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Effective Strategies to Manage Global Data Challenges

At the recent PrivSec Global event, Nina Bryant and Kajen Subramoney, Managing Directors within FTI Consulting's Technology segment in EMEA, participated in a panel with other data privacy experts to discuss the current global landscape of data challenges.

With the move to remote work and a world more reliant on digital communication and data than ever before, organisations are facing a myriad of new risks and responsibilities. The technologies—and data sources—that have emerged in 2020 are here to stay, regardless of how the future workplace evolves, and organisations must begin addressing the related data privacy implications.

During the session, Stevan Stanojevic, Global Data Privacy Manager at Etihad Aviation Group, discussed how the new data landscape and the ongoing pressures of the current climate overlap with intensifying global data privacy and data protection regulations. With 66% of countries having privacy laws in place and another 10% in the process of adopting new privacy laws, businesses worldwide must transform rapidly to maintain compliance across an ever-increasing universe of privacy-sensitive data.

The importance of accountability was a key point made by panellist Sally Annereau, Senior Data Protection Adviser at Taylor Wessing LLP. She explained that it's no longer sufficient for an organisation to claim compliance, but

rather it must have evidence of how it is complying. In addition to navigating accountability and demonstrating compliance, the panellists discussed additional emerging challenges including:

- Geopolitics, such as the impact of decisions including Brexit and Schrems II on cross-border data transfers between the U.K., Europe and the rest of the world.
- Security and the increase of cyberattacks and insider threats.
- Increasing scrutiny around protections for children in the design of technology (e.g., the U.K.'s, Age Appropriate Design Code), ad targeting and obtaining consent.
- Ethics and individual rights compliance in leveraging AI and automated decision-making technology.
- Responding to data subject requests, upholding data subject rights and fielding increasing matters relating to private rights of action for privacy breaches.

The 'Citizen as Regulator'

As privacy has become increasingly important to consumers, the public has gained power in holding organisations to account. Companies and applications seen to be potentially exploitative may suffer extreme brand damage as consumers self-regulate on social media platforms and in the legal arena.

Still, while technology has created new complexities, and privacy leaders worry over the costs of the related risks, tech can also deliver organisations from their biggest challenges. Tech-driven solutions that enable more effective, efficient governance and compliance controls include:

- Data mapping tooling across unstructured and structured data sets to streamline systems storing personal data, apply data minimisation principles and ensure appropriate archiving processes that manage data that must be retained for legal or regulatory purposes.

- Tech-driven privacy processes to embed privacy by design, improve efficiency and compliance, reduce security risks and decommission legacy systems.
- Data remediation and analytics tools to address legacy data issues, manage back-ups effectively and reduce IT and e-discovery costs by disposing of data at the end of its lifecycle.
- Automation of managing access to, or masking of, structured data to enable analytics and drive value from data.

Culture is Critical

Finally, organisations must remember to think about their data culture. Is data an asset to exploit for value? Or, is it simply a burden of increasing cost and risk? These considerations are often overlooked. Finding a balance between the extremes is the key to mitigating risks and reducing costs, while still deriving value and strategic insights from the data. By working toward compliant data privacy practices and holistic information governance, the right balance can be achieved.

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