

BDO

# PRIVACY & DATA PROTECTION PRACTICE OVERVIEW

2022



# Data Privacy is a Key Initiative

## THE COST OF PRIVACY & DATA PROTECTION

The cost of consumer data compliance (e.g., privacy) is about \$7.7 - \$30.9M annually depending on the industry.

Every website that sells or services EU or CA consumers must comply with cookie laws.

86% of consumers care about privacy and want more control over their data.

75% of consumers believe there should be more regulation on what companies do with their data.

More than 75,000 Data Protection Officers are needed globally.

47% of consumer have switched companies over data sharing and a lack of transparency.

According to the International Association of Privacy Professionals ('IAPP'), more than 50% of countries have a privacy regulation.

# Data Privacy is a Key Initiative

## THE COST OF NON-COMPLIANCE

YouTube fined \$170 million by the FTC for illegally collecting personal data from children without parental consent.

GDPR fines increased 168% between 2021 and 2022 to \$2.5 billion.

GOOGLE France fined €100M FINE by the CNIL for dropping cookies on users' devices without consent

Sephora fined \$1.2M by the CA AG for violating the CCPA.

Largest privacy fine in history (\$5 Billion) imposed on Facebook by U.S. FTC for alleged deception over privacy controls in 2019.

Largest GDPR fine (€746 Million Euros) imposed on Amazon for alleged non-compliant processing of data for advertising purposes.

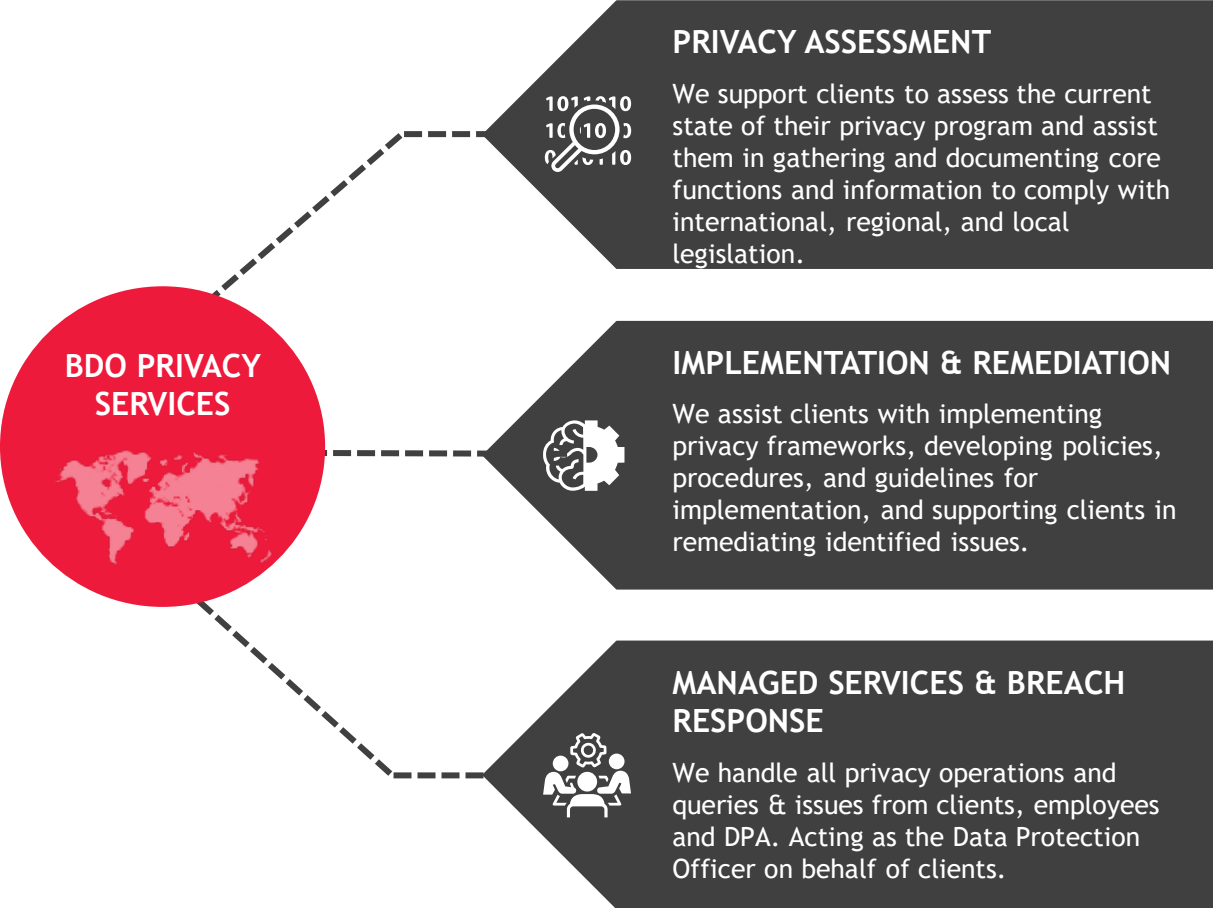
# Data Privacy is a Key Initiative

2023 PRIORITIES FOR TECH, MEDIA AND TELECOMM

- ▶ Consolidation
- ▶ Globalization
- ▶ Data monetization
- ▶ Third party data sharing
- ▶ Sales of personal data
- ▶ Hacking and account takeovers
- ▶ Identity theft
- ▶ GPS and geotagging
- ▶ Third-party tracking
- ▶ Bots / ChatGPT
- ▶ Electronic surveillance



# Global Privacy Services & Data Protection Overview



**LEGAL SUPPORT\***  
 Comprehensive advice supporting our clients on local and cross-jurisdictional privacy matters.

**IT SUPPORT**  
 We offer a suite of tools and technical consulting to support the implementation and maintenance of data privacy frameworks & tools



*\*For legal, regulatory or strategic reasons, not all BDO Member Firms provide legal services. Neither BDO LLP (UK) nor BDO USA LLP (USA) provide legal advice. Where BDO does not provide legal services, we work closely with “best friend” external law firms.*

# BDO Global Privacy & Data Protection Services

Our full spectrum of services operates in a continual process of risk remediation and privacy posture improvement.

## DATA PRIVACY SERVICES



### MANAGED SERVICES

- ▶ Individual rights administration
- ▶ Records of processing
- ▶ Privacy by design operations
- ▶ Maturity assessments
- ▶ Policies & procedures
- ▶ Privacy watch
- ▶ Data protection academy
- ▶ External DPO or internal DPO support
- ▶ Representative as a service



### LEGAL SUPPORT

- ▶ Ad hoc legal advice (e.g., Video surveillance, DSARs, data sharing)
- ▶ Advice on data subject requests and data breaches
- ▶ Advice on interpretation and applicability
- ▶ Advice on contractual arrangements with third parties
- ▶ Legal representation vis a vis data protection authorities
- ▶ International data transfers policies and registers development



### TECHNOLOGY SUPPORT

- ▶ Design & review of planned and existing architecture.
- ▶ Data privacy impact assessments & technical measures implementation
- ▶ Data subject rights management
- ▶ Data privacy management tools:
  - Tool/software selection
  - Plan, design & implementation of tools
- ▶ Data masking & data encryption tool
- ▶ Security assessments:
  - Vulnerability scanning
  - Penetration testing
  - Ethical hacking & social engineering



### IMPLEMENTATION & REMEDIATION

- ▶ Data privacy strategy and implementation
- ▶ Privacy project management
- ▶ Privacy notices, policies and procedures development
- ▶ Technical controls implementation
- ▶ Third-party processor remediation
- ▶ Data minimization, retention, erasure and classification policies, and process development



### DATA PRIVACY ASSESSMENT

- ▶ Data privacy readiness assessment
- ▶ Data privacy audit/due diligence
- ▶ Annual privacy health check
- ▶ Data mapping/data flow diagramming
- ▶ Records of processing register development
- ▶ Data protection assurance/certification

# Data Divestiture/Separation Strategy

BDO divestitures and separation practices are common when mergers and acquisitions or company divestitures occur. With consolidation in the market, BDO has experienced an uptick in requests for these services.

Objective

## Inventory & Classify Systems and Data

- ✓ Helps determine the sensitivity of the data for priority systems.
- ✓ Provides recommend data separation decisions.
- ✓ Organizes data sets and helps establishes document ownership.

## Outline Guidance and Considerations

- ✓ Provides overarching guidance on approaching data separation activity
- ✓ Identifies risks and consideration of the impact to underlying data based on the separation decisions

## Build Data Fulfillment Process

- ✓ Creates a process to efficiently and securely meet data requests based on TSA agreements, including:
  - Data Transfer Requests
  - Data Access Request
  - Data Deletion Requests

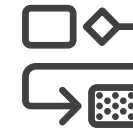
### Output



**Data separation inventory** is created and incorporates decisions on disentanglement options



**Data separation framework** is created as a reference to drive data separation decisions. In addition, specific **guidance and considerations** for priority data sets are highlighted



A **Data Fulfillment Workflow** that aligns with ongoing data request needs and an approval processes to support request post divestiture

Alignment with Key Stakeholder



**600+**  
professionals  
worldwide  
supporting our  
multidisciplinary  
privacy approach

**355+**  
technology  
specialists



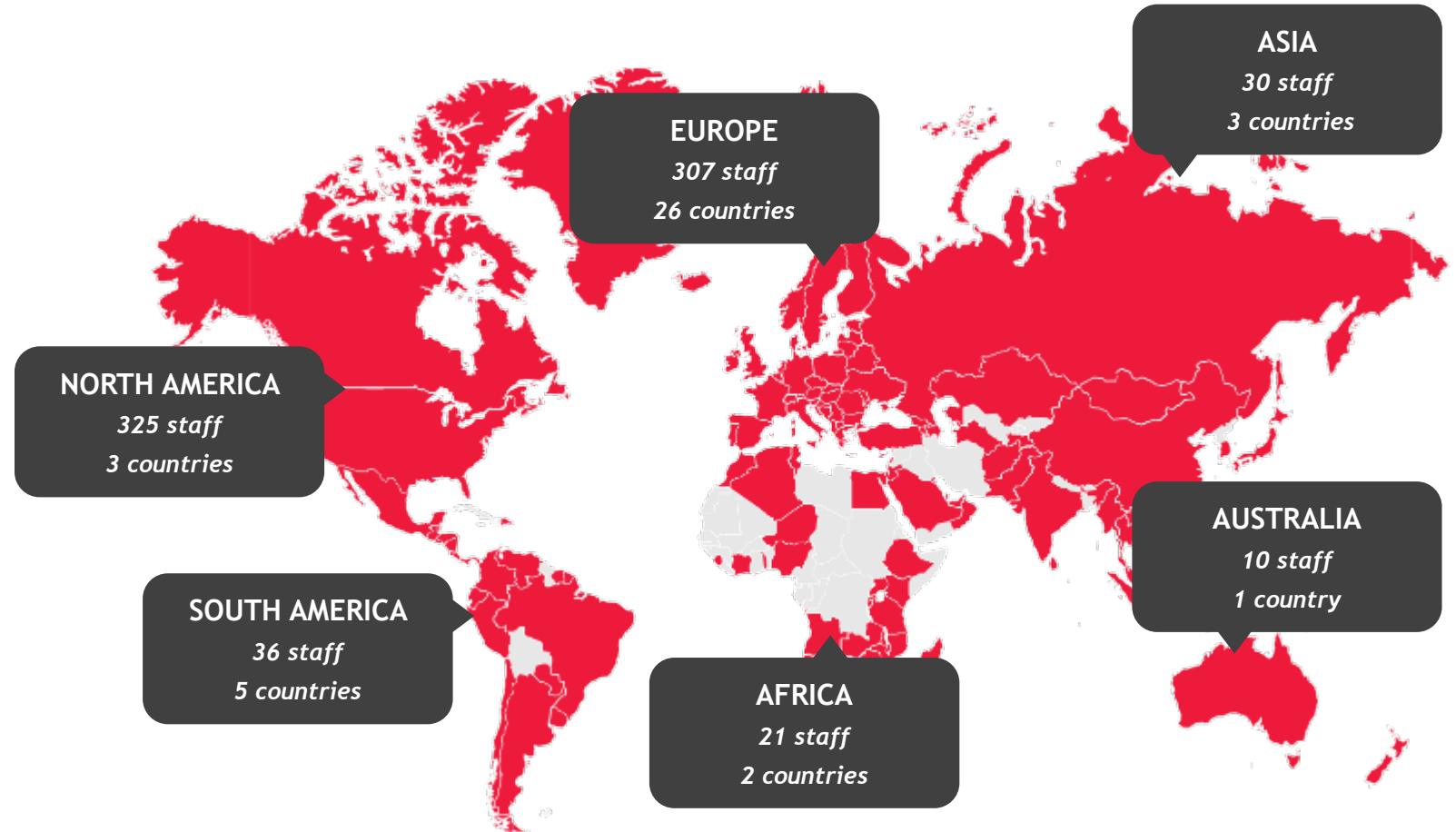
**250+**  
privacy  
consultants

**60+**  
legal experts



# Global Privacy & Data Protection Professionals

46 countries and more than 600 professionals globally supporting privacy and data protection for its clients.





# Thank you

FOR MORE INFORMATION

## Global Resources

- ▶ [BDO 2023 Global Privacy Guide](#)
- ▶ PrivacyWatch®, weekly digest with privacy's hottest topics and impending laws and regulations, to enroll clients or yourself email [BDO-DPMS@bdo.com](mailto:BDO-DPMS@bdo.com).
- ▶ [Comprehensive Guide to Data Governance](#)
- ▶ [Interactive Global Privacy Tool](#)



## Contact

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