



# Artificial Intelligence in light of Data Privacy

Data analytics, intelligent automation, machine learning and artificial intelligence – the world of data-driven technologies has just started to take off. Everybody wants and needs to be there. But it should be done right – if done wrong, the fines of the respective data protection laws may spoil the party.

## **Privacy Compliance**

Privacy-invasive technologies (such as Big Data, mobile apps, customer profiling, etc.) are becoming more relevant and the number of privacy-related scandals and their impact are increasing. Organizations risk high fines and reputational damage if personal data is not protected adequately.

### **Benefits of the technology**

Big Data projects, however, also provide companies with insights into their business and their customers, providing efficiency, improving their sales activities and strengthening their own compliance and risk framework. Therefore, it is not a question whether the new technical means are used – but how to do it correctly.

### **Privacy challenges of the technology**

The technology easily combines different types of data coming from different sources – combinations which in the past were impossible or extremely difficult. Thanks to these combinations and a totally new way of analyzing data– for instance, by letting the machine find the best way to combine and predict – companies now have the possibility to better understand personal behavior and predict future actions. Organizations now not only have to decide how to comply with data protection requirements but also must deal with ethical questions whether some insights should be gained and exploited at all.

### **Manage the regulatory risks**

The European Union's General Data Protection Regulation (GDPR) and the revised Swiss data protection legislation (soon to be enforced) impose many obligations concerning the collection, processing, assessment, documentation of personal data and require informing the involved data subjects. The use of new technologies can ensure compliance and prevent fines as well as reputational damage.

Once you have established adequate processes, the implementation of key controls and the right documentation, you are ready to take off with the new technology. KPMG can assist you in reviewing your present processes and close any gaps.

## Our key services

- Perform a gap analysis and assess the compliance level of your organization
- Fill in the identified gaps in order to reach privacy compliance by implementing the needed changes, such as:
  - Checking the basis for processing, including consent forms
  - Analyzing how data is collected and if relevant prerequisites are met
  - Analyzing your data flow to make sure that the Privacy by Design and Privacy by Default rules are met
  - Implementing Data Privacy Impact Assessments where necessary and implementing respective remediation strategies
- Identifying third parties taking part in your processing of personal data and validating their role and the privacy clauses of your contracts with them
- Ensuring that the Data Breach Notification process is compliant and meets the stringent timelines
- Confirming data subject right processes, including the right to be informed, the right of access, the right to rectification, the right to erasure, the right to restrict processing, the right to data portability, the right to object, and the rights in relation to automated decision making and profiling.
- Conducting trainings to raise awareness
- Conducting Swiss data protection and/or GDPR compliance audits for respective certifications

## Client benefits

- Creating a differentiator to gain a competitive advantage
- Getting enhanced and more effective management of data
- Generating new customer insights (behavior)
- Strengthening customer loyalty and business growth
- Being compliant with the relevant data regulations
- Mitigating the risk of fines for non-compliance
- Making data protection more efficient



## Why KPMG?

KPMG has in-depth experience with privacy assessments, privacy implementations, small and large-scale privacy improvement programs and DPO support services in a diverse range of industries. Our multidisciplinary team of highly qualified professionals have the skills, competencies and experience to support you with the most challenging issues.

Our specialists cover all aspects of privacy, including legal, compliance, risk management, IT security and audit. We follow a proven approach to privacy management that we tailor to the privacy challenges and opportunities of your business. KPMG understands that compliance is not the sole goal for your organization and uses its expertise and experience of risk management and data protection, so you become compliant with privacy rules and regulations while limiting the costs of compliance and maximizing 'in control' benefits.

## Contacts

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