Dentsply Sirona

How to Build a Global Data Protection Plan

SCCE Berlin 11 March 2019

1   28-02-2019   Dentsply Sirona 2019

CONTENT

1. Dentsply Sirona and Data Privacy

2. Challenges and lessons learned from the GDPR implementation

3. Building a global data protection plan

2   28-02-2019   Dentsply Sirona 2019

Dentsply Sirona – The world's largest provider of professional dental products

Dentsply Sirona:

- 16 000 employees
- Organizations in over 40 countries
- Our products are represented in 120 countries via global distributors

Head offices

Local offices

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Product areas

Consumables and Healthcare			Technology and Specialties		
Preventive	Restorative	Prosthetics	CAD/CAM	Imaging	Treatment Centers
Instruments	Endodontics	HealthCare (Wellspect)	Implants	Orthodontics	

The *only* manufacturer with comprehensive offering across all key categories for both general practitioners and specialists

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CONTENT

5   28-02-2019   Dentsply Sirona 2019

Background on the GDPR project

- The General Data Protection Regulation (GDPR) went live 25th of May 2018.

- It expands the scope of the law to have extra-territorial effect in certain cases. GDPR impacts processes globally, not just within the EU, so it will affect all our Dentsply Sirona locations.

- Dentsply Sirona's GDPR work was started during 2017 to ensure GDPR compliancy. Extensive work has been performed during 2017 and 2018 to understand GDPR, map all personal data and prepare for 25th of May.

- By liaising with external counsel a risk based approach was adopted to how to implement the GDPR program (based on available resources and activities that needed to be conducted). Focus was given on training on new policies and procedures, ensure existing high systems and processes were made compliant and putting in place contracts where necessary.

Dentsply Sirona DPO
Augusta Speiser
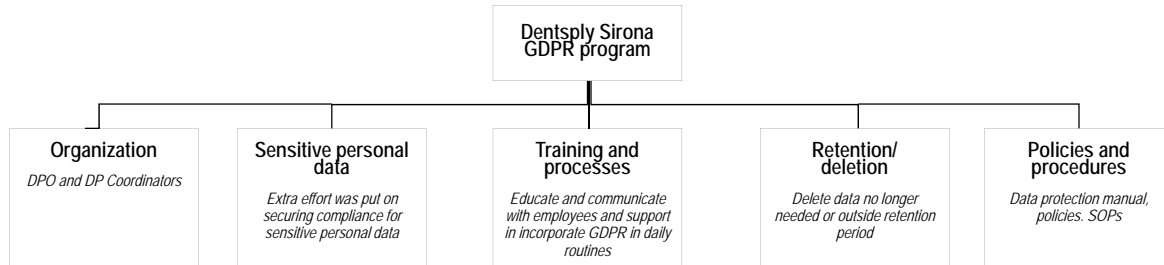
DPO Germany | GDPR data protection manager | Coordinators
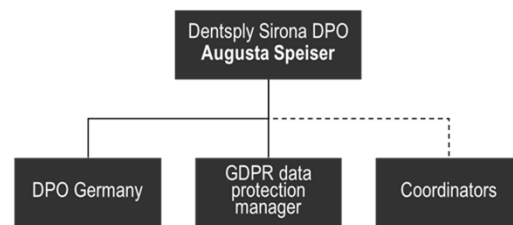
Dentsply Sirona GDPR organization

6   28-02-2019   Dentsply Sirona 2016

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GDPR at Dentsply Sirona

Key focus areas in Dentsply Sirona's GDPR program:

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                          Dentsply Sirona
                          GDPR program
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Organization	Sensitive personal data	Training and processes	Retention/ deletion	Policies and procedures
DPO and DP Coordinators	*Extra effort was put on securing compliance for sensitive personal data*	*Educate and communicate with employees and support in incorporate GDPR in daily routines*	*Delete data no longer needed or outside retention period*	*Data protection manual, policies. SOPs*

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Key challenges from the GDPR implementation

- Challenging to get priority and engagement – mandatory but not so motivating

- Challenge to get resources – and the right resources

- Challenging to cope with the remaining historic inheritance and just-in-time-requests after May 25th

- One regulation, but in practice a lot of local laws deviations.

- Find a realistic level – risk approach

- Many new issues have been discovered during the project which have developed the overall program further.

- Extremely wide stretch – very cross functional in the organization, but also need access to experts

- Identify and capture all features of the different processing activities (not just separate parts of the processing)

- Align corporate and local processing activities

- Would have been easier in a perfect world where processes and information flows are documented and followed

- How to make this to continuous work – privacy by design, change management, audits etc.

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Lessons learned from the GDPR implementation

- Communication is core – to all layers of the organization so people feel that they know what is happening and where we are in the project.

- Functional implementation and structuring is great in theory but not in practice – difficult to make business accountable.

- Get buy-in from and establish accountability with IT (central and local) from the start

- Integrate local IT systems with corporate IT systems to minimize the processing means

- Establish formal local organizational structures; to be data privacy's eyes and ears

- Provide easily accessible training and policy documentation

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CONTENT

1. Dentsply Sirona and Data Privacy

2. Challenges and lessons learned from the GDPR implementation

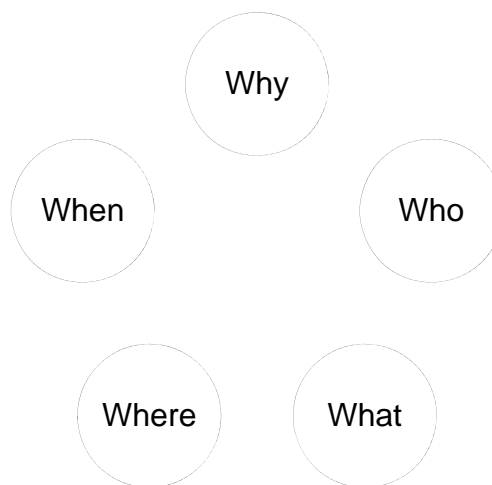3. Building a global data protection plan

How was the project plan developed?

Define scope, existing compliance level and project team

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Understand your personal data estate

Why

When

Who

Where

What

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How was the project plan developed?

Define scope, existing compliance level and project team

Activities performed:

- Map out which active legal entities that are in scope and who the responsible people are for those entities (xx entities)
- Decide on contact persons going forward
- Number of employees
- The type of business
- Whether clinical trials are conducted
- Whether patient data is processed
- Reviewing existing policies and procedures

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Regulation and Enforcement of Data protection laws globally
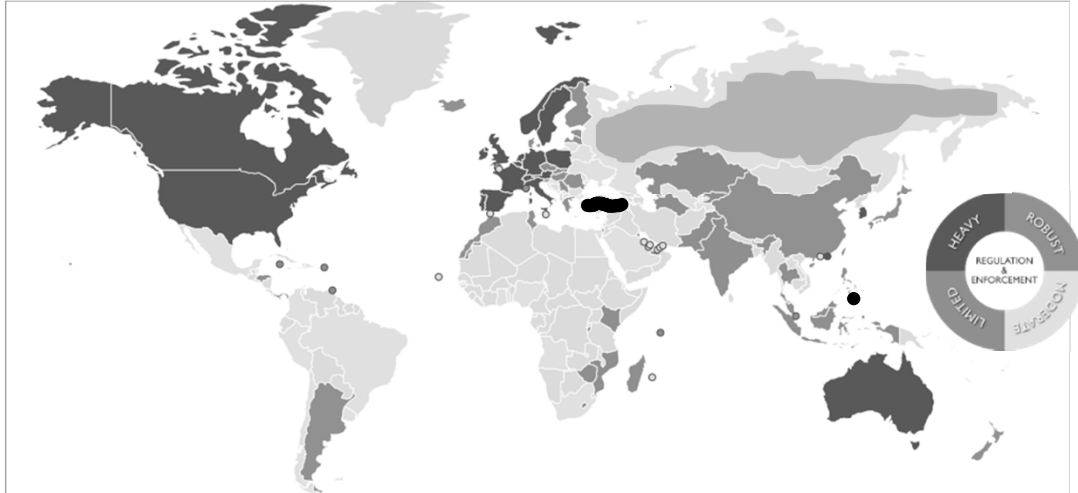
HR Sweden 16-5-2016   Dentsply Sirona 2016

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How do the laws apply

- Think about history
- Remember colonization and conquest
- Commonwealth countries adopt a UK approach, so Singapore, South Africa, Canada, India and Australia have English style laws
- Spain and Portugal influence Argentina, Uruguay, Brazil and Macau
- France influences North Africa, Vietnam and Canada

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How do the laws apply cont.

- USA – Sectorial laws
- Federal Laws :
  - The Federal Trade Commission Act (15 U.S.C. §§41-58) (FTC Act)
  - The Financial Services Modernization Act (Gramm-Leach-Bliley Act (GLB)
  - The Health Insurance Portability and Accountability Act (HIPAA)
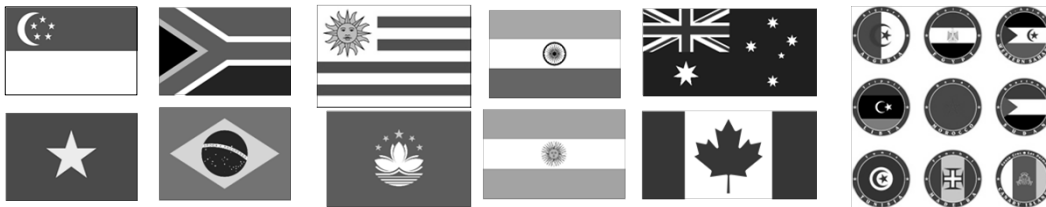 - The HIPAA Omnibus Rule also revised the Security Breach Notification Rule
  - The Fair Credit Reporting Act The Controlling the Assault of Non-Solicited Pornography and Marketing Act (CAN-SPAM Act)
  - The Electronic Communications Privacy Act In 2016
- State laws:
  - California Consumer Privacy Act of 2018 (effective from 1 January 2020).
  - Breach notification laws

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Other countries with their own Data Protection laws
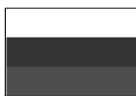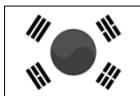
RUSSIA	South Korea	Malaysia	Taiwan	Indonesia	Ukraine

Israel	Japan	Hong Kong	China	Mexico	Thailand

United Arab Emirates	Switzerland	Turkey	Philippines	Peru

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Differences and similarities in global laws (selection)

	Registration required?	DPO required?	Breach notification requirement?	Data transfer restrictions?	ePrivacy laws	Difference of Personal data and Sensitive personal data?	Individual rights	Highest Sanction € EUR approx.	GDPR style Law
Australia	No?	N/A	Mandatory in certain circumstances	Yes	Yes	Yes	Yes	€ 2 633 575	Yes
Brazil	No	Under LGPD	Yes	Yes	No	Yes	Yes	€ 11 746 482	Yes
Canada	No.	Yes	Not yet in force at national level. Some state level requirements	Yes	Yes	Yes. Not a legally defined term, but sensitive data requires consent.	Yes	€ 66 602	No
China	No	No	For "network operators"	Yes?	Requires consent	Yes. In the cybersecurity law.	No.	€ 128 963	No
Russia	Yes	Yes	Yes	Yes	No	Yes.	Yes	€ 10 000	No
Turkey	Yes	No	Yes	Yes	Yes	Yes.	Yes.	€ 165 849	Yes

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Deciding on approach - Creating one global program – is it possible?

Separate program for each country ?

One program fits all?

Use existing GDPR program as a basis, adopt where necessary and carve out regions that are too specific to fit into the GDPR structure

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Dentsply Sirona's approach

EEA (GDPR)

Countries with EU influenced GDPR style laws (GDPR with some adoptions)

Australia
Brazil
Israel
Japan
South Korea
Switzerland
Turkey

Law & Regultion

USA (US specific program)

Rest of the world (small portions of GDPR program and some adoptions)

China
India
Indonesia
Thailand
UAE
Vietnam
Russia

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- Map out high level differences and similarities in global laws
- Decide the approach on how to structure the program – standardization vs. local market requirements.
- Categorize the countries into the set program approach

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11

How was the project plan developed?

Define scope, existing compliance level and project team	Understand the legal framework and decide on approach	Consult with local legal advisors	

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Requested information from GDPR influenced countries

Data Protection Code	Employee Policy	Recruitment Policy	Websie Notice	Cookie Statement
Consent language	LIA	International Data Transfers	DPIA	DPO
Sensitive data	Third party management	PbD	IS Policy	Acceptable Use
Social Media	Individual Rights	Data Disclosure	Data Destruction	Data Retention
		Data Incidents		

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Requested information from ROW countries

Are there any local Data Privacy requirements?

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Requested information from USA

What are the elements of a US privacy program and what would it cost to get assistance on creating policies/procedures for such program?

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- Categorize the countries into the set program approach

- Prepare working instructions to local counsel based on the set program approach

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How was the project plan developed?

Define scope, existing compliance level and project team	Understand the legal framework and decide on approach	Consult with local legal advisors	Analysis of input from local law firms and the DS company

Activities performed:

- Map out which active legal entities that are in scope and who the responsible people are for those entities (xx entities)
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Action plan in GDPR influenced countries

Argentina
Australia
Brazil
Hong Kong
Israel
Japan
South Korea
Malaysia
South Africa
Switzerland
Turkey

Asked to implement

Legal and Business risk

HEAVY | ROBUST | LIMITED | MODERATE

Data Protection Code	Employee Policy	Recruitment Policy	Websie Notice	Cookie Statement
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Social Media	Individual Rights	Data Disclosure	Data Destruction	Data Retention

Data Incidents	Mandantory Country specific requirements

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Action plan in the ROW countries?

China
India
Indonesia
Mexico
Peru
Thailand
UAE
Vietnam
Russia
Taiwan

Asked to implement

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Data Incidents	Mandantory Country specific requirements

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Action plan for the USA

| Dentsply Sirona Implants |
| Dentsply Sirona Wellspect |
| Dentsply Sirona corporate offices |
| MIS |
| Training center |
| Dentsply Sirona Consumables |
| Dentsply Sirona prosthetics |
| Dentsply Sirona CAD/CAM |

Asked to implement

Legal and Business risk

HEAVY ROBUST LIMITED MODERATE

Privacy/security officer	BAA	HIPAA Policy
Websie Notice	Notice/acknowledgement of Privacy practices	HIPAA risk assessment
PbD	IS Policy	Acceptable Use
Social Media	Data Incidents	

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How was the project plan developed?

| Define scope, existing compliance level and project team | Understand the legal framework and decide on approach | Consult with local legal advisors | Analysis of input from local law firms and the DS company |

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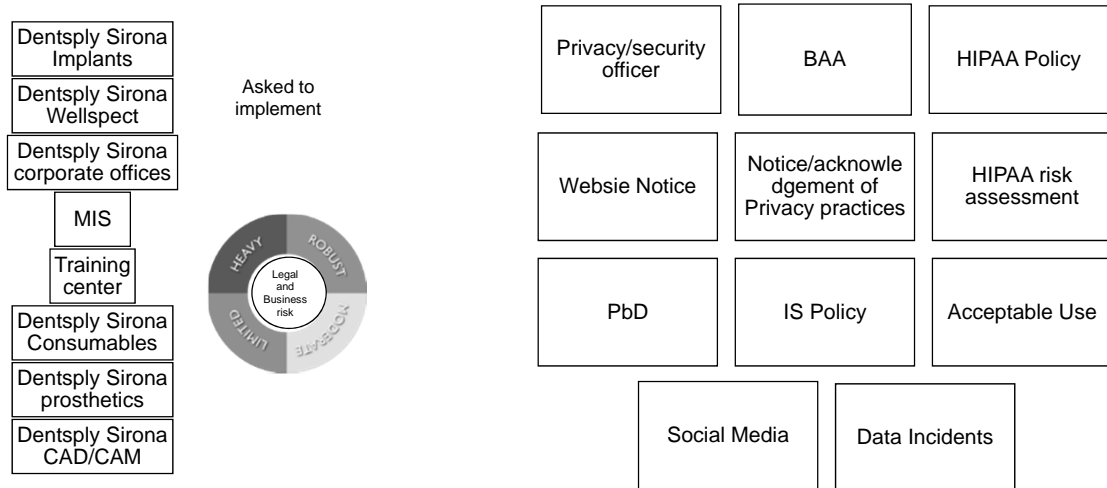- Prepare working instructions to local counsel based on the set program approach

- Focus countries based on risk (legal and business)
- Focus elements of the program based on risk in each focus country
- Budget for each country and element

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16

Questions & Answers

Any questions?

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Contact details

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Thank you for your attention!