

Microsoft Cloud Computing Research Centre

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A snapshot of the Impact, Opinions, and
Challenges of GDPR Compliance for Tech Startups

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Why Tech Startups?

13:01 24 May

What will GDPR mean for you?

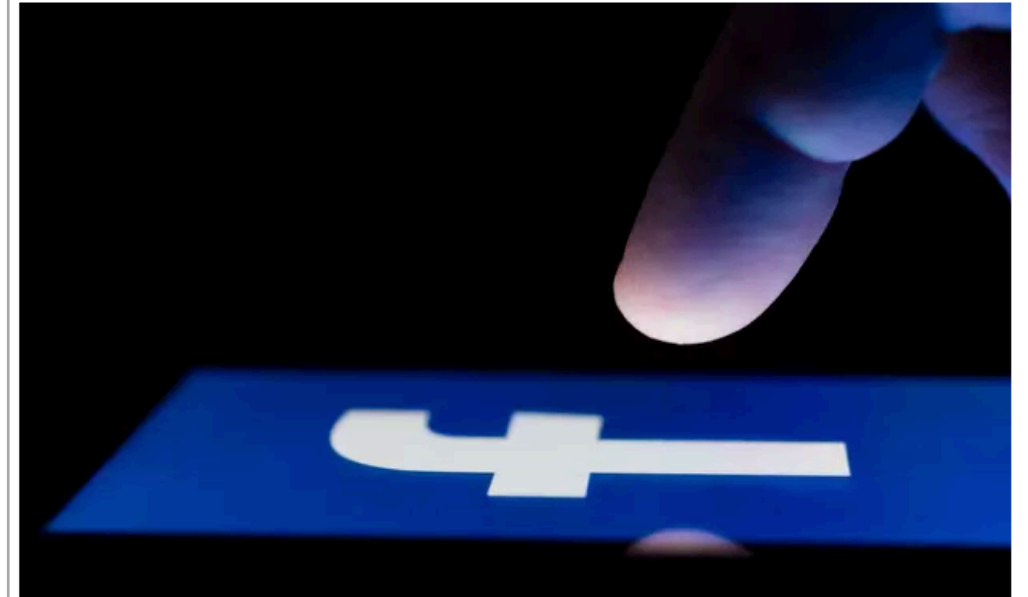


What will GDPR mean for you?

A new EU law which changes how companies use our personal information begins on 25 May 2018.

Privacy policies of tech giants 'still not GDPR-compliant'

Consumer group says policies of Facebook, Amazon and Google are vague and unclear



▲ Fourteen of the largest internet companies' policies came in for criticism. Photograph: Alamy

Privacy policies from companies including [Facebook](#), Google and Amazon don't fully meet the requirements of GDPR, according to the pan-European consumer group BEUC.

Why Tech Startups?

- May be driving innovation with emerging technologies
 - Could inform future best practices
- May be best placed to implement data protection by design
 - Less constrained by legacy systems
- May lack resources and expertise
 - Perhaps most in need of support

'Snapshot' Interviews

- 15 startup companies
 - Emerging technologies or GDPR compliance focus
- Recruitment from Digital Catapult, enterprise groups, business directories, online communities, web searches
- Semi-structured, hour-long interviews
 - Set of main questions for every startup, but could deviate

Interview	Focus of Organisation	Date Held
1	Wearable Tech	Dec. '17
2	Wearable Tech	Jan. '18
3	Blockchain	Jan. '18
4	IoT Smart Home	Jan. '18
5	AI Smart Assistant	Feb. '18
6	Design Consultancy	Feb. '18
7	B2B SaaS	Feb. '18
8	Marketing Agency	Feb. '18
9	Medtech	Feb. '18
10	AI	Mar. '18
11	GDPR Compliance Software Development	Mar. '18
12	Blockchain and Analytics	Apr. '18
13	Data Science Consultancy	Apr. '18
14	IoT Smart Home	May '18
15	IoT Healthtech	May '18

Aims of the interviews

- Get a sense of what the startups thought of the GDPR
 - What problems have they identified?
- Explore innovative solutions to GDPR compliance
 - Are these solutions reasonable?
- Identify areas for improvement
 - Technical directions and regulatory guidance

6 Interesting Findings



CC Image: 'Attention!' courtesy of
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Disclaimer:

The following findings, solutions, and ideas presented here are based on the perspective of the startups interviewed. Opinions may be uninformed, interpretations may be incorrect, and technical solutions put forward may be legally insufficient. This work is intended to present the perspectives of the startups as-is.

Neither this presentation or the paper are intended as a replacement for consultation with an (actual) legal professional.

**Compliance challenges leading some
to do the bare minimum
– or even ignore it**





*“ I’m not really following the data protection rules too closely.
We’re probably way over what you need to be.*

We’re probably going to be the last ones to get caught out.”

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courtesy of Complete Interior Design on Flickr



“ Isn’t [data portability] more about in relation to us moving someone’s data to another company?”

“ I’m not too sure when that would ever be a factor for us. ”

CC Image: ‘BOARDROOM | TEDDINGTON’
courtesy of Complete Interior Design on Flickr

A conference room with a long wooden table, chairs, and large windows. The room is dimly lit, with a large window on the left showing a cityscape. A brick wall is visible on the right, and a large screen is mounted on the wall. Two pendant lights hang from the ceiling.

***“That then comes back to our data processing agreement,
that basically says:***

***‘We are giving you all the tools.
This is now your problem.’ ”***

CC Image: ‘BOARDROOM | TEDDINGTON’
courtesy of Complete Interior Design on Flickr

**A better understanding
of emerging tech and
data protection is needed**






“ We actually sought advice from a lawyer, who confirmed:

A hash of data does not constitute personal data. ”

CC Image: 'RBC_10'
courtesy of K2 Space on Flickr



***“ We’re not planning to let
anybody be forgotten. ”***

CC Image: ‘RBC_10’
courtesy of K2 Space on Flickr

**A lack of clear and actionable guidance
may be fuelling the spread of
misinformation**



A conference room with a long table and chairs, overlaid with a quote. The room has large windows and a grid ceiling. The quote is centered over the image.

*“ There are people in that group that know more than me,
and are open and honest about their answers. ”*

CC Image: ‘Boardroom Office Meeting Executive’
courtesy of [thoroughlyreviewed.com](https://www.flickr.com/photos/thoroughlyreviewed/) on Flickr

*“ They’ll ask us ‘What does it actually mean?
What is your opinion and interpretation of it?’*

And I’ll say, more or less, what I think it is. ”

**‘Starting from scratch’ suggested to
be easier than retrofitting legacy
systems**





***“ Take this as an opportunity for a company refresh
and start from scratch if you can.”***

**CC Image: ‘BOARDROOM | TEDDINGTON’
courtesy of Complete Interior Design on Flickr**

**‘Data Protection by Design’
could have negative
cost implications**



“ It’s a tough choice; whether we want to make a product cheaper...

Or we create a different kind of product, and do a much better job at data protection. ”

CC Image: ‘RBC_10’
courtesy of K2 Space on Flickr

**There is a real appetite for
alleviating the “headache”
of GDPR Compliance**






“ You want to pass on that [security] onus onto them.

They are the ones that have the resources. ”

CC Image: ‘Boardroom Office Meeting Executive’
courtesy of [thoroughlyreviewed.com](https://www.flickr.com/photos/thoroughlyreviewed/) on Flickr



*“ My tactic is to say: ‘I’ve spoken to a lawyer,
and they’ve said it’s ok’.*

You know, cover my own ass that way. ”

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courtesy of [thoroughlyreviewed.com](https://www.flickr.com/photos/thoroughlyreviewed/) on Flickr

Summary

- GDPR seen as particularly challenging for tech startups
 - Driving innovation of emerging tech
 - Desire for guidance and reassurance
- ‘Compliance as a Service’ could help
 - Technical solutions, legal guidance, and tailored resources