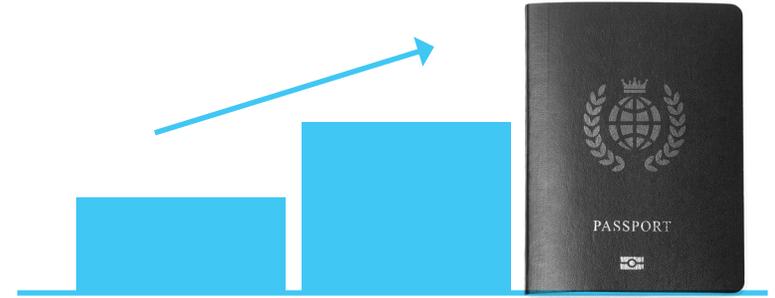


Passport to success

Navigating global data transfers and Schrems II



The increasingly complex and evolving myriad of laws regulating the transfer of personal data around the globe can pose a threat to innovation and business efficiency if not addressed properly.

And yet, compliance with these changes, altering and repapering contractual arrangements, implementing new technical and organizational measures and mitigating associated risks is a significant task requiring additional resources in an already very busy area. We have carefully considered the latest regulatory developments as well as what we can see on the horizon, with a view to helping you navigate and keep pace with this ever-changing legal landscape in a way that best suits your needs.

The result is a comprehensive range of services – modular and completely customisable to your organization’s requirements, risk appetite and commercial objectives. So whether you require long term end-to-end support, a shorter term immediate response, or both, we offer a broad range of solutions to facilitate compliant global data transfers and enable you to respond to regulator requests and investigations in a full and timely manner.

At a glance



Data transfer mapping

Reviewing your data flows to ascertain your organization’s data transfer profile, by looking at: (i) purposes for processing; (ii) categories of data involved; (iii) geographical footprint of data transfers; and (iv) exporter and importer roles



Maturity and risk appetite analysis

Helping you establish the maturity of your systems, risk appetite and processes by examining: (i) the contracts covering your data transfers; (ii) existing safeguards in place; and (iii) the systems and processes implemented to respond to requests from individuals and regulators



Data transfer risk assessment

Identifying and analysing the local laws in the destination countries relevant to your organization’s data transfers, establishing vendor questionnaires, and transfer risk assessment documentation and analysis approaches



Safeguard solutions

Assisting you to create a framework and approach to deploying a range of contractual, technological and organisational measures and safeguards for existing and new transfers

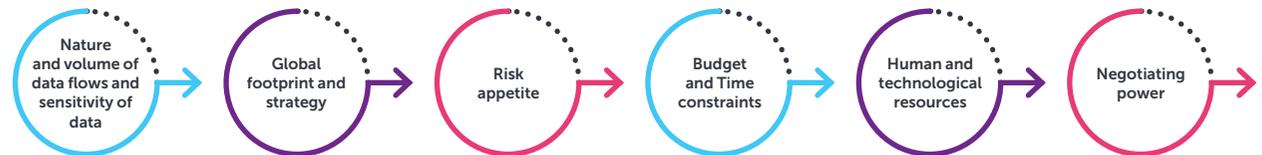


Future proofing

Working with your business and legal teams to consider approaches to keeping the agreements and other safeguards up to date, and looking beyond this immediate horizon to further changes in data transfers requirements elsewhere in the world

Matching your needs...

We appreciate that all organizations are different. Companies need bespoke solutions that can be moulded to fit their operations – there is no “one size fits all”. The solutions appropriate for your business will depend on a number of factors:



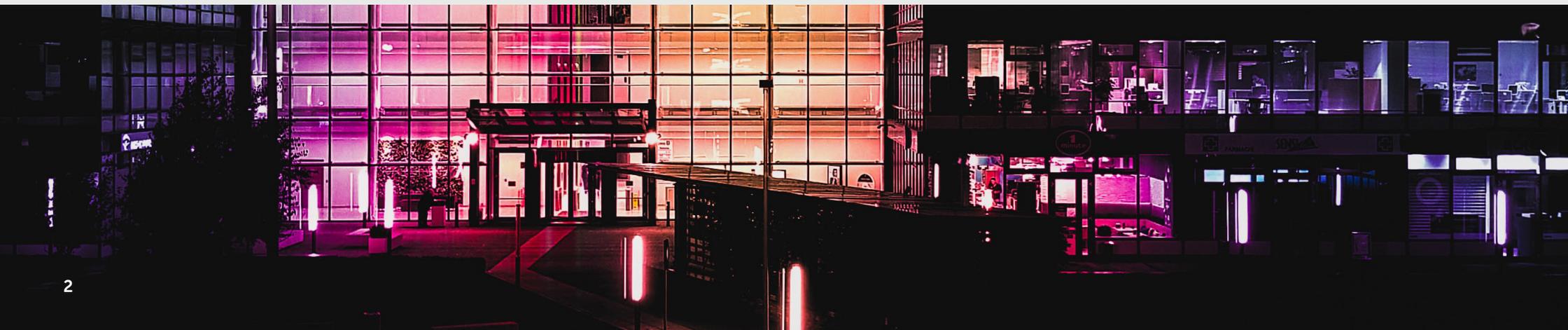
...with our capability

Our international team of dedicated data privacy lawyers are unmatched in terms of depth of experience and geographical footprint. We work alongside legal design and technology professionals from our Konexo division, to provide you with prompt, diligent and strategic

legal advice and support on contract audit, risk-prioritization and outsourced support designing and implementing practical amendment / negotiation exercises.



EU/UK data transfers timeline



How can we help

We are currently advising major clients on their Schrems II compliance programs across jurisdictions. Our unique service delivery model provides clients with specialist legal advice from our data privacy attorneys worldwide, combined with cost-effective operational support from our Konexo alternative legal services team. We are able to provide a complete end-to-end solution, or we can offer a modular approach to augment work already being undertaken by the client's own in-house legal function.

Your challenge



Establish the data transfers that your organization is making internally and across customer and supplier accounts

Carry out Transfer Impact Assessments (TIA) for certain groups of customers, suppliers and employees

Agree additional measures for some of your data transfers, including contractual, technical and organizational

Amend the agreements that underpin your data transfer arrangements

How we can help

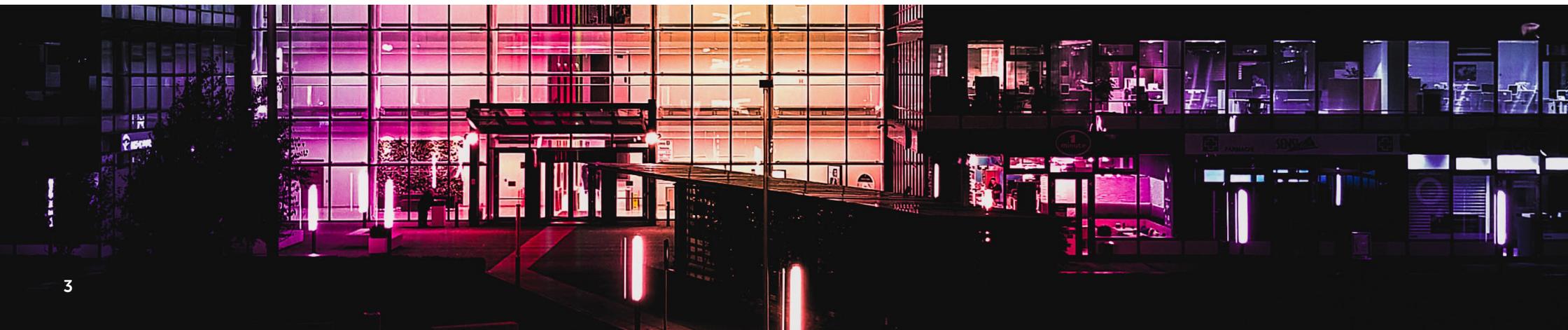


Gather this data by reaching out to the relevant parties using questionnaires and technology to track responses

Design the TIA(s) to ensure you are capturing the right level of information and help you, complete them using guidelines, playbooks and scoring mechanisms

Advise on what the additional measures might look like and, if contractual, can draft supplementary clauses for insertion into agreements

Amend your existing agreements using template SSCs, issue them to suppliers and customers, manage any negotiation within agreed parameters, and get the agreements signed and executed



Key contacts



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KONEXO

Operational steps for compliance

Developed by Eversheds Sutherland, Konexo provides consulting and alternative legal services. Our Konexo team can provide technology, program management and interim resource to support your Schrems II repapering needs.

How we are helping clients ...



A major vendor - technology provider

With our client defining and executing the outreach, we have set up a team to monitor and address all incoming responses following the outreach and where required. Our Konexo team is managing the process of agreeing amendments using a playbook and templates provided by the client. We manage all escalations within the playbook and exceptions outside of the playbook, within defined levels of complexity. Any totally bespoke negotiation is passed over to the client's in-house team. The Konexo team is project managed by our experienced staff, with regular performance reporting provided to our client.



A global universal bank

Our client's needs are extensive due to their operations across multiple jurisdictions worldwide, and working closely with the bank's own program management and legal teams we are supporting on automating and scaling all of their documentation in preparation for the repapering activity. Our Konexo team facilitated the first stage of the process by outreaching to a large volume of suppliers with a custom-built questionnaire, and managing responses and chasers to relieve the admin burden from the bank's in-house legal team. In the second stage, Konexo has taken data reviewed by the bank to generate the SCCs variation, with a short playbook so that these can be negotiated by Konexo with minimal escalations to the bank's legal team. We have achieved a high level of systemization and automation for our client by investing in the upfront set-up of the process to drive efficiency and scalability.



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