



CyberWehr

RISK MANAGEMENT SOLUTIONS GMBH

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## **The leadership responsibility of the management is the professional control of data protection! The Data Protection Audit**

Who controls the data protection compliance and the work of the data protection officer (DPO) according DPA Art. 10 + GDPR Art. 5, 30, 32, 35, if he is not bound by instructions and is professionally independent?

If one wants to carry out a **professional control** of data protection compliance and of the data protection advisor (DPO), which makes sense in any case and is also prescribed by law in terms of the management's leadership responsibility, this can be done via external audits or as part of the internal audit. It is not compatible, and therefore prohibited, for the management, the business owner or the CIO to assume the function of DPO.

An audit examines whether **processes, requirements and guidelines** meet the required standards.

Our data protection audit considers the ISO standards 27001/2, 900, 31000 and the legal requirements of the General Data Protection Regulation (GDPR) and the new Swiss Data Protection Act (DPA). We review your data protection management concept and your internal (company-wide) data protection policy. After all, salaried employees must also - not only for reasons of exculpation of the management - be obliged to comply with the internal data protection policy.

The audit examines compliance with the prescribed data protection objectives, the implementation of data processing, the mapping in the business processes as well as established controls, the rights of the data subjects, risk analyses carried out within the framework of the data protection-friendly default settings "Privacy by Design" / "Privacy by Default", the appropriateness of implemented technical and organizational measures, automated decisions, the data protection impact assessment and order processing. In the case of data transfers to the EU or "third countries" (non-EU countries), a case-by-case review is necessary that addresses the security of the data transfer, the level of data protection in the respective country, and the rights of data subjects.

The audit only provides you with information about how secure your company is in terms of data protection. We offer you support in optimizing your Swiss Data Protection Act (DPA)/GDPR data protection compliance.