

Privacy Shield and International Transfers to the United States

Our organization takes the protection of personal data very seriously. We aim to comply with all aspects of the GDPR and the relevant in country data protection laws.

What has happened to make EU US Personal Data transfers invalid?

Prior to the 16th July 2020 many organizations relied on Privacy Shield for transferring personal data to the United States. On the 16th July 2020 the European Court of Justice ruled Privacy Shield invalid and therefore no longer a legal mechanism for international transfers of personal data to the US.

On the 27th July the European Data Protection Board clarified the ruling by stating that alternative mechanisms, Binding Corporate Rule and Standard Contractual Clauses might only be legal subject to an assessment and or possible supplementary measures.

What are we doing about it?

Where we rely on Privacy Shield directly, we are looking at alternatives.

Where we have Binding Corporate Rules in Place or rely on Standard Contractual Clauses, we are assessing those international transfer agreements to determine whether they provide sufficient safeguards for the transfer of personal data to the US.

Where assessments indicate that supplementary measures are required, we are looking at the various options available to us so that we may select and implement the most suitable solution.

We will keep this page updated on our progress.

What others are doing about it

Our organization like many others relies on 3rd party providers who in turn may rely on Privacy Shield, Binding Corporate Rules and or Standard Contractual Clauses so that they may operate in Europe but from the United States.

We are seeking assurance from our 3rd parties that they are assessing their compliance and assessing their solutions as we are with ours.

We will continue to monitor this progress towards implementing solutions as we expect you to monitor ours.

The future

If our 3rd party suppliers do not provide adequate assurance and or implement lawful solutions then this organization will look to migrate systems and services to compliant providers.

We are paying close attention to the end of 2020 where the UK ends its transition period out of the EU and will look to put in place EU UK transfer mechanisms that are lawful under GDPR should the UK not be granted an adequacy decision by the EU.