

Building data protection law into offshore outsourcing relationships

DATA PROTECTION Conference

May 18th 2005, Simmons & Simmons, London EC2

OUTSOURCING to foreign locations offers significant operational and cost benefits to organisations. It equally presents businesses with major legal and commercial risks. Different regulatory regimes protecting the use and flow of personal data apply in different countries and outsourcings that cover more than one country need to deal with these requirements. Failure to adequately protect personal data processed in the service provider's country could lead to a breach of data protection laws and significant adverse publicity.

Companies need to ensure that data protection safeguards are built into outsourcing arrangements. These safeguards must not only be legally sound but also commercially and practically viable. Achieving these goals is no easy task but this half day event will provide you with all the tools, advice and know how needed to deal with the data protection aspects of outsourcing.

KEY ISSUES

- ▶ Negotiating outsourcing contracts
- ▶ Legally transferring data overseas
- ▶ Practical compliance standards
- ▶ Assessing outsourcing partners

WHO SHOULD ATTEND

- ▶ In-house Lawyers
- ▶ External Legal Advisers
- ▶ Outsourcing Project Managers
- ▶ Outsourcing Consultancies
- ▶ Data Protection Managers
- ▶ Chief Information Officers
- ▶ Public Affairs Managers
- ▶ Company Secretaries
- ▶ Contract Managers

Conference Fee meeting and papers

£250 +VAT

3 CONTINUING PROFESSIONAL
DEVELOPMENT HOURS

Conference Programme

09.00 Registration and Coffee

09.20 Welcome and Introduction

Chair: *Stewart Dresner*, Chief Executive, *Privacy Laws & Business*

09.30 Negotiating data protection into outsourcing contracts

▶ How do businesses ensure outsourcing contracts provide sufficient protection, meet legal requirements and are commercially viable?

▶ What compromises need to be made when negotiating with service providers?

Dr. Mark Watts, Partner, Bristows, London

10.15 Using a risk-based approach to assess offshore outsourced service providers

▶ What risks does offshore outsourcing bring?

▶ Using a risk based approach to assess different service providers

▶ Using risk management in an offshore outsourcing relationship

Simon McDougall, Senior Manager, Deloitte, London

11.00 Coffee & Tea

11.30 Offshore data transfers – problems and solutions

▶ Data transfer options and solutions - standard clauses, ICC clauses, non-standard contracts, consent, binding corporate rules and other alternatives.

▶ Legal and cultural issues associated with ensuring compliance with data transfer requirements

▶ Issues raised in connection with transfers to and from various jurisdictions

Jeremy Morton, Partner and *Alexander Brown*, Solicitor, Simmons & Simmons, London

12.15 How Lloyds TSB ensures its service providers in India comply with data protection obligations

▶ Practical steps for establishing strong data protection safeguards in an offshore outsourced relationship

▶ Key risks in offshore outsourcing

▶ Training and staff awareness

▶ Physical security issues

Penny Berryman, Senior Manager, Data Protection Group Compliance Department, Lloyds TSB Bank

13.00 Panel discussion

13.20 Lunch

Note: 10 minutes per session for questions and answers

Advisory Services

This half day course on building data protection into offshore outsourcing relationships will not only cover the basic EU rules governing data transfer to countries outside the EEA but will also give you legal and practical guidance on how data transfers in connection with outsourcing can be handled.

Privacy Laws & Business and *Simmons & Simmons* are available, separately or together, to provide a range of services relating to offshore outsourcing. *Simmons & Simmons* offers legal advice on the full range of legal issues involved in plans to outsource operations to other countries. This includes advice on the strategic issues behind structuring an outsourcing as well as advising on the legal documentation required. Once a decision to outsource has been taken, *Privacy Laws & Business* can deliver management and staff training on data protection law and related aspects of the operation; and can also conduct a subsequent audit, or train your internal audit team, to ensure that your staff understand their data protection law legal duties and are correctly applying them to their daily operations.

FORTHCOMING EVENTS

► **Freedom of Information Act Training**
Manchester – May 11th
Birmingham – June 9th
London – June 9th

► **Data Protection Act Training**
London – June 8th

► **How to Use the Information Commissioner's DP Audit Manual**
London – May 16th/17th
Edinburgh – July 11th/12th

► **Privacy Laws & Business 18th Annual International Conference, St. John's College, Cambridge** – July 4th-6th, 2005

► **European Privacy Officers' Network**
Cambridge – July 7th

To book any of the above events, call the Privacy Laws & Business office or visit www.privacylaws.com

OUTSOURCING CONFERENCE REGISTRATION FORM

Personal Details

(For more than one person, photocopy this form)

Name:

Position:

Organisation:

Address:

Postcode:

Tel: Fax:

E-Mail:

Signature: Date:

Special Diet:

Outsourcing Questions

To make the conference as relevant as possible, please answer the following:

Current Outsourced Services Country

1.

2.

3.

Considering Outsourcing Country

1.

2.

3.

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Please return this form to: Conference Coordinator, Privacy Laws & Business, Raebarn House, 100 Northolt Road, Harrow, Middlesex HA2 0BX, United Kingdom. e-mail: sales@privacylaws.com Tel: +44 (0)20 8423 1300 Fax: +44 (0)20 8423 4536

Registration

(Please tick your choices)

Conference & Papers *including lunch* **£250 plus VAT (£293.75)**

Conference Papers **£75 plus VAT (£88.13)**

Payment Options

Please note that to secure your registration, you must either make your *payment* or send a *purchase order* by 4th May, 2005. Until we receive either, your registration is not guaranteed.

Address of Accounts (if different):

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Postcode:

Purchase Order

Cheque payable to: *Privacy Laws & Business*

Bank transfer direct to our account:
Privacy Laws & Business, Barclays Bank PLC,
355 Station Road, Harrow, Middlesex, HA1 2AN, UK.
Bank sort code: 20-37-16 Account No.: 20240664
Please send a copy of the transfer order with this form.

Credit/Debit card (please tick card type):
 American Express MasterCard Visa

Card Name:

Credit Card Number:

Expiry Date:

Total: £

Signature: **Date:**

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