

GDPR
BREXIT
(R)EVOLUTION

IT'S HERE!

CONTENT

WHAT HAS CHANGED?

WHEN DID IT CHANGE?

BUT DON'T WE HAVE A DEAL?

DATES TO PREPARE FOR

KEY QUESTIONS YOU NEED TO ASK

IS IT REALLY GOING TO BE ENFORCED?

SO WHAT DO I NEED TO DO?

****BONUS CONTENT****

CAN I DO IT MYSELF?

HOW CAN ENSURETY HELP?

GDPR – BREXIT (R)EVOLUTION
MODULE I

WHAT HAS
CHANGED?

WHAT HAS CHANGED?

- GDPR becomes UK GDPR (based on DPA 2018)
- UK GDPR is 'adequate' for four months as agreed in EU/UK trade agreement (and could then be extended by another two months providing neither side objects)
- UK becomes a 'third country' for GDPR purposes

WHAT HAS CHANGED?

- GDPR becomes UK GDPR (based on DPA 2018)
- UK GDPR 'adequate' for four months (and possibly two months after that if no permanent adequacy agreement reached and both sides agree).
- UK becomes a 'third country' for GDPR purposes
- When the transition period ended on 31st December 2020, the Data Protection, Privacy and Electronic Communications (Amendment etc) (EU Exit) Regulations 2019 (2019 Regulations), made 28 February 2019, will implement EU GDPR standards in the UK from exit day. The 2019 Regulations consolidate and amend the EU GDPR and UK Data Protection Act 2018 (which supplements the GDPR in UK law) to create a new UK GDPR. As with the EU GDPR, the UK GDPR will have extra-territorial reach.

WHAT HAS CHANGED?

- The **UK GDPR** will apply to the processing of personal data if:
 - You are located in the UK.
 - You offer goods and services to, or monitor the behaviour of, individuals in the UK.
 - Your data processing remains in the UK
- The **EU GDPR** may also continue to apply to you if:
 - You have branches or offices in the EEA.
 - You offer goods and services to, or monitor the behaviour of, individuals in the EEA.
 - Your data processing involves EEA processors
- **Beware of 'double jeopardy'.**

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MODULE 2

WHEN DID IT
CHANGE?

WHEN DID IT CHANGE?

- 11 pm GMT on 31st December 2020

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MODULE 3

BUT DON'T
WE HAVE A
DEAL?

**BUT DON'T WE
HAVE A DEAL?**

- UK and EU have agreed a trade deal but it still needs to be ratified by the EU parliament

BUT DON'T WE HAVE A DEAL?

- So what's left to be done ?
- UK and EU negotiate permanent adequate country status
- All EU countries agree on and ratify adequate status
- Data sharing agreement does not impose requirement for additional steps for EU <-> UK data transfer


BUT DON'T WE HAVE A DEAL?

- BUT.....
- Trade deal has been agreed
- Serious negotiations on data transfer have begun with effect from 4th January 2021
- Last time EU states had to ratify cross border data transfer it took them over six months to do so
- SCHREMS II case has added extra complications

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MODULE 4

DATES TO
PREPARE FOR

DATES TO PREPARE FOR

- 30th April 2021 – Temporary ‘adequacy’ ruling expires (but will extend by a further two months if neither side objects)
 - 30th June 2021 – Temporary ‘adequacy’ ruling expires
 - If/when EDPB declares UK Adequate then temporary ‘adequacy’ ruling will lapse.
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MODULE 5

KEY
QUESTIONS
YOU NEED TO
ASK

KEY QUESTIONS YOU NEED TO ASK?

- Establish if you have clients, employees or suppliers within the EU ?
- Establish if any of your data is stored in the EU ?
- Establish if any of your data is processed in the EU ?
- Is any data you process originating from the EU?

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MODULE 6

IS IT REALLY
GOING TO BE
ENFORCED?

IS IT REALLY GOING TO BE ENFORCED?

- YES! – both ICO and EDPB have indicated it will be enforced
- Draft tariff schedule gives penalty level guidance of circa £10,000 for non-compliance

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MODULE 7

SO, WHAT DO
I NEED TO
DO?

SO WHAT DO I NEED TO DO?

- Establish if you have clients, employees or suppliers within the EU
- Establish if any of your data is stored in the EU
- Establish if any of your data is processed in the EU
- Update your privacy policy to reflect UK GDPR

SO WHAT DO I NEED TO DO? – IF YOU HAVE EU DATA OR PROCESSING

- Establish an EU place of business or find an EU agent
- Register with an EU DPA/ICO
- Conduct a Data Privacy Impact Assessment (DPIA)
- Ensure any contracts with EU entities include required legal clauses
- On an ongoing basis, establish whether your data handling procedures are in line with EU standards

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MODULE 8

HOW CAN
ENSURETY
HELP?

HOW CAN ENSURETY HELP?

- ICNIA based in Tilburg, Netherlands will be EEA agent for Ensurety clients
- Ensurety will be UK agent for ICNIA clients

HOW CAN ENSURETY HELP?

- ICNIA based in Tilburg, Netherlands will be EEA agent for Ensurety clients
- Ensurety will be UK agent for ICNIA clients
- We will register you with Dutch Data Protection Authority

HOW CAN ENSURETY HELP?

- ICNIA based in Tilburg, Netherlands will be EEA agent for Ensurety clients
- Ensurety will be UK agent for ICNIA clients
- We will register you with Dutch Data Protection Authority
- We will conduct required Data Privacy Impact Assessment

HOW CAN ENSURETY HELP?

- ICNIA based in Tilburg, Netherlands will be EEA agent for Ensurety clients
- Ensurety will be UK agent for ICNIA clients
- We will register you with Dutch Data Protection Authority
- We will conduct required Data Privacy Impact Assessment
- We will provide all necessary contractual clauses

HOW CAN ENSURETY HELP?

- ICNIA based in Tilburg, Netherlands will be EEA agent for Ensurety clients
- Ensurety will be UK agent for ICNIA clients
- We will register you with Dutch Data Protection Authority
- We will conduct required Data Privacy Impact Assessment
- We will provide all necessary contractual clauses
- We will provide all necessary legal procedures

HOW CAN ENSURETY HELP?

- ICNIA based in Tilburg, Netherlands will be EEA agent for Ensurety clients
- Ensurety will be UK agent for ICNIA clients
- We will register you with Dutch Data Protection Authority
- We will conduct required Data Privacy Impact Assessment
- We will provide all necessary contractual clauses
- We will provide all necessary legal procedures
- We will act as your agent in any data breaches and data subject access requests

HOW CAN ENSURETY HELP?

- ICNIA based in Tilburg, Netherlands will be EEA agent for Ensurety clients
- Ensurety will be UK agent for ICNIA clients
- We will register you with Dutch Data Protection Authority
- We will conduct required Data Privacy Impact Assessment
- We will provide all necessary contractual clauses
- We will provide all necessary legal procedures
- We will act as your agent in any data breaches and data subject access requests
- We will act as an external DPO to your business


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MODULE 8

BONUS
CONTENT

BONUS CONTENT – THE NEW VAT 'GOTCHA'!

- Starting 1st January 2021, if you buy products from outside the **UK**, the seller will collect **VAT** from you on orders that meet the following criteria:
The buyer is located in the **UK**. The goods are dispatched from outside the **UK**. The total value of the package (excluding delivery) is less than or equal to £135.

This could increase your business supply costs by **20%!**



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MODULE 9

CAN I DO IT
MYSELF?

CAN I DO IT
MYSELF?

- Yes

CAN I DO IT MYSELF?

- Yes, but be prepared to spend hours of your time and risk getting it wrong

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MODULE 10

HOW MUCH
WILL IT
COST?

HOW MUCH WILL IT COST?

- New UK GDPR compliant privacy policy
- Our normal price £147 + VAT
- Signal members - £97 + VAT
- For attending this morning - £47 + VAT (if ordered before 12th January 2021)

HOW MUCH WILL IT COST?

- Post UK GDPR Data Protection Impact Assessment
- Our normal price £497 + VAT
- Signal members - £397 + VAT
- For attending this morning - £247 + VAT (if ordered before 12th January 2021)

HOW MUCH WILL IT COST (FULL PACKAGE NORMAL PRICE)?

- Less than 100 employees
- £ 5000 per year or
- £ 1000 first month followed by £500 per month ongoing
- Between 100 and 249 employees
- £ 8000 per year or
- £ 1500 first month followed by £800 per month ongoing
- 250 employees and over
- £ 12000 per year or
- £ 2000 first month followed by £1200 per month ongoing
- All prices exclude VAT
- Minimum 12 month contract

HOW MUCH WILL IT COST (FULL PACKAGE SIGNAL MEMBERS)?

- Less than 100 employees
- £ 3000 per year or
- £ 1000 first month followed by £300 per month ongoing
- Between 100 and 249 employees
- £ 5000 per year or
- £ 1500 first month followed by £500 per month ongoing
- 250 employees and over
- £ 8000 per year or
- £ 2000 first month followed by £1000 per month ongoing
- All prices exclude VAT
- Minimum 12 month contract

CONTACT US

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- To sign up or to download our checklist, please go to <https://www.gdprweeklyshow.com/brexit>

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QUESTIONS?