

# DATA BREACHES

Even with the best will in the world, data and cyber security breaches happen. No organisation is perfect or ever will be. The result? For most organisations, it's not 'if' a material data breach will happen but 'when'.

But you can't afford to be fatalistic. Shoosmiths' experienced Privacy & Data Team can work with you and your key teams wherever they are based to help you minimise the risk of breaches happening in the first place and, should anything untoward happen, we can work with you to contain it quickly, efficiently and with a minimum of fuss.

To discover how Shoosmiths can help support you, don't hesitate to get in touch with a member of the team.

## WHAT WE DO

You need the right experts on your side to provide timely, unambiguous and straight-talking advice. Shoosmiths' Privacy and Data team has a wealth of experience advising clients in the UK, the EEA and further afield on data and cyber security breaches.

### Before an incident:

- we can help you get your house in order. Put simply, having robust systems in place—policies, processes and training—can stop breaches in their tracks. Please see overleaf for full details of our compliance solutions

### During an incident:

- our experienced experts hit the ground running. Our Rapid Response On Call Team and in-house support for breaches have a wealth of experience in dealing with the most involved of breaches, using our tried and tested processes when a crisis strikes
- we leverage the support of our in-house specialisms including IT and security experts, which, together with external partners, means we can rapidly put together a full-service response team
- we know the reputation damage that can occur when a breach happens. We work lightning-fast with PR experts to help defend your brand's reputation
- we give practical, solutions-focused advice on breach notifications to regulatory bodies and data subjects

### After an incident:

- once the breach has been contained, the work doesn't stop. We continue to liaise with any regulatory bodies on your behalf and deal with any residual issues
- we work with you to see how you can avoid similar breaches in the future and minimise future risks to your business

## RECENT WORK INCLUDES

Advising a global retail brand on a cybersecurity breach which involved the unauthorised online disclosure of a large volume of personal data. In particular, we advised on putting mitigation actions in place to combat negative impact upon brand reputation

Advising a global retailer on a serious data breach which involved the disclosure of a large volume of special category personal data; including advising on ICO and individual reporting notification obligations

Advising a business on an ongoing multi-jurisdiction fraud investigation being undertaken in relation to an internal investigation of current and former key personnel, including putting a risk strategy in place regarding data sharing with a data processor based in Japan to ensure the confidentiality of investigations

Advising in relation to breaches of the Privacy and Electronic Communications Regulations (PECR) in light of the proposed—although yet to be finalised—ePrivacy Regulation and liaising with businesses to achieve commercial and proportionate settlement of disputes

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## WE CAN HELP YOU:

- **BE ENGAGED** — **working productively with data protection authorities:** We build constructive relationships with DPAs on your behalf, taking the pressure off you when you need it most
- **BE OPTIMISED** — **Shoosmiths' GDPR Drive:** road test your GDPR compliance against our proven Drive methodology:
  - » optimise the way you use personal data and ensure ongoing GDPR compliance through our comprehensive audit/ reviews and reports service
  - » address noncompliance issues through our specially—tailored service, helping you identify and mitigate key risks
- **BE COMPLIANT** — **Review, drafting and updating of documents:** Do you want to avoid any unnecessary compliance headaches? Our expert data protection legal advisors can help you with your key policies, procedures and other documents
- **BE ON TOP OF YOUR RELATIONSHIPS** — **managed contract update and negotiation service:** robust commercial contracts are a powerful management tool. We can help you find the right solutions at the right time so that your contracts work for you
- **BE READY** — **Rapid Response On Call Team and in-house support for breaches:** when a critical incident occurs you need a team that hits the ground running. Using tried and tested systems, we give you straightforward and pragmatic solutions when you need them most
- **BE STREAMLINED** — **data subject requests:** struggling with DSARs? We use innovative tools, templates and in-house experts to streamline this complex and time-intensive task and help you get the job done
- **BE SUPPORTED** — **data protection experts at your disposal:** there's often no substitute for face-to-face meetings. Our expert team can set up mini clinics within your organisation to address live issues, deliver targeted support and keep you ahead of the game
- **BE IN THE KNOW** — **training:** training your staff and turning them into your first line of defence is key to ensuring effective compliance. Our expert data protection team can offer:
  - » bespoke e-learning tools
  - » collaborative training and networking sessions with your peers to share best practice
  - » one-on-one training and/or legal training sessions
- **BE FOREWARNED** — **data breach test:** forewarned is forearmed. Our 'breach out' room exercise can help you work through responding to a data breach scenario and test your processes. Get the facts you need to protect your organisation

If you would like more information on the benefits of using Shoosmiths, don't hesitate to get in touch with a member of the team.

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## CONTACT US



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