



Is Your Business

# GDPR

## READY?

**Understanding  
the new privacy law  
and how it affects  
your business**





It's the biggest change to the digital world since the 1990s and it's coming in with a storm of uncertainty.

The **General Data Protection Regulation (GDPR)** is a new set of laws designed to control how companies use their personal details, and there's a strong chance it will affect your business. This ebook explores the GDPR from a global small/medium business perspective, including what you need to do to stay compliant and avoid penalties.



## The Bare-bones Version

- GDPR is a set of stronger privacy & data protection laws
- Many think it's only important for those in Europe (false)
- Business across the world must be compliant
- You'll need to review your privacy policy & set of practices
- Hefty penalties apply for breaches
- Comes into effect on May 25<sup>th</sup> 2018



## GDPR applies to you if:

1. You have an establishment in the EU, regardless of where you process your data. That could mean your website or email is handled by a US host, but because you/your business is located in the EU, the new laws apply.
2. You do NOT have a business in the EU, but you offer goods and services to people in the EU. These could be physical or digital goods, plus in-person or remote services.
3. You do NOT have a business in the EU, but your database may include details of people from there, or you monitor their website browsing using cookies etc. Even using basic analytics on your website means you may tick this box.



## The 'Brexit' Complication

For those businesses in the UK breathing a sigh of relief, be advised the GDPR will continue to apply as it's already been written into UK law.

You're not alone. For many countries, the protections offered by GDPR will either supersede or complement state/national/industry policies. Many countries are currently updating their own privacy laws to reflect the GDPR changes, especially regarding breach disclosure and consent.

**Laws come  
into effect  
May 25<sup>th</sup> 2018**



## How this affects businesses like yours

The new laws were designed to pull the US tech giants like Facebook and Google into line, stopping them from cashing in on private data without consent. While most people were more than happy to see individual rights protected, it's had a restrictive effect on small business and sole traders.

We're hearing a lot of concern that becoming and staying compliant will cost unnecessary time and money, particularly as you've historically been doing all the right things. As a small business though, your agility is an advantage. With this ebook, you'll be able to narrow in on the changes you need, skip the ones you don't, and maintain compliance without large investment or inconvenience.



**Rather than view the new laws as a negative, consider them as a clear guide to keeping your customer's trust.**

## **Private data has been expanded**

You're accustomed to protecting your customer's private data, such as name, address and billing details. Under the GDPR changes, the definition of private data has been expanded to include internet browsing habits collected by website cookies, location data, other online identifiers and genetic data.

## **Consent must be explicit**

Under GDPR, **consent needs to be explicit** - and provable. This means you can't send cold emails to drum up business anymore, nor can you add friends/family to your database or that lead you bumped into while fetching coffee.

**Cold email marketing will be a breach**

Silence, pre-ticked boxes or inactivity are not considered consent. Simple changes will bring your business into compliance, such as having customers intentionally tick a box to receive newsletters, or using clear form text so individuals know what they're agreeing to.



**More specific requirements apply in relation to consent from children under 16.**

## Cookies and analytics usage will change

Many business websites use cookies and analytics by default. Under GDPR, you'll need to lead with explicit consent. This means asking users to opt-in for cookies (no more 'by using this site you accept cookies' notices), and ensuring any data is preemptively stripped of all personal identifiers before being sent to your analytics tool.





## Individuals have a right to be forgotten

While the standard 'unsubscribe' link has been law for some time now, GDPR expands this to include a right to erasure. Individuals can ask to be completely deleted, not just unsubscribed.

You're required to confirm and delete their personal data, plus take steps to ensure any copies or backups containing their data are also treated.



## Mandatory breach reporting within 72 hours

As a result of all those data leaks we've heard about where the company has kept it secret for as long as possible, all breaches must be reported within 72 hours.

You'll need to advise your relevant supervisory authority unless the breach was so minor that no private data was accessed. If the breach is likely to result in the individual being placed at any amount of risk, you'll need to notify authorities, plus the individuals in question.



## Penalties Are Severe

If you're caught being non-compliant, expect a financial penalty of up to 20 million Euros (approx. USD 24.6million), or 4% of annual turnover, whichever is greater.

Whether it's an employee mistake or external hack, the owner of the business is the one who pays. Add in the negative publicity and brand damage, and the costs of non-compliance can be catastrophic.



# How You Can Protect Yourself

To help meet GDPR compliance, we recommend a triple action approach.

1. Review your privacy policies, data collection and marketing methods
2. Educate employees, embedding good practice into business culture
3. Engage remote monitoring and management services

Monitoring allows us to provide instant notification of problems or changes in status across servers and workstations, plus remote computers. You'll receive alerts when critical servers go down, when your employees and users alter their configurations, or when a possible security breach occurs.

# It's Time to Get Prepared

GDPR is coming fast, and its impact will be significant for any businesses that handle the data of European citizens. As more countries pick up the stricter controls, these are changes you'll have to make soon, even if you're not directly impacted by GDPR yet.

Businesses need to start getting prepared now — if they haven't already.

By deploying the most effective solutions, our Managed Solution Providers can help ensure that you are compliant with GDPR. At the same time, we can strengthen your defenses against the growing array of security threats.

**We can help with your  
GDPR compliance**

**TALK TO US TODAY  
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