



PRIVACY REF

Effective operational privacy

Case Study **TechSmith engages Privacy Ref as its Data Protection Office (DPO)**

TechSmith, a well-known software company with multi-national distribution that allows their clients to create professional, impactful videos and images to share knowledge needed to become GDPR compliant. Based on a solid reference from a valued partner, they reached out to Privacy Ref. After creating a GDPR Readiness Assessment by spending several days meeting with staff and understanding process flow, Privacy Ref suggested a primary need was to put a Data Protection Office in place.

While TechSmith's leadership agreed with this recommendation, they did not feel their situation justified hiring a fully dedicated, on-site person. They recognized that they could hire another lawyer with a specialty in privacy but felt that wasn't the right answer; they also needed operational assistance. Engaging Privacy Ref to fill the role clearly met the company's needs, since they could serve in the corporate DPO position while also helping them sensibly address the gaps in their operations.

How does a contract DPO serve you?

Contracting with Privacy Ref as their Data Protection Office was a winning solution for TechSmith. After the on-site GDPR Readiness Assessment, Privacy Ref had a good understanding of the company – how they operated, their culture, and areas of strength and weakness. With this solid understanding, they suggested that many of the required DPO activities could be handled remotely. To ensure a predictable, ongoing presence, Privacy Ref hosts biweekly meetings with the key members of the organization and their outside counsel. These meetings provide regular interactions to address both routine questions and new concerns as they arise.

The Privacy Ref team can always be reached by phone or secure email for spontaneous questions of a more immediate nature. For example, when working with a vendor in another country the company was told that to do business there, they must sign an agreement beyond their Data Processing Agreement; Privacy Ref was able to do the necessary research and provide timely advice. Some of the routine tasks that Privacy Ref manages in the role of DPO include:

- Consult on privacy policies and practices
- Identify and provide guidance on mitigating risks
- Define scope and improve maturity of privacy practices
- Help research impact of new laws
- Ensure proper structure of contracts

“As CFO of the corporation with responsibility for privacy, Privacy Ref allows me to do a great job for privacy; to be confident that what I am giving customers in terms of contracts and other communications meets privacy requirements.”

Working toward Privacy by Design

In addition to the ad hoc DPO support, Privacy Ref can help define and institute process and controls related to Privacy. For TechSmith, Privacy Ref recommended building Privacy by Design into all company practices. Clearly, that requires a conscious effort and cultural change to everyone's daily activities, not just those involved in monitoring privacy. How is Privacy Ref helping make this happen?

A key milestone in developing this level of consciousness was a recent training event. The company executives felt it was important for all impacted employees to sit in a room with the Privacy Ref team. This is significant for several reasons. Since Privacy Ref has served as their contract DPO working remotely, the training days allowed the employees to engage with the Privacy Ref team in person. This puts real faces on them and increases the comfort level for employees to reach out with future questions or concerns.

Equally important is the high degree of customization Privacy Ref offers in all the work they do, including their training sessions. Privacy Ref provided role-based training to all relevant departments within the company up to and including the executive staff. TechSmith's CFO estimates that approximately 60% of the staff is doing work related to private information on a daily basis. He feels that having the training sessions address how these privacy elements factor into each functional role is a big step in moving the company's employees toward a Privacy by Design culture.

"By contracting with Privacy Ref in the role of DPO, they have established a solid interaction with the rest of the team, therefore not forcing me to become a privacy expert. Their competency in understanding the whole realm of privacy, then working with other staff members has been very helpful and gives us confidence that we are meeting the requirements not only of GDPR, but California, Canada, China ... as well as any new ones that arise in the future," further commented TechSmith's CFO.



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