

## THE GDPR DEADLINE IS ALMOST HERE HOW READY ARE YOU?

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### Introduction

Thank you for taking part in IDC's GDPR readiness assessment survey. This study enables you to quickly assess your organisation's readiness, based on IDC's in-depth understanding of the GDPR requirement and the roadmap to compliance. Although the requirements of GDPR are many and various, there are some primary indicators that reveal the state of readiness in organisations, and it is these indicators that we use to determine readiness. This report provides you with essential guidance in the development of your security strategy, and includes recommendations on how to progress your organisation toward a compliant and sustainable position in preparation for May 2018.

### What GDPR means for your organisation

The EU General Data Protection Regulation (GDPR) is now in force with a transition period until 25th May 2018. IDC research shows that many organisations still appear to have little or no understanding of the regulation, its scope, timeline or impact, despite the risk of huge penalties of up to 4% of global turnover, as well as potential lawsuits, suspension of personal data processing and damage to reputation. Others are more advanced, but are struggling to prioritise activities until May 2018, and to understand how to operationalise compliance after the deadline.

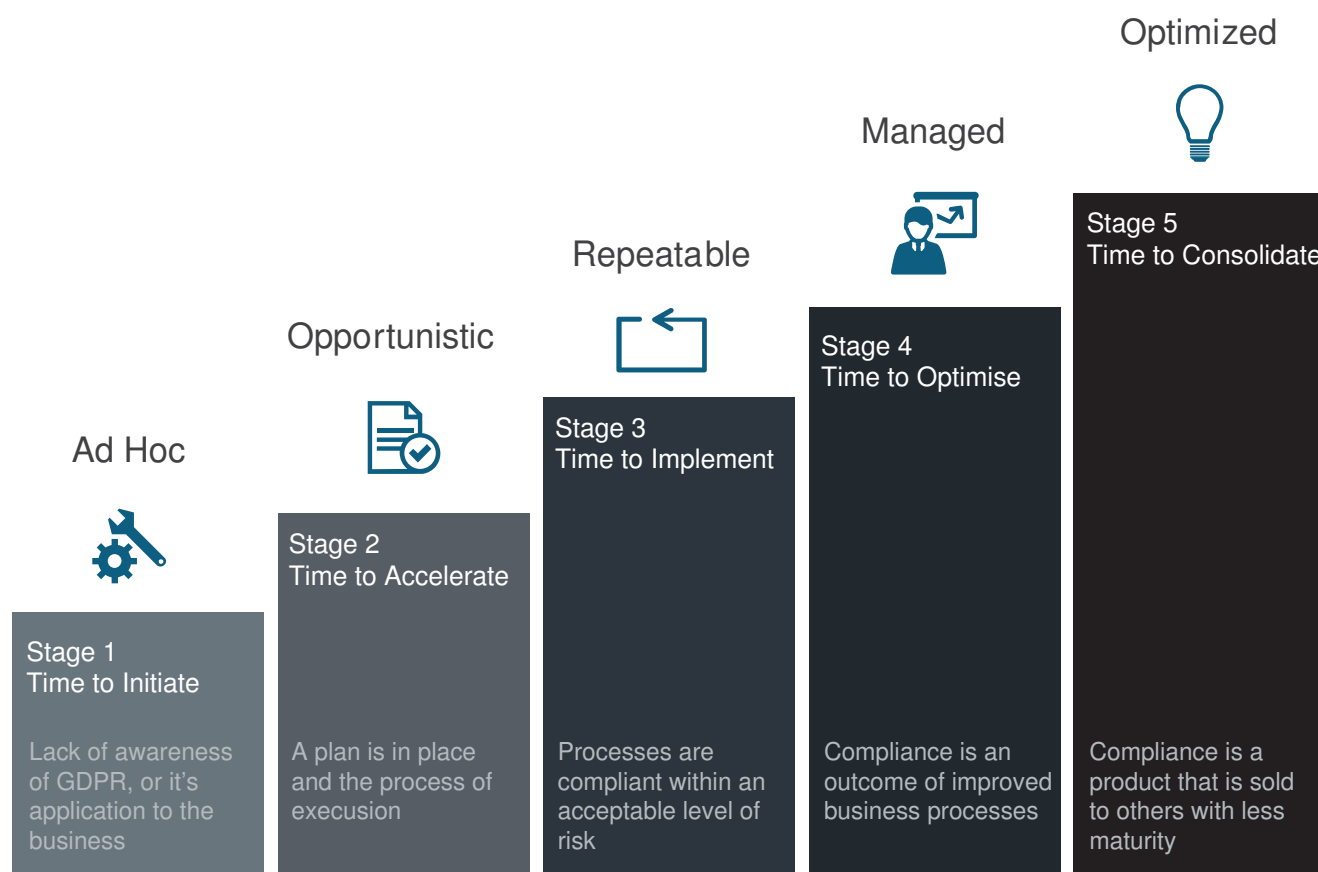
GDPR compliance is required by any organisation – regardless of their location – that processes the personal data of "data subjects" (the natural person to which the data relates) in the EU. Processing of personal data refers to what can be done with data i.e. data activities such as: requesting, collecting, storing, searching, forwarding, deleting etc. The definition of processing is very broad: it is best to think of any action that 'touches' personal data as being in scope. GDPR also mandates the consideration of personal data at the time of the inception of a business process or product design, under the requirement for Data Protection by Design and by Default. This embeds data protection in the heart of an organisation's innovation process.

GDPR therefore changes the way in which organisation's do business. In many respects that is the point of GDPR. Arguably, GDPR – in principle – is little different from existing legislation. But the consequences of getting data protection wrong increase substantially, where sanctions are designed to be "dissuasive". That is, GDPR wants organisations to take data protection more seriously than they do at present.

Taking stock of where you are in your compliance programme is apt: at worst it confirms that you are on track with your planned compliance activities. But it may also act as a reality check, both against your aspiration and against your peers. Use this assessment tool while you still have time: the clock is ticking and the requirements are wide reaching. Good luck.

## Your overall GDPR Readiness Assessment Result

Based on IDC's assessment, your organisation is at **Stage 2: Time to Accelerate** in terms of its overall readiness to address GDPR.



In addition, we have ranked you out of five stages in each of the following three individual areas of GDPR so that you can get a good idea of where you need to focus your attention most keenly. These areas are:

- Overall GDPR Approach,
- Aspiration & Data Awareness
- Risk Awareness, Assessment & Mitigation



## Overall GDPR Approach, Aspiration & Leadership

GDPR is more than just about IT security – it involves how the business approaches the concept and culture of data privacy. In order to achieve success, you will need to have the buy in and support of the business, from top management down to individual business units. Fostering a culture of joint responsibility is key to achieving long term sustainable compliance.

## STAGE 2: Time to Accelerate

You've got going, but there is quite a way to go still. Organisations that fall into this category of defined readiness have made a commitment to GDPR but are still in the first half of their journey. They are aware of the scale of the proposed penalties and sanctions, but are often reluctant to believe that these will be enforced.

By your own admission, you are just starting out on your GDPR journey. GDPR affects almost all companies that process personal data. Realise that the definition of personal data is very broad, and includes any data that relates to an identifiable person. At its most basic, it includes employee data and data relating to sales orders. Most organisations will have this type of data. So the chances are, you are impacted by GDPR.

Ignoring GDPR will not make it go away, and importantly there are substantial sanctions in place to encourage compliance. Much has been said about the substantial fines, but sanctions also include class action lawsuit and suspension of personal data processing (which may mean, effectively, suspension of trading).

Your score is boosted substantially by the presence of a cross functional compliance task force or governance board that spans multiple stakeholders in your organisation. The engagement of all relevant stakeholders is a critical success factor in any GDPR program, and the existence of such a coordinated approach significantly increases the ultimate success of any compliance activity. The other major critical success factor to consider now is the leadership of the GDPR program. It matters less where this leadership stems from, and more that the leader has the authority, knowledge and charisma to lead a strategically important program of activities.

## Data Awareness

Information governance is the underlying discipline that enables compliance with GDPR. Bringing all personal data into the scope of your information governance function is mandatory. You need to know what personal data you have (accounting for the very broad definition used by GDPR), and also its location, consent, lifetime, and so on. Demonstrating to regulator that you have a good handle on personal data is the first step in compliance.

## STAGE 2: Time to Accelerate

You are in the middle stages of information governance, and you have reasonable confidence in your ability to identify and locate most personal data in your organisation. You may have a good understanding of structured data, but unstructured information maybe causing difficulty. You are also likely to be gathering data without a real sense of purpose or business value. GDPR now makes this data a risk, so you need to decide whether to keep it or delete it.

According to your score, you may struggle to enable the new rights of access, rectification, erasure and portability.

At least you are honest about your inability to identify and locate all instances of personal data within your organisation. This is a pre-requisite to GDPR compliance: you cannot demonstrate compliance if you do not know what data you have or its location. Given the short amount of time until May 2018, you need to prioritise the data that you are aware of and that is either important to you or that represents the greatest risk to your organisation.

You are moderately data aware. A prerequisite for GDPR compliance is knowing what data you have, where it is, and why you have it. You need this in order to compile a record of data processing, mandated under Article 30. You may also be in breach of one or more of the principles of purpose limitation, data minimisation and storage limitation. These are higher level (4% fine) offences, so you need to decide whether judicious deletion of irrelevant data can help reduce this risk.

Focus on the gaps in your knowledge of data and its location. Understanding the reasons why you have the data (purpose limitation) is also important, and you need to understand where different regulations apply to different classes of data (such as special categories and data relating to children).

Above all, remember that regulators will tolerate breaches and minor non-compliances. But they will not tolerate a lack of evidenced effort. It is insufficient to be data aware: you must be able to demonstrate data awareness.



## Risk Awareness, Assessment & Mitigation

GDPR is all about risk. It is not prescriptive in most of its requirements, meaning that organisations must make decisions about which approaches to take. What is the balance between gathering data for analytics and the increased exposure from data minimisation and purpose limitation? What the heck is 'State of the Art' and how do I know if I need it?

Risk awareness starts with self-awareness: what data do I have and how do the new regulations affect how I should treat this data?

### STAGE 1: Time to Initiate


It seems that you are at the initial stages of risk awareness. You appear to be engaged in asking the right kinds of questions, but they are foundational. You are challenged by some basic requirements, and seem less concerned about GDPR than would otherwise be expected with a full knowledge of the regulations. Your struggle to gather budget and resources reflects a low level of awareness, particularly at board level.

Your responses indicate that you are challenged by the basic requirements of GDPR. These include gaining an overview of GDPR requirements, classifying data, and educating employees of the impact of GDPR. That's fine as far as it goes, but be aware that there are many more – and complex – requirements to address on your compliance journey. Getting the foundations right is important: now you need to move on to other areas like incident response planning and extending data governance processes to cloud and mobile environments.

You appear to have balanced perspective on the risks associated with GDPR. This means that you fully understand the potential impact of non-compliance, not just in terms of possible fines but reputation damage, class action law suits and suspension of data processing. But you are also in control of the situation, a state of mind that reflects a relative maturity of your readiness: you are where you need to be in your GDPR journey.

You indicated that a lack of knowledge and skills on GDPR is constraining your ability to create a GDPR program that spans your data management environment. This is typical of organisations in the early stages of compliance efforts. Information gaps can be resolved by tapping into the mass of literature available from regulators, lawyers, consultants and technology firms. Industry groups are also increasingly popular and provide the opportunity to learn from peer organisations.

You indicated that a lack of budget is constraining your ability to create a GDPR program that spans your data management environment. Budget issues are unfortunately not very easy to fix. Ultimately it comes down to an assessment of the risk for your organisation. But a lack of awareness will inhibit a thorough risk evaluation. Information leads to enlightenment, and



enlightenment should lead to a break in inertia. There's nothing like an increase in perceived risk to loosen fiscal ties.

You indicated that limited resourcing is constraining your ability to create a GDPR program that spans your data management environment. This is typical of organisations in the middle stages of compliance efforts. Ultimately it comes down to an assessment of the risk for your organisation. A thorough risk evaluation should identify the need to dedicate and fund the required resources. It may be then that there is a lack of awareness and leadership at board level, resulting in insufficient commitment to GDPR. This is serious, so board engagement is essential if you want to meet your GDPR aspirations.