

CASE STUDY



ANALYSING DATA FLOWS AND DRAFTING NEW DATA PROCESSING/SHARING GUIDELINES

Challenge

Our client is part of a large group of companies. As a data controller, an organisation must ensure that it only shares personal data with third parties in a compliant way – in particular, in a way that supports compliance with the data protection principles of the GDPR. This is irrespective of whether that third party is an independent data controller, a joint controller or a data processor.

We often find that group companies are reasonably good at thinking about their processes for sharing personal data externally, but they have not always formalised processes for sharing data with – or outsourcing data to – other companies within their own corporate groups.

Companies must ensure that they get these processes right to minimise risks (and potential fines) under the GDPR. At the same time, they must consider general confidentiality, ensuring that trade secrets are kept and so on. Failure to share data appropriately might also severely restrict the value that a group hopes to achieve from that shared data.

Solution

We helped our client to analyse the data flows externally and internally to other group companies. We captured these flows in the form of a data protection audit, and by expanding their record of processing activities.

Next, we assisted our client with drafting new data-sharing guidelines on the processes that staff should follow internally before sharing data with third-party (including group) controllers and joint controllers. We also advised on new guidelines, agreements and due diligence templates that were required when engaging data processors (including those in other parts of the corporate group) to perform particular services for it, including HR, IT and legal services.

Impact

Under the GDPR, fines are calculated by assessing annual worldwide turnover across the corporate group. Therefore, it is even more important for larger groups of companies to ensure that they have the right processes and agreements in place, including intra-group, to minimise the risk of a fine.

Large insurance group

Legal directory extract

“Stephanie and her team bring genuine expertise to this extremely important and highly complex area of business operations that helps us perform successfully. They explain issues in a straightforward way, and provide clear solutions.”

Quoted in The Legal 500 UK 2021

You can find out more by [emailing us](#), or calling us on 0117 307 0266