

Cloud Computing Discussion - Agenda

March 19 2024, 11:00-12:00 GMT

Introduction

- 11:00 Introductions (5 mins)
11:05 Welcome and Context on ICO work (5 mins)

Controller-Processor Relationship

- 11:10 (20 mins)

Processing purposes: Are there circumstances where ambiguity arises on which party is the controller for certain personal data processing? For example, diagnostic or usage/activity data? Does the SaaS provider process data for purposes that the customer doesn't specifically direct?

Facilitating data subject rights: How are data subject requests to access, correction, erasure, portability dealt with?

Resellers and managed services: How do cloud re-sellers and managed services fit into the picture with respect to the contracts and cloud providers?

Article 28: Are there concerns about how to comply with Article 28 obligations: conducting initial due diligence, approving sub-processors, conducting audits?

Data Security and Transfers

- 11:30 (20 mins)

International Transfers: Is there any regulatory ambiguity with respect to international transfers? How do cloud providers assist organisations in completing transfer risk assessments and/or DPIAs?

Encryption: What is the state of the art around cloud providers' ability to offer client-side encryption solutions? What are the options for confidential processing? Are there

functionality limitations around customer-managed keys or use of separate key services?

Shared responsibility model: Should ICO guidance attempt to separate safeguarding responsibilities between cloud providers and customers? If so, what main responsibilities should be attributed to each party?

Cyber threat surface: How is the risk associated with having numerous processors/sub-processors mitigated in cloud computing?

Open Discussion

11:50 (10 mins)

Are there other challenge areas for compliance? What guidance from the ICO would provide certainty to the market?