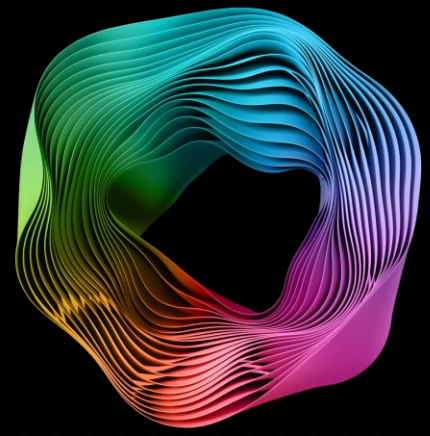




Data Protection

Data protection is no longer merely a regulatory obligation - it is a key success factor for companies across all industries. The General Data Protection Regulation (GDPR), the Federal Data Protection Act (BDSG), and a growing network of sector-specific regulations and new European legal instruments present companies with significant legal, operational, and strategic challenges. At the same time, innovative data usage concepts offer considerable potential for value creation - provided they are designed in a legally compliant manner.

Legal Framework and Areas of Action

The European data protection framework is shaped by the GDPR, which has been directly applicable in all EU member states since 2018 and is supplemented by national laws such as the BDSG. In addition, there are industry-specific regulations for example in healthcare, the financial sector, and the employment context as well as new legal instruments such as the EU Data Act, the EU Data Governance Act, and the ePrivacy Regulation. Companies must assess existing data processing procedures, manage regulatory risks, and establish future-proof data protection structures. The key areas of action for data protection compliance include data protection organization, data protection management, sustainable data use (data enabling), and the development of a comprehensive compliance management system.

Legal, Operational, and Strategic Challenges

Companies face complex conflicts of interest: Between fulfilling data protection obligations and the desire to use data as a strategic resource; between automating processes and safeguarding the rights of data subjects; and between global data flows and the strict requirements of European data protection regulations. Added to this are liability risks in the event of data breaches, obligations to provide information and transparency to data subjects, significant risks of fines, and requirements for technical and organizational measures (TOMs).

A holistic approach is essential: Legal requirements, technical system design ("Privacy by Design & Default"), operational processes, and corporate strategy must be considered in an integrated manner. Synergies with IT security, company-wide compliance structures, HR processes, and internal governance frameworks should be systematically identified and leveraged.



Why Act Now? Companies that comply with data protection regulations not only significantly reduce liability and risks but also position themselves as trustworthy partners in the eyes of customers, partners, authorities, and the public. Data protection as a strategic competitive advantage - "Privacy as a Trust Factor" - creates sustainable and measurable added value.

AREAS OF ACTION

Tasks

Sustainable data protection compliance encompasses the following tasks in particular:

- ✓ **Data Protection Compliance** – Legal assessment of data processing operations, creation and maintenance of records of processing activities (VVT), conducting data protection impact assessments (DSFA), and handling requests from regulatory authorities and data subjects (access, erasure, rectification, data portability)
- ✓ **Data Protection Organization** – Establishing and further developing the organizational structure for data protection, developing and maintaining internal policies and role definitions, and integrating data protection into existing compliance and governance structures
- ✓ **Data Protection Management** – Establishment of a sustainable data protection management system (DSMS), implementation of processes for the continuous monitoring and improvement of data protection compliance, conducting internal data protection audits, and incident response management in the event of data breaches and data protection violations
- ✓ **Data Utilization (Data Enabling)** – Designing data utilization strategies and concepts in compliance with the law, taking into account EU data regulations, legally compliant data monetization, data licensing, and data sharing with third parties
- ✓ **Holistic Compliance Management** – Identification and utilization of synergies between data protection requirements and other regulatory obligations, particularly cybersecurity (NIS 2 Directive, DORA), AI compliance (EU AI Act), and other compliance obligations, consolidation of governance structures, incident management, and reporting processes, and documentation requirements

Our Services

Deloitte Legal & Deloitte: As One Deloitte, we provide comprehensive advice on data protection.

- ✓ **Holistic advice on data protection strategy and legal requirements, including assessments, risk evaluations, and implementation support for companies of all sizes and across all industries**
- ✓ **Establishment, optimization, and ongoing support of organizational and management structures for data protection compliance**
- ✓ **Development of legally compliant data usage concepts and support for the strategic utilization of data in compliance with data protection, copyright, and competition law requirements**

YOUR CONTACT



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