



DRAFT

Project Plan for the “Guidelines for Micro Enterprises (MEnts) GDPR Compliance” CEN Workshop

(to be approved during the Kick-off meeting on 14th September)

1. Status of the Project Plan

This initial draft Project Plan is published to engage interested stakeholders to participate in the CEN Workshop. It will be approved in the kick-off meeting of the Workshop. This draft Project Plan follows the requirements in CEN-CENELEC Guide 29¹.

2. Background to the Workshop

SMOOTH ‘GDPR Compliance Cloud Platform for Micro Enterprises’ is a 3-year research and innovation project funded by the European Union’s Horizon 2020 Framework Programme for Research and Innovation (2014 - 2020) under Grant Agreement 786741. It brings together 11 partners from 6 different European countries (Spain, Belgium, United Kingdom, Poland, Latvia and France).

The main objective of SMOOTH Project is to assist micro-enterprises in adopting and complying with the General Data Protection Regulation (GDPR) by designing and implementing easy-to-use and affordable tools. This will generate awareness on their GDPR obligations and will offer the possibility of analysing their level of compliance with the new data protection regulation. It’s targeted specifically to micro-enterprises.

SMOOTH project develops a cloud-based platform validating micro businesses compliance according to the legislation and informing them of the elements needed to be revised to avoid potential fines. With the purpose of developing an automated compliance assessment platform, SMOOTH legal partners have worked on the identification of key GDPR compliance elements and GDPR legal requirements applicable to micro-enterprises (MEnts) and in their translation into operational requirements. The result of their study was published as D 2.1 deliverable. it was conducted by the KATHOLIEKE UNIVERSITET LEUVEN.

Considering that, when it comes to matters of data privacy, due to the lack of resources and data protection expertise, MEnts are particularly vulnerable and risk failing to comply with the GDPR, a CWA document containing guidance for MEnts GDPR compliance taking the results of SMOOTH project as a basis, could be specially interesting.

Publishing a CEN Workshop Agreement (CWA) is a way of sharing and disseminating the guidance work performed in SMOOTH, so that it can be known and used by European micro-enterprises and other enterprises providing services to them, independently of any platform or tool.



The CWA could constitute an interesting first step for further standardization on this subject.

3. CEN Workshop proposers and Workshop participants

The workshop proposer is Fundacio EURECAT, which acts as SMOOTH Project Coordinator.

SMOOTH's partners that will participate in the workshop:

- FUNDACIO EURECAT (EURECAT) (Spain)
- KATHOLIEKE UNIVERSITET LEUVEN (Belgium)
- NAVER FRANCE (France)
- NEC LABORATORIES EUROPE GMBH (Germany)
- UNIVERSIDAD CARLOS III DE MADRID (Spain)
- FUNDACION IMDEA NETWORKS (Spain)
- ASOCIACIÓN ESPAÑOLA DE NORMALIZACION (UNE) (Spain)
- FUNDINGBOX ACCELERATOR SP ZOO (Poland)
- EUROPEAN SMALL BUSINESS ALLIANCE OF SMALL AND MEDIUM (Belgium)
- DATU VALSTS INSPEKCIJA (Latvia)
- LSTECH ESPAÑA SL (Spain)

UNE, who participates in SMOOTH Project as the partner responsible for standardization activities, will provide the Workshop Secretariat.

Participation in the Workshop is open to all interested stakeholders, and the opportunity to participate will be widely advertised in advance by its proposers and by CEN and its member bodies.

Invitation to the kick-off meeting will be circulated also to the following European R&I Project Consortia developing privacy and GDPR-related solutions:

- DEFEND: The Data Governance Framework for supporting GDPR.
- PAPAYA: Platform for Privacy preserving data Analytics the data governance framework for supporting GDPR.
- PDP4E: Methods and Tools for GDPR Compliance through Privacy and Data Protection Engineering.
- POSEIDON: Protection and control of Secured Information by means of a privacy enhanced Dashboard.

Most of them already know about the future WS and have shown interest in taking part of it.

Simultaneously, CEN will make the CWA Project Plan "Guidelines for Micro Enterprises (MEnts) GDPR Compliance" available issuing the call for comments and participation through the CEN webpage.



Some standardization technical bodies working in the field of privacy and data protection have already been contacted and have shown interest in the proposal. Further details are provided in Chapter 8.

4. Workshop scope and objectives

This Workshop aims to develop a CEN Workshop Agreement providing GDPR-compliance guidelines – tailor-made for micro-enterprises engaged in low-risk processing.

The CWA will include:

- the key GDPR elements and principles MEnts have to take into account,
- the legal requirements MEnts have to fulfil, and
- the operational measures MEnts should take.

to be compliant with GDPR Regulation.

It will also explain when exemptions for low risk processing apply.

Regarding the matter of data privacy, MEnts are particularly vulnerable and subjected to the risk of failing to comply with the GDPR. Contrary to public entities and larger private organisations, MEnts have limited, both resources and data protection expertise, which makes their compliance efforts more difficult.

The CWA would be applicable to the majority of European MEnts regardless of their sector, as most of them are low-risk data processors. It will be especially useful for MEnts with an on-line presence (websites and apps).

Compliance with the GDPR will benefit both the citizens (as their rights to privacy and data protection will be safeguarded) and the MEnts (as they can avoid the economic and reputational risks of a breach of data protection legislation).

The CWA will also be applicable to those enterprises that provide services in the GDPR field (consultancy, training, software development, compliance assessment, etc.) and by anyone interested in assessing MEnts' GDPR compliance.

5. Workshop program

The language to be used during the Workshop is English. The CWA will be drafted and published in English.

The estimated duration of this workshop is 9 months. During the Workshop lifetime, three meetings are foreseen. All of them will probably be on-line meetings. However, the final number of meetings will depend on the works evolution.



The programme to reach the CEN Workshop Agreement entails the following steps:

1. Public availability of Project Plan, open to public commenting. Any received comment will be considered at the kick-off meeting.
2. The kick-off meeting (on-line) will take place on September 14th. It will approve the Workshop Project Plan, appoint Workshop Chair and discuss the first CWA draft.
3. An internal reviewing period on CWA will be carried out to allow for inclusion of comments from Workshop participants. Participants may actively contribute to the draft content.
4. The Workshop Secretariat will organize the first CEN Workshop plenary meeting for all registered participants.
5. Once an agreed final draft is available, a 60-day public comment phase will take place, noticed at the CEN webpage.
6. A second plenary meeting (on-line meeting) for registered Workshop participants will be organised by the secretariat, if necessary, for the resolution of comments received during the public commenting phase.
7. The Chair will check by correspondence that an agreement has been reached on the final draft of the CWA.
8. CWA will be sent to the CEN-CENELEC Management Centre for publication.

Table 1 shows a tentative schedule for the development of the CWA:

Table1- Tentative schedule

| Step | 2020 | | | | | | 2021 |
|--|----------------------|----------------------|--|----------------------|-----|----------------------|------|
| | July | Aug | Sept | Oct | Nov | Dec | Jan |
| Public availability of business plan and agenda in CEN's web | 3 rd week | 3 rd week | | | | | |
| Workshop Kick- off meeting | | | 2 nd week | | | | |
| Internal review of the draft CWA in the WS | | | 3 rd / 4 th week | | | | |
| WS Plenary meeting for registered participants for discussion (on-line) | | | | 3 rd week | | | |
| Public comment phase on Draft CWA | | | | 4 th week | Nov | 4 th week | |
| WS Plenary meeting for registered participants for resolution of comments, if needed (on-line) | | | | | | | Jan |
| Publication of CWA | | | | | | | Jan |



6. Workshop structure

The following hold the responsibility of the workshop:

6.1 CEN Workshop Chairperson

A proposal for the Chairperson will be made by the Workshop proposers; he/she or any other candidate nominated during the period of publication of this Project Plan or at the Kick-Off will be approved at the Kick-off meeting by the parties present. His / her responsibilities include:

- Chairing the CEN Workshop meetings,
- Monitoring the progress of the CWA,
- Interface with CCMC regarding strategic directions, problems arising, external relationships, etc.
- Guides the work towards agreement.

6.2 CEN Workshop Secretariat

The CEN Workshop Secretariat is providing the formal link to the CEN system. The following main activities will be carried out by the Workshop Secretariat:

- Is responsible for administrative tasks of the CEN Workshop Agreement,
- Forming the administrative contact point for CWA project,
- Makes and follows up on action lists,
- Ensures that the Workshop Agreement follows the directives,
- Administrating the liaison with relevant CEN/TCs, if applicable.

UNE will provide the Workshop Secretariat.

7. Resource requirements

All costs related to the participation of interested parties in the Workshop's activities have to be borne by themselves. There is no fee for registered participation in the Workshop.

The SMOOTH Project will contribute to the drafting of the CWA, providing text and comments, if necessary.

UNE will provide the Workshop Secretariat subject to formal approval of the Project Plan at the kick-off meeting. Secretariat costs will be covered by SMOOTH Project.

On-line meetings will be used as much as possible.



8. Related activities, liaisons, etc.

UNE has made a scan to verify the existence of standards and standards under development relating guidance on GDPR legislation compliance. No standards or standards under development have been found, neither at European nor at international level.

In order to establish possible liaisons with the standardization system, UNE has analyzed what standardization bodies should be contacted regarding the CWA's proposal.

- At European level, the Joint Technical Committee CEN/CLC/JTC 13 “Cybersecurity and Data Protection” and the Working Group CEN/CLC/JTC 13/WG 5 “Data Protection, Privacy and Identity Management” have been informed about the intended work.

EURECAT, KU Leuven and UNE had the opportunity to make a formal presentation of the proposal to CEN/CLC/JTC 13/WG 5. The group found the proposal interesting and asked to be informed about its progress. Following Guide 29 provisions, CEN/CLC/JTC 13/WG 5 will be offered to send a representative to the Workshop as an observer free of charge.

- At International level, the following technical committees will be informed about the launching of the CWA:
 - ISO/IEC/JTC 1/SC 27/WG 5 “Identity management and privacy technologies”.
 - ISO/PC 317 “Consumer protection: privacy by design for consumer goods and services”.

A collaboration between the proposed WS and the STAIR4Security H2020 Project will be established. STAIR4Security is a H2020 European Project, coordinated by CEN-CENELEC that is developing a collaborative platform as single entry point for information on the security sector stemming primarily from research activities in order to allow better governance of standardization needs in the Disaster Resilience and Chemical Biological Radiological Nuclear and Explosive (CBRNe) sectors to be realized”.

The STAIR4Security Project is also reviewing the necessary standardization tools and mechanisms to fit the needs of research and innovation tools and mechanisms, including the CEN and CENELEC Workshop Agreements (CWA) process.

The CWA proposed by SMOOTH in this Project Plan will be used as a pilot to validate the improvements on CWA proposed by STAIR4Security.



9. Contact points

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Annex A
Template for the self-assessment
Guidelines for Micro Enterprises (MEnts) GDPR Compliance”

1. Does the proposed CWA conflict with an EN or an HD for CENELEC?

- NO
 YES → **WARNING:** Work on the proposed CWA shall not be initiated.

2. Does the proposed CWA intend to define requirements related to safety matters?

- NO
 YES Is the proposed CWA within the scope of
- CEN? → The CWA proposal shall be submitted to CEN/BT for decision.
 - CENELEC? → **WARNING:** Work on the proposed CWA shall not be initiated.

3. Is the scope of the proposed CWA within the scope of an existing CEN/CENELEC technical body?

- NO
 YES → The relevant CEN/CENELEC technical body shall be consulted on the CWA proposal:
- If this technical body responds positively and sees no harm in the CWA being developed, the CWA proposal may be processed.
 - If the technical body is opposed to a CWA being launched, the CWA proposal shall be submitted to the CEN/CENELEC BT(s) for decision.

CEN/CLC/JTC 13/WG 5 “Data Protection, Privacy and Identity Management” has been consulted. The proposal doesn’t conflict with its work. They will be kept informed and will be offered to send a representative to the Workshop as an observer.

CEN/CLC/JTC 13 “Cybersecurity and Data Protection” has also been informed.

4. Does the proposed CWA intend to define requirements related to management system aspects?

- NO
 YES → The CWA proposal shall be submitted to the CEN/CENELEC BT(s) for decision.



5. Does the proposed CWA intend to define requirements related to conformity assessment aspects?

- NO
 YES → CEN/CENELEC Internal Regulations - Part 3, 6.7 applies.

If all these questions are answered NO, the CWA proposal may be processed.
If not, special conditions apply as given above.