To what extent does the company know about GDPR?

Have great knowledge about it

45%

Know it very well and all that matters to the company

35%

Does the company have a Data Protection Officer?

Do not know

10%

No, we are not required to have it

27%

75% of the participants are from private companies – and 50% of them has above 300 employees.

To what extent the companies are prepared for new regulations (table 3)



- Good IT solutions

Completely disagree	Disagree	Medium	Agree	Completely agree	Do not know
6%	12%	28%	24%	24%	6%

Challenges and opportunities,



Challenges	<i>Our advice in a GDPR context</i>	<i>Comments</i>
1) Understanding the regulation and the consequences.	<ul style="list-style-type: none"> - Assign responsibility to roles. - Compliance must be reflected in contracts, culture, and more. - Employee trainings. - Procedures for whistle blowing. 	<ul style="list-style-type: none"> - Mainly a management task. - We offer eleven articles as a starting point (see the Appendix).
2) Which data does the company possess, where are the data stored, and who has access?	<ul style="list-style-type: none"> - Workshops; mapping data and business processes by using the essential BPMN symbols. - Create possible scenarios. - Perform risk analysis (DPIA). 	<ul style="list-style-type: none"> - Employees together with manager of every department. - Use the how-to's from the Norwegian Data Protection Authority (2018^b).
3) Do we need new technology?	<ul style="list-style-type: none"> - If deemed necessary, purchase new technology, but after the mapping. 	<ul style="list-style-type: none"> - Collaboration between IT department and management.
Opportunities	<i>Our advice in a GDPR context</i>	<i>Comments</i>
1) Cleaning data (digital and physical) and simplifying business processes.	<ul style="list-style-type: none"> - See challenge number 2). - Aim for transparency. - Focus on long-term value. 	<ul style="list-style-type: none"> - Employees together with manager of every department.
2) Creating good reputation and competitive advantage for the organisation.	<ul style="list-style-type: none"> - Can backfire if only empty words and not reflected in the company's actions. - Quiz for all employees; new and existing. 	<ul style="list-style-type: none"> - Mainly a management focus, but the whole organisation should be obliged to follow established guidelines.

Table 5. Our identified challenges and opportunities when complying with GDPR.

Conclusion



- Most companies state that they have more challenges than opportunities
- They struggle with understanding the regulation, such as the financial sanctions.
- Three articles were of particular concern
 - *Article 17: The right to erasure, (also known as “the right to be forgotten”)*
 - *Article 30: Records of processing activities*
 - *Article 25: Data protection by design and default*

Questions



- Do you have a student job or regular job?
- Would you say: You have great knowledge about GDPR now or Know it very well and all that matters to the company I work in now?
- Is the company you work obligated to have a DPO
- Can you mention a private company that is above 300 employees and does not have a DPO

Extra



9 Patterns (Colesky, Hoepman and Hillen, 2016)

Creating Privacy Policy,
Fair Information Practices,
Respecting Social Organizations
Appropriate Privacy Feedback
Maintaining Privacy Policy
Usage Control Infrastructure
Distributed Usage Control
Sticky Policies