

Interactive Workshop

Practice over Paragraphs

Research Project MECyS Micro Enterprise Cyber Security

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1) Training of non-IT employees in small businesses and organizations facing increasing digitalization.

2) Bridging the cybersecurity knowledge gap among non-IT employees in small businesses.

by
researching the background and developing training concepts, tools and materials aimed at training non-IT staff in micro and small businesses in cyber security and data protection.



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the European Union

<https://mecys.eu/>



Pädagogische
Hochschule
Freiburg



CESUR
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Germany, France,
Cyprus, Switzerland,
Greece, Spain

n|w

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Website: <https://mecys.eu/>
Contact: Bettina Schneider & Ilya Misyura

Student participation: Study participation to collect learning hurdles; Learning prototype.

Objectives

Raise awareness	Why is data protection relevant for me?
Initial assessment	What is my current level of data protection?
Tips and roadmap	What are my next steps?

Agenda

Introduction	Why is data protection relevant in Switzerland?
Assessment	Put a complete privacy note on your website
Deepening	React fast and professional to customers requests.

Introduction to Data Protection

What does "data protection" actually mean?

Data protection refers to the protection of individuals "against undesirable consequences (...) due to access to (stored) data or the unintentional loss of data."

→ **Right to privacy**... including digital space!

What is needed for effective data protection?

1. Regulations, such as data protection laws;
2. Self-commitment of every organization that processes personal data;
3. Measures for self-protection by individuals and systems.

→ Which regulations are relevant?

<https://www.fedlex.admin.ch/eli/cc/1999/404/en>

Petric, R., & Sorge, C. (2017). Datenschutz. Wiesbaden: Springer Fachmedien. DOI: <https://doi.org/10.1007/978-3-658-16839-1>

Witt, B. C. (2010). Datenschutz kompakt und verständlich: Eine praxisorientierte Einführung; [mit OnlineService] (2., aktualisierte und erg. Aufl). Vieweg + Teubner. DOI: <https://doi.org/10.1007/978-3-8348-9653-7>

Guirguis, K., et al. (2021). Datenschutz in der Schweiz – eine quantitative Analyse der gesellschaftlichen Bedenken und Erwartungen an den Staat. Swiss Yearbook of Administrative Sciences, 12(1), pp. 16–30. DOI: <https://doi.org/10.5334/ssas.153>

Introduction to Data Protection

In case of data processing with reference to persons residing in the EU:

EU GDPR

since 25.05.2018

Mandatory

for organizations with...

- § 3
- Establishment in EU
 - Offer to individuals in EU
 - Tracking individuals in EU



Introduction to Data Protection

For federal bodies and
the private sector:

(New) FADP
since 01.09.2023

Revised **legislation**
for Switzerland

Most relevant changes:

<https://www.kmu.admin.ch/kmu/en/home/facts-and-trends/digitalization/data-protection/new-federal-act-on-data-protection-nfadb.html>

Comparison nFADP vs. GDPR (de, fr)
<https://www.rosenthal.ch/downloads/Rosenthal-Webinar-DSG-GDPR.pdf>
[Tableau comparatif | Comparaison entre la nLPD et le RGPD – swissprivacy law](https://www.swissprivacy.ch/en/legislation/comparative-tableau-comparatif-comparaison-entre-la-nlpd-et-le-rgpd)

Online Commentary:
<https://onlinekommentar.ch/de/kommentare/federal-act-on-data-protection>


The screenshot shows the SME Portal website. At the top, there is a header with the Swiss flag and the text 'Schweizerische Eidgenossenschaft', 'Confédération suisse', 'Confederazione Svizzera', and 'Confederaziun svizra'. To the right, it says 'SME Portal for small and medium-sized enterprises'. Below the header is a navigation bar with tabs for 'New', 'Practical knowledge', 'Trends', 'SME policy', and 'About'. The main content area shows a breadcrumb trail: 'SME portal of SECO > Trends > Digitalization > Data protection > New Federal Act on Data Protection (nFADP)'. Below this, there is a section titled 'Data protection' with a sub-section 'New Federal Act on Data Protection (nFADP)'. The main heading is 'New Federal Act on Data Protection (nFADP)'. The text below reads: 'Switzerland is implementing new legislation to better protect its citizens' data. Swiss companies will have to comply with this legislation from September 1, 2023.' A paragraph below states: 'In its fall 2020 session, Parliament passed the new Act on Federal Data Protection (nFADP). It improves the processing of personal data and grants Swiss citizens new rights. This important legislative change also comes with number of obligations for companies. Implementation through the Data Protection Ordinance is on September 1, 2023.'

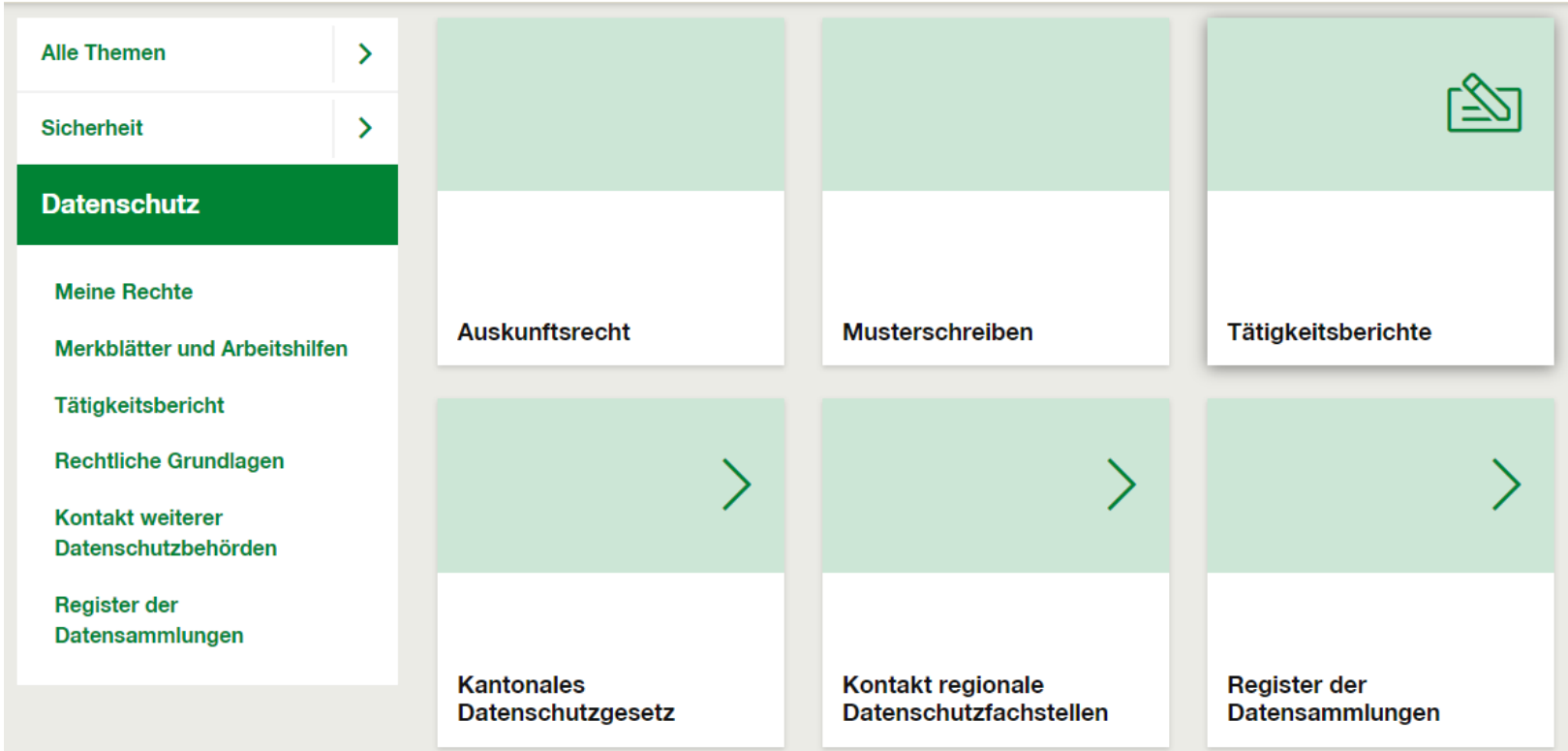
Introduction to Data Protection


For public bodies in cantons:

Cantonal regulations e.g., canton St. Gallen

→ Not our focus

Kanton St.Gallen 



Alle Themen >			
Sicherheit >	Auskunftsrecht	Musterschreiben	Tätigkeitsberichte
Datenschutz			
Meine Rechte			
Merkblätter und Arbeitshilfen			
Tätigkeitsbericht			
Rechtliche Grundlagen			
Kontakt weiterer Datenschutzbehörden			
Register der Datensammlungen			
	Kantonales Datenschutzgesetz	Kontakt regionale Datenschutzfachstellen	Register der Datensammlungen

<https://www.sg.ch/sicherheit/datenschutz.html>

Introduction to D

Data Protection Compliance

→ It is a leadership duty!

Federal Act on the Amendment of the Swiss Civil Code

Art. 754⁶³³

III. Liability for administration, business management and liquidation

¹ The members of the board of directors and all persons engaged in the business management or liquidation of the company are liable both to the company and to the individual shareholders and creditors for any losses or damage arising from any intentional or negligent breach of their duties.

² A person who, as authorised, delegates the performance of a task to another governing officer is liable for any losses caused by such officer unless he can prove that he acted with all due diligence when selecting, instructing and supervising him.

Art. 716a⁵⁷⁷

2. Non-transferable duties

¹ The board of directors shall have the following non-transferable and inalienable duties:

1. the overall management of the company and issuing the required directives;
2. determining the company's organisation;
3. organising the accounting, financial control and financial planning systems as required for management of the company;
4. appointing and dismissing persons entrusted with managing and representing the company;
5. overall supervision of the persons entrusted with managing the company, in particular with regard to compliance with the law, articles of association, operational regulations and directives;
6. compiling the annual report⁵⁷⁸, preparing for the general meeting and implementing its resolutions;
7. ⁵⁷⁹filing an application for a debt restructuring moratorium and notifying the court in the event that the company is overindebted;
8. ⁵⁸⁰in the case of companies whose shares are listed on a stock exchange: preparing the remuneration report.

² The board of directors may assign responsibility for preparing and implementing its resolutions or monitoring transactions to committees or individual members. It must ensure appropriate reporting to its members.

Assessment – What's your state of compliance?

Data Protection Assessment

Scan it



Scan it

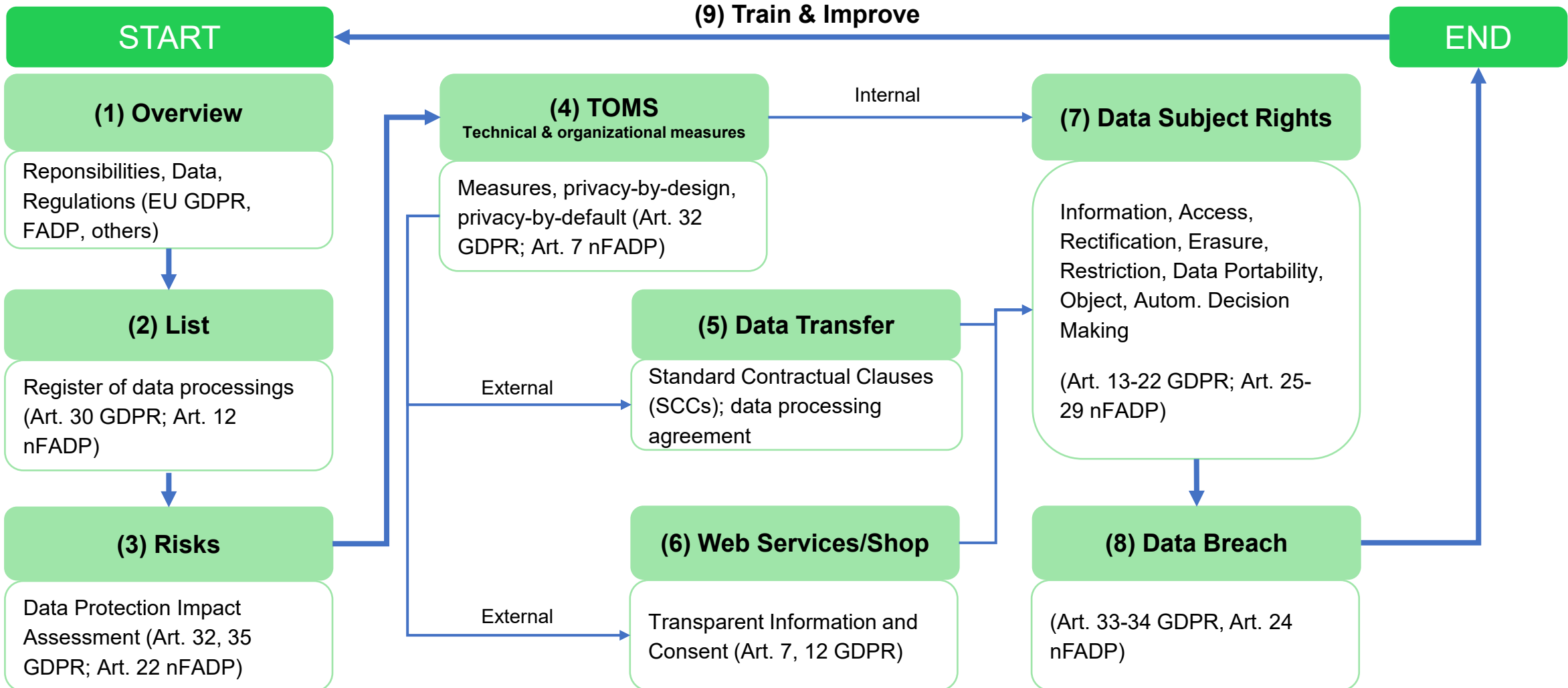
Assess the data protection level of your organization in just few minutes

- Your result will be not be stored and the assessment is anonymous (data sparse code base; no printing).
- You can determine your top 3 data protection priorities based on the assessment result.

//You can repeat the assessment as often as you wish.//

<https://digitaltrust.pages.fhnw.ch/mecys-assessment/index.html>

Deepening- Steps to Compliance



Deepening - The Absolute Minimum

Think of data	List all personal data you process and why you need it.
Think of security	Apply security measures to data you and/or your IT provider holds.
Be transparent	Put a complete privacy note on your website
Be responsive	React fast and professional to customers requests.
Move on	Keep moving and enhance your data protection measures continuously.

Sources: [Your beginner's guide to data protection | ICO](#); [15 things all small businesses need to know about data protection | ICO](#)

Open Source DPIA Tool



[Web app](#)



[Excel-based prototype](#)

Data Protection Templates (Swiss DSG, GDPR)





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3-day Practitioner Training

https://www.fhnw.ch/de/weiterbildung/wirtschaft/praxisseminar_datenschutzverordnung-dsgvo



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Thank you!

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