

In this data-driven world, how do you protect the privacy of your data?

EY Information Governance & Privacy Services



The better the question.
The better the answer.
The better the world works.



Building a better
working world

Information governance and privacy risks in the digital world

Companies face growing risks in addressing information governance and privacy – two concerns that are converging in today’s digital era. It has been challenging for organizations to protect their critical digital assets and comply with increasingly complex privacy regulatory requirements. These issues have been exacerbated during the COVID-19 pandemic as more social and business activities are conducted online and personal data is being tracked to monitor the spread of the virus. Third-party misuse of data is another growing problem for companies that employ vendors to collect, store and process customer and employee data.

The increasing adoption of artificial intelligence (AI) technologies also brings new privacy risks as sensitive personal information can be revealed when aggregating and analyzing disparate data sources, intentionally or unintentionally. In addition, AI-enabled systems can lead to biased decisions that run afoul of legal, regulatory and moral standards.

Around the world, many jurisdictions are enforcing data protection and privacy laws. Some of the most important are the EU’s General Data Protection Regulation (GDPR), California’s Consumer Privacy Act (CCPA), and China’s Cybersecurity Law. Global organizations may be required to simultaneously comply with multiple statutes; 132 out of 194 countries have enacted legislation to secure data protection and privacy, according to the United Nations.¹



¹ "Data Protection and Privacy Legislation Worldwide," *United Nations Conference on Trade and Development website*, https://unctad.org/en/Pages/DTL/STI_and ICTs/ICT4D-Legislation/eCom-Data-Protection-Laws.aspx/, accessed 22 June 2020.

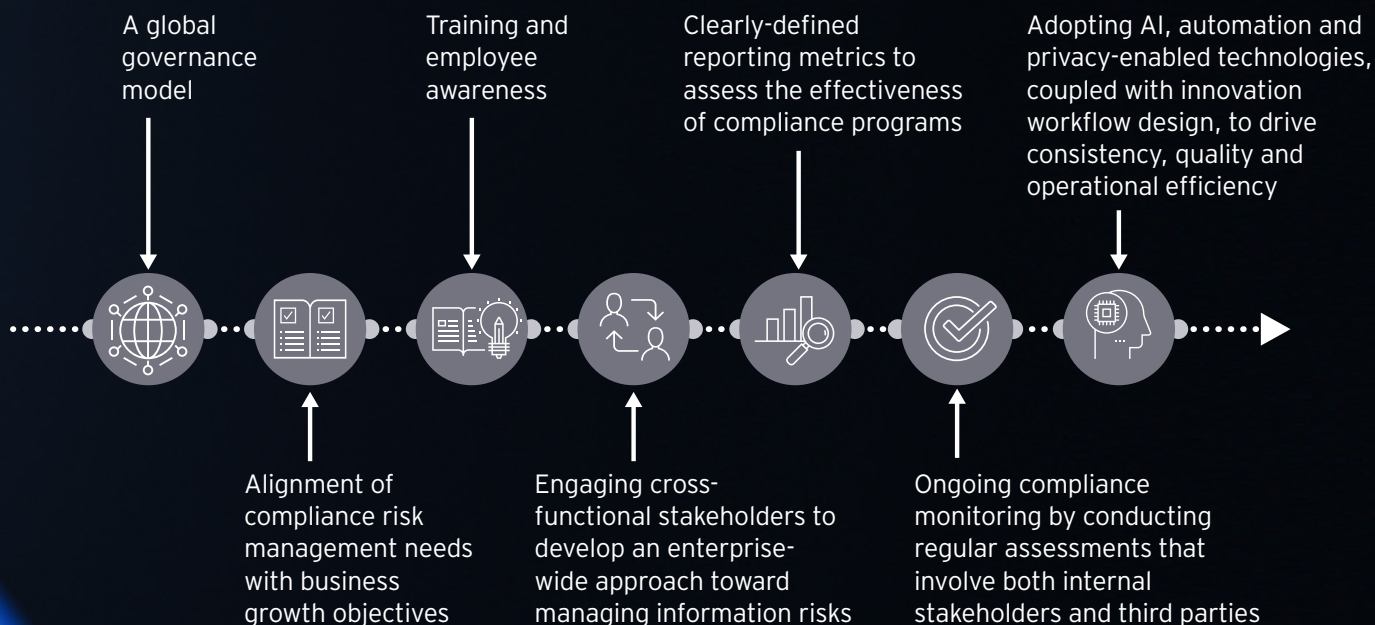
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The companies that do the best job on managing a user’s privacy will be the companies that ultimately are the most successful.

Fred Wilson
Venture capitalist

A sound information governance and privacy strategy reduces regulatory compliance risk, increases operational efficiency and establishes a competitive advantage.

Strategic considerations for building and implementing an information governance and privacy program



How EY teams can help

EY teams consist of multidisciplinary professionals who support organizations in all facets of information governance, taking into consideration legal, regulatory and privacy concerns. Leveraging extensive experience helping clients respond to data breaches and conduct forensic investigations, EY teams focus on effective and efficient use of data, as well as managing privacy risks, through technology and process innovation.

Key benefits of working with EY professionals

- ▶ Deep knowledge of data protection and privacy regulations around the world and experience in cross-border data transfer
- ▶ Dedicated sector professionals who understand industry-specific data and regulatory challenges
- ▶ Multidisciplinary teaming of talent in operations, data governance and regulatory compliance who are supported by a team of International Association of Privacy Professionals (IAPP)-certified professionals
- ▶ Data-driven approach, coupled with workflow and technology innovation, bringing precision, efficiency and deeper insights to privacy compliance programs
- ▶ Global EY network of local resources who understand regional, cultural and regulatory environments, and work together under one consistent methodology to reduce risk and increase efficiency



Information governance and privacy program assessment and development

Getting privacy right has never been more important. EY teams help organizations identify gaps in their approach to information governance and data privacy so they can reduce their risks while achieving their business objectives. The EY Information Governance and Privacy Services team employs a diagnostic built on tested information governance principles and data privacy methodology.

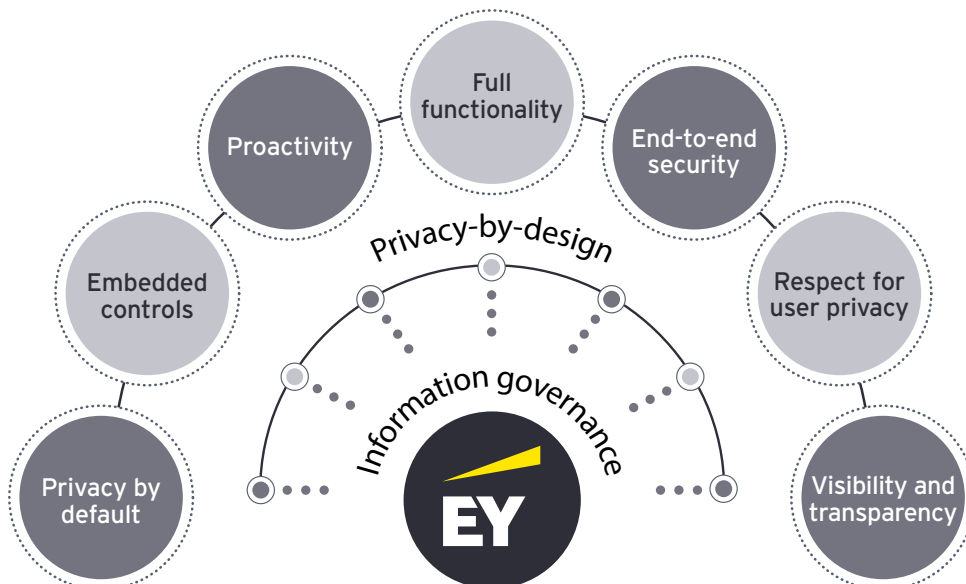
EY teams help organizations develop or streamline data policies, procedures, reporting and controls, increasing efficiencies and mitigating risks. EY professionals work with clients to operationalize policies, identify and adopt technologies and create privacy-by-design and privacy-by-default standards. The teams advise organizations on how to embed information governance and privacy protection principles into their business processes. EY services also include developing and implementing change management plans and programs.

Good information governance focuses on collecting and holding only the amount of data needed to fulfill business and operational objectives. This practice, a key GDPR principle, reduces the burden of regulatory compliance obligations. EY teams work with organizations to develop data minimization strategies and workflows aligned to business and risk management objectives.



As privacy regulations evolve around the world, EY professionals work with clients to evaluate how their information governance and privacy programs comply with relevant laws and regulations. EY teams assist clients with all aspects of data discovery, collection, usage, storage and transfer. The ultimate goal is to develop an integrated information governance and privacy program that supports the organization's legal, regulatory and business requirements while aligning to a broader vision for corporate integrity.

Building blocks of EY data privacy methodology



Data classification

Knowing where and how information is stored is fundamental to data protection. Data inventory, often built with data classification tools, helps organizations develop a risk-based approach to prioritizing data sets that require detailed data mapping activities based on relevant privacy and industry-specific regulations.

EY data classification services include scanning and analyzing unstructured and structured data sources to identify data that requires additional protection (e.g., personally-identifiable information, intellectual property) or data that may immediately be disposed of (redundant, outdated or trivial). Leveraging advanced text analytics, AI technologies and targeted interactions with data stakeholders, EY professionals work across industry sectors to help clients understand how their data is sourced, used and shared, as well as identify sensitive and personal data subject to legal and regulatory scrutiny.



Data mapping

Data maps are essential for complying with regulatory requirements such as the GDPR's "right to be forgotten" and the CCPA's right to know what personal information is collected, shared or sold. When handling rectification or deletion requests, data maps allow information that is corrected or deleted in one system to be automatically updated everywhere. Mapping is essential for good cybersecurity because it improves an organization's ability to detect intruders and respond quickly to a breach. It also makes electronic discovery and legal hold processes more efficient.

Using forensic and electronic discovery technologies and tools, EY teams help organizations inventory and align sensitive and critical data to their enterprise systems and develop data maps to track data throughout its life cycle. Data maps allow an organization to understand whether personal information is being used or stored beyond its original, lawful purpose and to implement the proper controls for sharing data with third parties.

Data subject access request (DSAR)

A DSAR typically results in a complex chain of events requiring the organization to authenticate the request, identify and compile relevant data and deliver it to the subject in the requested format within the regulatory deadline. EY teams help organizations design and implement workflows to efficiently respond to DSARs based on their data privacy requirements, processing activities, organizational structure and IT environment. In designing workflows to address a DSAR, EY teams identify when it is necessary to redact non-relevant and confidential information across the enterprise and build in the appropriate processes.

Aided by an interactive EY case management tool, compliance and legal professionals can review DSARs for relevancy, privilege and confidentiality. The tool's robust audit trail capability allows investigators to perform thorough reviews and provide strong supporting documents in the event of a regulatory inquiry.

Data retention and disposition

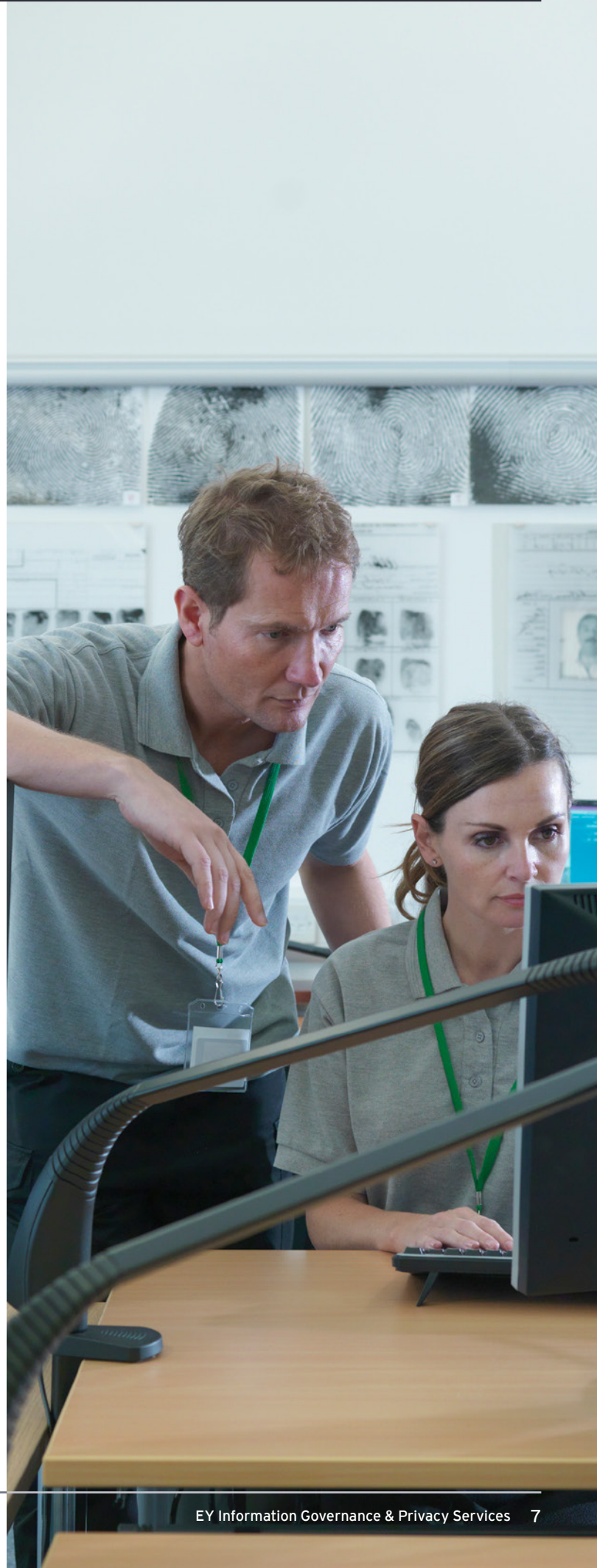
As clients look for ways to minimize their data footprint, EY professionals help design and implement disposition decision frameworks that leverage innovative workflows and technologies, including advanced analytics, to dispose of data that has exceeded retention and legal preservation requirements. By disposing sensitive data through deletion, de-identification or aggregation before it propagates across systems, organizations can reduce compliance and litigation risks and control costs at the same time.

An ongoing challenge to data disposition is the uncertainty around what data must be preserved to satisfy legal obligations and what data needs to be retained for regulatory and operational reasons. EY teams work with legal counsel to inventory an organization's legacy and active preservation requirements and develop technology-enhanced workflows that efficiently operationalize both routine disposition and individual requests by data subjects to delete their personal information. EY professionals also assist legal, compliance and IT departments to identify retention requirements for records and enterprise information in order to meet regulatory and business obligations while also supporting timely disposition.

Privacy impact assessment (PIA)

In the context of regulatory compliance or risk assessment, a PIA is the process by which companies can assess and identify how data protection and privacy have been addressed in both product and service-based solutions. The GDPR has a review requirement under Article 35, known as a data protection impact assessment (DPIA) for any high-risk processing activity.

EY professionals help organizations evaluate how data protection and privacy are being addressed across the enterprise. EY teams review a solution's entire life cycle to identify potential compliance gaps, and document how privacy protection is embedded based on relevant regulatory or legal requirements. Operating under one standard global methodology, they also help build PIA workflows and controls for ongoing compliance monitoring as the solution evolves over time. Using AI and data analytics technologies, the teams perform risk analysis to provide the organization with the risk and business insights they need to solidify its privacy risk management programs.



Third-party data privacy due diligence

Many businesses use third-party vendors to process data. These external relationships can generate complex privacy risks. Under the GDPR, data controllers are ultimately responsible for their data even after it's transferred. Article 28 describes how data controllers should provide guidance to data processors and the importance of detailed written contracts. The CCPA also requires written contracts between businesses and service providers to safeguard personal data.

To identify various scenarios of data misuse and privacy violation by third parties, EY teams perform contractual reviews, fact-finding interviews and forensic data analyses. The work focuses on a wide range of potential risky areas, such as data removal, transmission, encryption and audit. EY professionals use these investigative and forensic findings to help organizations benchmark against their peers, develop impact analyses and remediation plans, as well as prepare for potential litigation or regulatory inquiries.

M&A data separation

EY teams help companies manage separation activities for both electronic and physical documents during complex merger and acquisition activities. Using advanced text analytics, electronic discovery and document review technologies, EY professionals collaborate with companies

throughout the transaction and help them develop principles, guidelines, decision matrices and detailed plans for data separation and integration. Services also include demand and capacity planning, release coordination, inventory creation and overall project governance. EY teams offer a "low-touch" approach for hard copy records that relies on statistical sampling and machine learning to reduce the need for manual reviews.

AI and data analytics review

EY professionals work with organizations to help manage legal and compliance concerns resulting from the improper use of AI and analytics for various business and operational purposes. The services cover a wide range of risk scenarios such as employee error, algorithmic bias, faulty algorithm design, malicious manipulation and poor data quality, all of which can compromise the intended outcome of AI systems and lead to noncompliance with data protection and privacy regulations.

The EY team comprises professionals with deep knowledge and experience in data science, algorithm design, forensic investigation and cybersecurity. They stay on top of the latest digital risks and AI use cases to help organizations safeguard their digital assets and comply with regulatory requirements while using AI and data analytics to meet business objectives.



Technology that supports EY services

Powered by virtual analytics infrastructure (EY Virtual), a microservices-based AI and forensic data analytics platform, EY Information Governance and Privacy Services can be deployed on premises or via cloud, has the scalability to be used in multiple locations, and the ability to integrate with a multitude of data sources, both structured and unstructured.

Deep AI and forensic bench strength

The EY team comprises data science, forensic technology, computer science and cybersecurity professionals who carry not only the academic pedigree but real-world experience in managing data protection and privacy risks. They are experienced at applying AI and forensic technologies and approaches to uncover hidden risk patterns to comply with legal and regulatory requirements and deliver operational effectiveness and efficiencies.

Secure and scalable use environment

EY Virtual provides the accessibility and scalability of a multi-user environment that can accommodate a large number of approved internal and external users. It offers a range of security controls (e.g., role-based permission, two-factor authentication, encryption) to manage data protection and privacy risks. Its multi-tier server architecture is subject to the governance of EY global information security program, which requires rigid security certification process and multi-layer security monitoring.

Collaborative and interactive case management capabilities

Through EY Virtual's built-in interactive case management tool, compliance professionals have access to a full view of the organization's digital assets. Via a visual dashboard, users can manage alerts, drill into specific risk areas and collaborate with each other in real time. Users can automate certain escalation procedures using workflow tools. The case manager can integrate a wide range of data sources so that all relevant information needed for investigation is readily available at one central location.



Multiple deployment options

Through managed services or preferred provider arrangements, EY teams forge long-term relationships with organizations that enable them to gain deep knowledge of their privacy risks and help them formulate mitigation and remediation strategies for their privacy compliance programs.

EY member firms have developed and helped implement Binding Corporate Rules (BCRs) that define EY policy on privacy and international data transfers. BCRs are recognized under the GDPR as a valid data transfer mechanism. EY BCRs have been formally approved by data protection authorities in Europe. A copy of our BCRs is available at www.ey.com/bcr.

1 EY cloud

Source data is hosted on a secure Global EY network with single and multiuser cloud options. It is scalable and offers 24x7 availability via an EY technology infrastructure used around the globe.

2 Enterprise deployment

All data traffic is maintained within the client network without any outside access.

3 Client cloud

EY teams can help integrate with many of the most common and popular cloud technologies.

EY teams in action

Technology and workflow innovation provide operational and cost efficiencies

EY teams have recently assisted a number of global companies performing PIAs for their third-party due diligence programs. The companies include an automotive manufacturer, a multinational conglomerate and a financial services institution. All of the engagements leveraged pre-developed workflow tools in the EY Virtual platform with minor modifications to streamline vendor review processes. The EY Virtual-hosted workflow uses an online application that allows any registered company employee to seek approval from the internal data protection team for a third-party supplier.

The workflow includes a automated customizable maturity assessment survey tool to gather information from third parties about how they handle personal and sensitive data. The survey results are combined with additional public and

proprietary data about the supplier. The aggregated data is analyzed using a pre-developed algorithm, which generates a risk score for each third party. The risk scores are used by compliance executives to help determine appropriate escalation procedures, if needed.

The workflow is fully integrated into a user-friendly case management tool where compliance professionals can review the risk analysis details using interactive dashboards. The client can also automate the handling of low-risk requests so precious human resources are spent on high-risk areas.

The engagement helped the client build privacy-by-design into its vendor compliance programs. The effort also helped to demonstrate to regulators that the companies have taken concerted efforts in privacy compliance.

Global presence



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- Dallas
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- San Jose
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- Hyderabad
- Mumbai
- New Delhi

Middle East:

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- Tel Aviv

EY | Building a better working world

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Enabled by data and technology, diverse EY teams in over 150 countries provide trust through assurance and help clients grow, transform and operate.

Working across assurance, consulting, law, strategy, tax and transactions, EY teams ask better questions to find new answers for the complex issues facing our world today.

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About EY Forensic & Integrity Services

Embedding integrity into an organization's strategic vision and day-to-day operations is critical when managing complex issues of fraud, regulatory compliance, investigations and business disputes. Our international team of more than 4,000 forensic and technology professionals helps leaders balance business objectives and risks, build data-centric ethics and compliance programs, and ultimately develop a culture of integrity. We consider your distinct circumstances and needs to assemble the right multidisciplinary and culturally aligned team for you and your legal advisors. We strive to bring you the benefits of our leading technology, deep subject-matter knowledge and broad global sector experience.

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