



Acquia's GDPR Readiness

What is the significance of GDPR?

The GDPR will regulate the protection of personal data across the EU member states. The GDPR replaces the European Data Protection Directive of 1995. Because GDPR is a “regulation”, it will become the law in the EU member states on May 25, 2018 without any additional actions by those states. This is in contrast to the previous “directive” which directed member states to create their own regulations within the scope of the European Data Protection Directive of 1995.

The previous regime led to differing data protection regulations across EU member states. Although member states can put in place laws and regulations in addition to the GDPR, it is expected that GDPR compliance will be the focus of member states for the foreseeable future, thus providing Acquia and other entities doing business in the European Union with the regulatory certainty needed to offer its products and services to customers in region. In addition, Acquia will monitor member state-specific laws and regulation going forward.

What is GDPR protecting?

GDPR is focused on the protection of the personal data of individuals in the European Union. Under the GDPR, Personal Data is defined broadly in Article 4 (1) as follows:

“[A]ny information relating to an identified or identifiable natural person (“data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.”

Examples would be: name, personalized e-mail address, mail address, phone number, dynamic and static IP addresses etc.

What is GDPR?

The General Data Protection Regulation (“GDPR”) is a data protection regulation that the European Union issued in order to replace the European Data Protection Directive of 1995. The GDPR will directly apply to all member states of the European Union from 25 May 2018 forward. The GDPR applies to organizations both inside and outside the European Union that are processing the personal data of data subjects who are in the European Union.

Acquia welcomes this regulation as an important step forward in harmonizing the current disparate data protection requirements across the member states of the European Union. Acquia has always seen the GDPR as an opportunity to further strengthen and deepen its commitment to data protection and to demonstrate how our offerings can help our customers on their own GDPR journey.

What are the requirements of GDPR?

There are 99 articles in the GDPR setting out the rights of individuals and obligations placed on organizations covered by the regulation. These include allowing people to have easier access to the data companies hold about them, a clear requirement for organizations to obtain the consent of people for which they collect information and a significant new monetary penalty regime. It should be noted, however, that, although GDPR includes important concepts like the right to be forgotten and privacy by design, GDPR is not a set of specific technical requirements. For the most part, it has left the technical methodologies, pursuant to which organizations choose to protect personal data and comply with the regulations, in the control of the organizations themselves.

Does the GDPR require personal data of data subjects in the European Union stay in the European Union?

No, the GDPR does not require that the personal data of data subjects in the European Union stay in the European Union – such personal data can also be accessed or transferred outside of the European Union subject to some requirements. Any transfers occurring within Acquia's services, for example for the purpose of providing customers with our 24/7 support, are subjected to the EU-U.S. Privacy Shield.

How does GDPR apply to Acquia?

As a global company, Acquia processes the personal data of persons in the European Union, so will be subject to the GDPR. The GDPR has different requirements depending upon whether an organization is a "controller" or a "processor" of the applicable personal data. Acquia will be a controller for the personal data which it collects in its marketing, CRM, HR, finance and other internal systems. For its product and service offerings, however, Acquia will be a processor for personal data for which our business customers are the controller. Customers will collect the personal information of individuals, their clients, through their Drupal or other applications, which Acquia will then process through its digital experience products and services.

Questions?

If you have any questions relating to Acquia's GDPR Readiness process, approach or commitment, please contact your sales representative, account manager, or Acquia's GDPR team at gdpr@acquia.com.

Additional Information and Resources

You can find more information about this reform of EU data protection rules on the website of the European Commission (see link below).

How Acquia has prepared for GDPR

Acquia is prepared and ready for the GDPR requirements. Acquia is built on the work we have done to obtain and maintain our EU-U.S. Privacy Shield framework certification, as well as our work with customers around the EU model clauses, which Acquia has also implemented. Acquia's GDPR project has been a cross-functional/ cross-departmental effort, managed by both Legal and InfoSec, analyzing, documenting and implementing all relevant requirements, and using the same rigor and tools Acquia deploys in its current security and privacy program, which includes certification against, or adherence to, requirements set forth by frameworks and standards such as SOC 1, SOC 2, ISO 27001:2013, PCI-DSS Level 1, HIPAA, FedRAMP and Privacy Shield.

We believe that the GDPR is an important step forward in harmonizing the current disparate data protection requirements across the member states of the European Union. Acquia has always seen the GDPR as an opportunity to further strengthen and deepen our commitment to data protection by building upon the requirements set forth by frameworks and standards that we support such as SOC 1, SOC 2, ISO 27001, PCI-DSS Level 1, HIPAA, FedRAMP and Privacy Shield.

The Acquia GDPR project involves two parts, one that analyzes, documents and implements any additional data protection requirements in Acquia's product and service offerings, as well as the systems used to deliver those products and services, and the other that analyzes, documents and implements any additional data protection requirements in Acquia's internal systems.

The GDPR project has included the following activities:

- Research areas of our product and our business impacted by GDPR
- Develop strategy and plan to address product and data that will be impacted by GDPR
- Rewrite privacy policy
- Implement the necessary changes to website and products based on the requirements
- Confirm processes and procedures required to achieve/maintain compliance with GDPR
- Ensure third-party systems become GDPR compliant before May 2018
- Continue staff training to ensure data handling in compliance with GDPR
- Communicate full compliance when all steps are completed

GDPR is evolutionary, not revolutionary. As we move forward, we will continue to monitor best practices in GDPR and data protection, given that security of customer data has always been foremost in the planning and development of our offerings. For Acquia, GDPR is one more important set of requirements implemented and maintained as part of our robust security program incorporating a number of additional industry standard security measures to protect customers' data as described at <https://www.acquia.com/security>.

Useful Resources

For more information, please refer to the following resources below.

Acquia's Privacy Policy:

<https://www.acquia.com/about-us/legal/privacy-policy>

Acquia's certification for the EU-U.S. Privacy Shield:

<https://www.privacyshield.gov/participant?id=a2zt00000004FE2AAM&status=Active>

European Commission – data transfers outside the EU:

http://ec.europa.eu/justice/data-protection/international-transfers/index_en.htm

European Commission – reform of EU data protection rules:

<http://ec.europa.eu/justice/data-protection/reform/>

European Commission – Model Contracts for the transfer of personal data to third countries:

http://ec.europa.eu/justice/data-protection/international-transfers/transfer/index_en.htm

GDPR – text in multiple languages:

http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.119.01.0001.01.ENG&toc=OJ:L:2016:119:TOC

**International Trade Administration and U.S. Department of Commerce
–EU-U.S. Privacy Shield:**

http://ec.europa.eu/justice/data-protection/international-transfers/eu-us-privacy-shield/index_en.htm

Contact us today

To learn more about how Acquia is preparing for GDPR, please visit Acquia's Privacy Policy <https://www.acquia.com/about-us/legal/privacy-policy> or contact us at gdpr@acquia.com.

United States 888-922-7842

France +33 01 79 97 25 70

United Kingdom +44 1865 520 010

Australia +61.2.8015.2576

Canada 647-953-4270