DELIVERABLE

Project Acronym: **SMEDATA**

Grant Agreement number: **814763**

Project Title: **Ensuring the Highest Degree of Privacy and Personal Data Protection through Innovative Tools for SMEs and Citizens**

Work Package: **2**

D2.6 Evaluation Report

Project co-funded by the European Commission within **REC-AG-2017**		
Dissemination Level		
PU	Public (after final adoption)	
CO	Confidential, only for members of the consortium (including the Commission Services)	X

Table of Contents

I.   Introduction

The paper will assess the effectiveness of the conducted awareness training and training of trainers events. This will be carried out through reviewing the activities carried out within Work Package 2, the feedback received from the participants as well as evaluate the change of participants attitude and knowledge base since the conducted survey at the beginning of the project implementation to the final stages.

1. SMEDATA project:

The SMEDATA project ("Project") was developed by the Consortium members:

- Commission for Personal Data Protection (CPDP),

- APIS Europe,

- Union of Bulgarian Jurists (SAJUZ),

- Ernst and Young (EY),

- European Women Layer Association – Branch Bulgaria (EWLA – BG),

- Garante per la protezione dei dati personali (Garante) and

- University UniRoma Tre (UniRoma3),

("Partners") with the main objective to promote the preparation for the effective application of the General Data Protection Regulation (GDPR) through awareness, multiplying training and sustainable capacity building for SMEs and their associations, including their in-house legal practitioners. The Project aims at ensuring sector specific and sustainable knowledge and implementation of the GDPR through self-assessment and awareness tool and assisting the understanding and compliance with the GDPR. More information can be found on www.smedata.eu.

2. Elaborated methodologies:

Work Package 2 "Awareness and training" has envisaged a survey ("the Survey") to assess the training and awareness raising needs of both target groups – SMEs and legal professionals within SMEs (for the purpose of this document they will be also referred to as "participants"). In this regard, the need assessment methodology and specialised questionnaire are with a purpose of gathering information and understanding on the two target groups in terms of:

- To what extent, the representatives of the target groups are informed and aware of the new GDPR requirements and the way it affects them?
- What are the specific areas of the GDPR and the new personal data protection framework that are of a particular interest to them?

The Training Sections reflect the gaps and needs identified throughout the Respondents' replies to the Survey questions. The Partners have agreed these modules would provide Participants with the necessary awareness, knowledge and skills to implement the requirements of the GPDR in their business activities and daily operations.

A feedback survey was also conducted in order to determine the level of success of the trainings as well as to provide with a base line on the impact of the training methodology on the participants understanding and application of the GDPR.

II.   Steps taken before the training activities and methodology to ensure most effective implementation of SMEDATA activities

1. Conducted Survey

In order to provide with a smooth application of the particular Work package the Survey was approved by the Partners at application level. In order to encompass the relevant area and provide for a base criterion regarding the training methodology, all Partners provided expertise at an early stage to prepare the questions and for the Survey.

The Survey has been structured around the need to provide for two types of information qualitative and quantitative concerning the needs of the target groups regarding the understanding and the application of the GDPR.

The set upon indicators were used to provide for:

- Quantitative – established a base for building inconsistency indicators amongst participants about the level of knowledge of the GDPR and the willingness to participate in the trainings.
- Qualitative – provide information about the needs and concerns amongst the target groups regarding the understanding and the application of the GDPR.

The Survey is comprised mainly of two types of questions: closed and semi-structured questions directed towards both target groups. The content focused on the respondents" views on the application of the GDPR.

The Survey was divided into two sub-sections containing questions with multiple answers as to encompass the full scale of knowledge and needs of the target groups.

The questions in Subsection 1 were tailored towards obtaining information on the participants" awareness and understanding of the general concepts, principles and requirements of the GDPR. The questions focused on the following themes:

- Categories of personal data;

- Legal grounds for processing of personal data;

- Purpose of processing;

- Retention periods.

- The periods of time for which the personal data is stored (data storage);

The questions in Subsection 2 were tailored towards obtaining information on the participants" awareness and understating of their role, obligations and tasks related to personal data processing. The questions focused on the following themes:

- Information obligations;

- Technical and organisational measures;

- Data breach notification;

- Records of processing activities;

- Areas or topics in respect to which the participants identify a need to build deeper awareness or knowledge.

Survey questions:

1. You are: (SME / Legal professional at a SME)
2. Your activities relate to: (field of occupation)
3. For what purposes are you processing personal data?
4. Do you know how much data you currently process?
5. How long do you keep the personal data (data storage)?
6. How do you inform the data subjects about the processing of their personal data?

7. Do you implement specific technical and / or organisational measures in connection to personal data protection (for example)?

8. Are you aware of your obligations in case of personal data breach?

9. Do you keep records of processing activities?

10. What areas do you think you need data protection training?

The Survey was conducted in an electronic format anonymously and in confidentiality to avoid any type of prejudice. The online questionnaire was accessible on the website of the SMEDATA project (http://smedata.eu). Links to the survey were distributed on various communication channels: public announcements via Partners' websites and social media (LinkedIn, Facebook). The Project partners also shared the link with partners and clients within the target groups to reach broader audience.

In total, the answers given are 622 being summarized as follows:

- 32 respondent answered on the English version of the questionnaire;

- 311 people filled in the Bulgarian version of the questionnaire;

- 279 people filled in questionnaire in Italian language;

- SMEs representatives that participated in the survey were 431;

- Representatives of legal professionals at SMEs that filled in the questionnaire were 191.

The field in which each of the participant operates was needed in order to define the trainings' audience and to take under consideration the needs and specifics of each area of business. The results demonstrate heterogeneous groups interested in the topic of data privacy. The biggest number of respondents placed themselves in the service sector (Other service activities). The respondents from the area Professional, scientific and technical activities were majority (87), followed by Wholesale and retail trade; repair of motor vehicles and motorcycles (66),

Information and Communication (62), and Administrative and support service activities (52).

The larger number of participants has their base of operations situated on the territory of Bulgaria (315). Other applicable answers were Italy (279), the EU and the EEA (151) and third counties (34). Finally, mainly independent companies (510) which are not part of a group of undertakings participated in the survey.

Information gathered from the Survey was used to evaluate the knowledge, understanding and application capabilities of the participants in order to develop a methodology and lectures suited to the needs of the target groups.

2. Methodology for implementing the SMEDATA awareness and training activities

a) Awareness raising events

The organisation and delivery of 25 regional awareness raising events (13 in Bulgaria and 12 in Italy) were split equally between the two target groups – SMEs and legal professionals at SMEs. The number of participants reached within the 25 training events was 1764. Each of the awareness raising events lasted about 7 hours, usually between 10.00 and 17.00, including one-hour lunch break. The awareness raising events' agenda included three lectures for 3 hours in total in the morning with one 30-minute coffee-break, and again three lectures for 3 hours with one coffee-break in the afternoon. These forums were used as major dissemination and communication tools for which organisation the partners sent several thousands of invitations to potential participants.

The topics discussed within the events included the following:

- The evolution of the data protection legal framework and court practice of the Court of Justice of the EU, European Court of Human Rights and national courts of leading data privacy jurisdictions;
- How broad is the concept of personal data and based on what legal benchmarks we should draw the line between data sets;
- Processing of personal data – understanding legitimate grounds for processing;
- What criteria should we apply to distinguish between a controller, joint controller, processor or joint processor and what are the consequences thereof to the contractual relations;
- Data subject rights – absolute versus relative rights; understanding the grounds to exercise the data subjects' right and the grounds to push back / deny / limit those rights and the legal consequences thereof;
- Security of processing – technical and organisational measures to protect the personal data; data breach notifications; data impact assessments; codes of conduct; certifications;
- International transfers of personal data;
- Role and function of the Data Protection Officers;
- Supervision and enforcement – DPAs, remedies, liabilities and penalties;
- Recent developments and practices at EU level in the data privacy field.

The awareness raising events' content provided participants with the necessary awareness, knowledge and skills to implement the requirements of the GPDR in their business activities and daily operations. The training course was further divided into nine training sections aimed at a wide range of SMEs active in different fields and their legal professionals.

Each of the nine training sections lasted approximately 45 minutes and was followed by a Q&A session, which provided participants with the opportunity to discuss data privacy issues of interest to them with the trainers. During these Q&A sessions the content presented beforehand was put in practical terms through the sharing of particular situations in the daily operations of SMEs which require the

processing of personal data. Trainers consequently shared their experience in the capacity of data privacy professionals.

Information about practical issues and case studies, exercises, among others, was provided to all participants. Electronic copies of the presentation slides and the schedule of the awareness raising events were published on a designated section of the project's website.

b) Training of Trainers events

The overall organisation of the Training of Trainers events was implemented through 4 two-day successive training events (2 in Italy and 2 in Bulgaria) and application of specific organisational measures for each training event. . The number of participants reached within the 4 training events was 1865 (478 attendees as well as 1387 online participants). The organisation of the events took specific account of situation related to the current Covid-19 outbreak. Observing all anti-epidemic measures imposed by the Italian and Bulgarian authorities half of the events were organized and conducted online.

The Training of Trainers events introduced the GDPR to the multipliers, namely various professional organisations of businesses and legal practitioners. The attendees familiarized themselves with the skills they need to understand evolving data protection obligations. They were provided with practical examples and guidance on how to organize and conduct trainings, especially in online environment, through the intensive two-day workshops.

The events' training agenda has been built on interaction and online group activities of the participants. More than 50% of the time was dedicated to discussion and team tasks in Bulgaria. All Bulgarian training events had 4 main modules:

- Approaches for presenting models of compliance with the General Data Protection Regulation (GDPR). **Subtopics**: specific solutions "provided" by

the GDPR; data controllers' responsibilities for the provision of information and for answering requests for the exercise of data subjects' rights; national practices (technical and organisational measures).

- Presentation of sources of information based on international aspects of personal data protection. **Subtopics**: ethical challenges of global technological solutions; ways of presenting the rules for the transfer of personal data to third countries or international organisations; defining the roles in data processing in an international context; activities of the data protection supervisory authorities within the conditions prescribed under Chapter VII of the GDPR.

- Methods for instant access to information related to data protection: "GDPR in Your Pocket".

- The role of the trainer in the field of personal data protection. **Subtopics**: Practical advice to the Data Protection Officer or the person responsible for the processing of personal data: role and communication with other departments including the IT department; Ways to actively search for information in the field of personal data protection; Models for dissemination of information in the conditions of COVID-19.

Furthermore, case studies focused on the topics below were discussed among the participants:

- Records of processing activities (Art. 30, GDPR);
- Privacy Notice;
- Exercising data subject rights;
- Contractual relationship management (roles and responsibilities);
- Personal data transfers (roles and responsibilities);
- Exercising data subject rights in the context of "cookies".

A facilitator from among the project partners was assigned to each group. Participants trained their skills to resolve cases, persuade others as well as to present the solutions of the task groups to a wide audience (the rest of the participants).

3. Evaluation methodology

The evaluation of the effectiveness of the events' training program was of crucial importance for the success of the SMEDATA project.

For this purpose, knowledge assessments to confirm the participants' understanding of the information covered during training were undertaken during the Q&A sessions of each event. Adjustments to the instructional techniques were made throughout the trainings based on the evaluation and the feedback received. The evaluation aims to provide the consortium partners with timely information about the progress, or lack thereof, in the production of outputs and the achievement of outcomes of the SMEDATA project. The results of the evaluation serve as a basis for decision-making to improve the performance of the project and to feed into the learning processes.

The main objectives of the evaluation of the awareness raising events and the Training of Trainers events are:

1.   To decide on the merit of events;

2.   To improve the training program;

3.   Further customize the conduct of the trainings to the specific needs of and challenges to the SMEs and the legal professionals at the SMEs;

4.   To increase the knowledge about the operating mechanisms of the events;

5.   To increase the learning ability of the SMEs and the legal professionals at the SMEs.

At the event preparation phase, the consortium partners selected the criteria for evaluation with relevant indicators and appropriate benchmarks and tool through which to implement them. The criteria aim at evaluating the overall organisation, conduct and results of the events, performance assessment of the presentors.

Feedback on the conducted training, and training of trainers events was accumulated trough dissemination of questionnaires. A 1-5 evaluation system was implemented in the questionnaires Very poor (being the lowest grade) and Very good (being the highest grade). All forms regarding the feedback were disseminated at the events conducted on spot in Bulgaria and Italy and collected at the end, after which an evaluation was performed on the combined data from all events. A table was prepared to calculate and provide the average level of performance in accordance with the grades received through the feedback. The statistical data accumulated through the feedback was used to assess the impact and implementation of the training events.

During the online training events digital questionnaires were circulated through all the participants. Under the criteria set upon by the partners, the forms for the questionnaires included the following questions required to assess the overall success, experience and performance of the conducted trainings.

Questionnaires content:

1.   Please rate the following aspects of the training:

a)   Topics and contents (1-5 grading system)

b)   Speakers/facilitators (1-5 grading system)

c)   Organisation (1-5 grading system)

2.   Please rate the extent to which the training gave you the possibility to do the following:

a) Exchange best practice (1-5 grading system)

b) Gather useful information for my field of work (1-5 grading system)

c) Increase skills (1-5 grading system)

3. How do you rate the Level of Cooperation and Sharing between participants during the training? (1-5 grading system)

4. In general, what is your opinion about this training? (1-5 grading system)

5. In particular, what is your opinion about the material produced during the training? (output) (1-5 grading system)

6. Could you summarize this experience in just one word?

The main focus of the post-course assessment was the ascertainment of whether the overall outcomes of the trainings have been achieved and the evaluation of their EU aspects. The evaluation helped to determine what made the actions successful or find the errors in the needs' assessment, for example, an important gap or insufficient allocation of resources.

III. Assessment/Evaluation of the conducted awareness raising events

4.1. SMEs representatives

A standard online Feedback form (in Bulgarian) was applied in both training of trainer events. Participants from all events were invited to share their opinions anonymously.

- Over 86% of the participants rated the topics and content of the training events as "very good" or "good";

- Nearly 96% assessed the speakers/facilitators as either "very good" or "good". More than 90% of all attendees rated the overall organisation as "very good" or "good";
- Between 88% – 90% of the participants shared that conducted training of trainers events "extremely" or "largely" ("very") helped for exchanging best practices, gathering of useful information for the field of work and increasing skills;
- Training materials was evaluated at least as "good" by 92% of all participants;
- More than 96% of the training events attendees assessed the conducted training of trainers' events as "very good" or "good".

4.2. Legal professionals

- Over 95,6% of the participants rated the topics and content of the training events as "very good" or "good";
- Nearly 98% assessed the speakers/facilitators as either "very good" or "good";
- More than 93% of all attendees rated the overall organisation as "very good" or "good";
- More than 91% of the participants shared that conducted training events "extremely" or "largely" ("very") helped for exchanging best practices, gathering of useful information for the field of work and increasing skills;
- 86.8% of all attendees rated the Level of Cooperation and Sharing between participants during the training events as "very good" and "good";
- Training materials was evaluated at least as "good" by more than 95.8% of all participants;
- 93,5% of the training events attendees assessed the conducted local training seminars as "very good" or "good".

IV. Lessons learned

The key takeaway from the awareness raising and Training of Trainers events is that there is significant interest in learning about the GDPR and personal data protection throughout small and medium enterprises and legal professionals who represent such enterprises in both Bulgaria and Italy. The events were attended by thousands of participants who actively engaged in discussing different aspects of the data protection legislation and were interested in practical compliance approaches. A genuine desire to provide protection of privacy rights for SME's employees, clients and partners has been present throughout each event.

Nevertheless, SME representatives find the GPDR to be complex and at times lacking in substance and efficiency. In addition, SMEs and legal professionals working with SMEs do not always have the capacity to comply with the numerous requirements of the GDPR and national legislations. SMEs lack expertise and experience in legal, technical and organisational aspects of the GDPR. Most small to medium-sized companies in Bulgarian and Italy are insufficiently staffed with legal and IT professionals, while the services offered by external specialized companies are a significant financial burden for them.

Moreover, inconsistent approaches in the application of the GDPR are still present throughout the different EU Member-States which further impede the international commercial activities undertaken by SMEs alongside the free flow of goods and services within the EU.

Further to this, oftentimes, SMEs which serve as personal data processors are forced by their partners – controllers – to comply with requirements unilaterally imposed by the bigger and more resourceful companies. Such requirements (i.e., accountability and reporting responsibilities imposed on personal data processors)

may not always be in line with the GDPR and place a financial and logistical burden on SMEs.

The SMEs face considerable difficulties in assessing the level of risk associated with the processing operations taking place within their organisations. Consequently, they often cannot identify the most appropriate and proportionate technical and organisational measures. Another great challenge related thereto is lack or insufficient financial resources to implement technical and organisational measures to fully comply with the data protection requirements. Compromises are often made with the IT infrastructure in place, as well as with the design feature of the online products / services.

Last but not least, the high level of subjectivity in applying the GPDR presents a major challenge for SMEs and legal professionals working with SMEs. In order to achieve a coherent approach in applying the EU data protection legislation, SMEs prefer having in place model documents issued by the data protection supervisory authorities which would facilitate their understanding of key GDPR provisions (e.g., model registers of processing activities, privacy notices, consent forms, legitimate interest balancing tests, contractual clauses, etc.).

V. Conclusions

The SMEDATA project was developed with the main objective to promote the preparation for the effective application of the GDPR through awareness, multiplying training and sustainable capacity building for SMEs and the legal practitioners at the SMEs. The project succeeded in achieving this main purpose by ensuring that sector-specific and sustainable trainings were delivered in various cities and towns across Bulgaria and Italy.

Throughout the training, two main groups – SMEs and legal professionals working with SMEs – received adequate and comprehensive training on how to apply the GDPR and respective national data protection legislation. As a result, it may be expected that small and medium-sized organisations in Bulgaria and Italy are now better prepared to deal with the challenge of applying the EU data protection rules. Moreover, since SMEs play a crucial role in the economic development Bulgaria and Italy, the project's results shall reciprocate throughout the whole business environment in both countries.

In conclusion, the SMEDATA project made an advance in ensuring better collaboration between national data protection authorities and SMEs / legal professionals working with SMEs which further facilitates both organisations' capacity to address privacy concerns and individuals' control over their personal data.

VI.   Further steps for ensuring sustainability of the results

The training of trainers events and the facilitation of their newly acquired knowledge as evaluated through the project surveys.

The network of experts that will be trained within the Training of Trainers will act as multipliers for further raising awareness on issues related to protection of personal data. The elaborated Methodology for Designing and Implementing Codes of Conduct will be practical guide for preparation of such codes as long as the GDPR applies.

The project partners are self-sustainable organisations with stable and constant financial resources and significant experience in project management and fund raising. So after the successful implementation of the project, they will continue building up and expanding its effect.

The project will have long-term impact on the target groups:

- Representatives of SMEs – throughout the project various prerequisites, appropriate conditions and opportunities will be created that will raise their awareness and will build up the understanding on ensuring compliance of their businesses with the requirements of the GDPR;

- Legal professionals and citizens as a whole – have acquire new skills, information and knowledge, which they will apply further in their work. They also will have better understanding of the GDPR Framework and their respective rights and obligations.

A wide variety of communication channels, tools and media were and are used for the distribution of the project messages and methodology to the different participants' groups. These include:

- National networks – Project Partners have wide-spread contacts with business and professional organisations in Bulgaria and Italy and networks of local representatives who conveyed the project messages;

- EU network – the partners EY and EWLA have extensive networks covering all EU Member States; through the channels of those EU wide networks, the Project results received a broad European dissemination. For instance, EY, as a partner in the consortium took the responsibility to enrich the impact of the project results via its largest worldwide network which includes 230,000 highest-performing professionals that serve in 150 countries and more than 700 offices globally;

- Project website, websites of the partners and websites of the multipliers;

- Social media networks – the project has created profiles on Facebook and LinkedIn;

- Newsletters – newsletters have been distributed via the existing lists with contacts of the partners (e.g. the partner APIS has distributed the newsletter via its web and desktop legal information products used by more than 50,000 customers, the partner SUB has sent it to its members and supporters, included in an e-mail list with more than 7,000 contacts, and EWLA has distributed it to all of its members across Europe);
- Project leaflet – the leaflet has been distributed at events organized by the partners outside the project framework.

All of the abovementioned actions were undertaken to ensure a wide and long lasting effect of the project results.

At the beginning of the second quarter of 2020 we succeeded in preparing and submitting a successful project application form for "SMEDATA II – Ensuring the Highest Degree of Privacy and Personal Data Protection through Innovative Tools for SMEs and Citizens" which will act as a continuation of SMEDATA. Current preparation process has led to further funding project efforts after completing SMEDATA.

The second stage of the project has following objectives:
- Preparation for the effective application of the GDPR through awareness, multiplying training and sustainable capacity building for SMEs and legal professionals;
- Assisting the understanding and compliance with GDPR through the upgrade of a mobile app "GDPR in your pocket", in order to achieve following results:
- High level of awareness about the European data protection rules among SMEs and citizens;

- Built capacity on data protection issues for the management and expert staff of associations and other bodies representing SMEs with multiplying effect for their members;

- Common understanding among business organisations about the benefits for business operators and customers of implementing measures of a GDPR-compliant methodology;

- Exchanged experience and best practices among project partners and the participants of the international conference organised within the project framework;

This will further help to establish an even more sustainable environment for project results and to build on the current content as the field of data protection develops as well as provide for a wider outreach.

Annexes:

Annex 1 – Lists of participants;

Annex 2 – Feedback forms.