



LGPD: Putting Data Protection into Practice

Key Takeaways

#Compliance #Integrity #DataProtection #Regional #Exchange

21 October 2020 | Latin America

Information is fundamental for decision-making and is often considered the most important asset of companies, although personal data always belongs to its holders, such as employees or customers. The Data Protection Law that was already put into practice in Europe was adapted to a national version in Brazil called LGPD - General Data Protection Law, which provides direct obligations to those who process personal data, bringing several definitions and assigning a new function within companies and institutions: the data controller. In this virtual dialogue we will highlight the importance of personal data, considering legal terms and practical recommendations to prepare your business to be compliant with LGPD standards.

The following experts from Latin America were invited to share their perspective:

1. **Remi Yun:** Privacy & Data Protection Manager | Accenture Brasil
2. **Márcia Muniz:** Legal Director, Compliance and DPO | Cisco Brasil
3. **Fabiano Barreto:** Policy and Industry Specialist | CNI

Presenter:

- **Amanda Rocha,** Alliance for Integrity

Challenges

- The costs of hiring and maintaining a Data Protection Officer (DPO) is very high, and can even be equivalent to the annual revenue of a micro company;
- Access to information is expensive, which can harm small businesses that have no knowledge about the legislation;
- There is no distinction on the LGPD legislation for companies based on their size, i.e. there is no simplified format of legislation for SMEs;
- There is not yet a dominant culture of data protection.



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Best practices

- It is necessary to promote a change in the culture of data protection, so that everyone is more careful with the processing of personal and third-party data;
- There is the need to raise awareness of the issue between all sectors of the population including the public and the private sectors but also within civil society;
- Incorporating the culture of data protection throughout all areas of the company is essential to ensure compliance with the law;
- To ensure accountability, it is important to follow the Minimisation Principle, which states that only the minimum data necessary to conduct the business should be collected.

Recommendations

- Appointing a manager to conduct the data protection programme, even if the company chooses not to hire a DPO;
- Promoting within the company fractioned, concise, and frequent training sessions on the subject;
- Creating a small data protection committee that involves the areas of the company that have the greatest data flow;
- Ensuring the support of the company's top management, who must understand the need to adapt to data protection legislation;
- Establishing a periodicity of meetings to discuss the topic;
- Selecting Data Protection Ambassadors in each area of the company to act as spokesperson for the data protection programme and provide timely information on risks and gaps;
- Producing and making public a simplified, direct and assertive Data Policy document in which it is explicit what data is collected, for which reasons and with whom it is shared;
- Making public the information on how to contact your company's data officer and the possible procedures for the data owner;
- Formulating an internal incident handling policy, not only to implement risk mitigation measures, but also to specify occasions when authorities should be communicated.