



PUTTING PEOPLE FIRST

Protection of Personal Identifiable Information (PII) in a Landscape of Constant Change

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Agenda

- 1 Fact Finding Process & People
- 2 PII Definition
- 3 Landscape of Constant Change
- 4 How Much to Invest
- 5 Proposed Strategies to Address Risks

Fact Finding Process & People

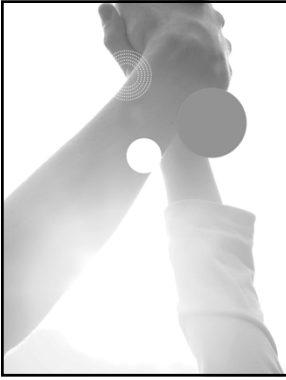




Methodology

Focus group discussions, key informant interviews, secondary research, and primary experience

1 Fast Finding Process & People



Thank You to Subject Matter Experts at the Following Companies

Baker Tilly
DocuSign
UK Country Lead for International Association
of Privacy Professionals (IAPP)
Netflix
Schmidt Futures / Former White House Policymaker
Symantec
TechSoup
Veritas

Fast Finding Process & People 2

What is Personal Identifiable Information (PII)?

"Any data that could potentially be used to identify a particular person."
— Symantec LifeLock

"Any information about an individual that can be used to distinguish or trace an individual's identity and any other information that is linked or linkable to an individual."
— National Institute of Standards and Technology (NIST)

Examples

Jane Doe

VS.

Jane Doe
+
Date of Birth
+
Address

U.S. PII Definition

VS.

EU GDPR Core Philosophy of Personal Data

What is Personal Identifiable Information (PII)?

Landscape of Constant Change

Global Trends

- Multinational nature of information sharing
- Global dependency on third parties (such as Google, Facebook and WhatsApp, etc.)
- People's willingness to provide information
- Expanding technology capabilities, both the good and the bad
- Regulation updates and enforcement
- Data and IP ownership: Control vs. ownership

9 Landscape of Constant Change

People's Willingness to Provide Information

1

a. 1–5 b. 6–10 c. 10+

2

a. Less than a month ago c. Within the last year
b. Within the last six months d. Never

Landscape of Constant Change

- Historical context in Europe: Authoritarian governments' use or potential use of PII
 - World War II
 - Balkans War
- Increasing pressure on governments to respond to businesses' control and access to PII
- Changing consumer expectations or concerns
 - Personalization of advertisements
 - Internet of Things

Landscape of Constant Change

A horizontal timeline illustrating key milestones in data protection and privacy. The timeline consists of a central horizontal line with circular nodes at specific years. Above the line, text labels describe the events corresponding to each year. Below the line, a bracket groups the years 1998 and 2000, with a label pointing to the space between them. A dark grey oval at the bottom right highlights the period from 2014 to 2018, with a label pointing to it.

Year	Event
1995	EU Data Protection Directive
1998	Google Established
1998 - 2000	Safe Harbor Principles
2004	Facebook Launched
2015	Safe Harbor Overturned
2018	EU GDPR

2014 - 2018: Facebook - Cambridge Analytics data scandal
How can identity be protected? Data Control, Privacy Protection

Landscape of Constant Change

Changing or Reinforced Regulations in the Past Two Years

Australia (February 2018)

The Notifiable Data Breach (NDB) scheme under Part IIIC of the Privacy Act 1988 (Privacy Act)

Canada (November 2018)

New data breach disclosure rules in the Privacy Act, Chapter 32

China

June 2017: Partial implementation of 2016 Cybersecurity Law for data localization and export

October 2017: General Provisions of the Civil Law (personal information as civil right)

India (August 2017)

Article 21 of the Indian constitution stipulates that privacy is a fundamental right

 Landscape of Constant Change

Changing or Reinforced Regulations in the Past Two Years

Israel (May 2018)

The Privacy Protection Regulations
(Data Security), 5777-2017

Japan (May 2017)

Japanese Act on Protection of
Personal Information

Mexico (January 2017)

Federal Law on Data Protection for the
Public Sector

Singapore (February 2018)

The Cybersecurity Act

United States (March 2018)

Clarifying Lawful Overseas Use of Data Act
(CLOUD Act)

- Alabama Data Breach Notification Act in May 2017
- California Consumer Privacy Act in June 2018
- New Mexico Data Breach Notification Act in June 2017
- South Dakota Senate Bill 62 in July 2018

 Landscape of Constant Change

California's Consumer Privacy Act of 2018

- Who? Any for-profit company with California-based assets or customers
- What? Expanded definition of "personal information" that includes almost any consumer-related data that a for-profit company collects or maintains
- Different from GDPR? Nonprofits fall *outside* of the Act's ambit, and potentially stricter consumer-facing compliance mechanisms and protocols

Economic Factors

- The cost of doing business
- Tech companies → businesses
- PII as a currency
 - "Data is the new oil"
- Globalized markets and trade
- "The cloud"
 - Software as a service (SaaS)
- Outsourcing of work or rather, an expanded breadth of a globalized workforce

 Landscape of Constant Change

How Much to Invest

But First, Why Invest?

- 1 TRUST
- 2 TRANSPARENCY
- 3 \$\$\$



How Much to Invest

No Matter How Big or Small You Are, We Found That We All Need to Take the Same Four Steps

STEP 1

Map the Data Flow

Know what data you have,
where it flows and is stored,
and who has access to it.

POLL

Do you know where your company or
organization has PII?

- Yes
- Most of it
- Some of it
- Not really
- Definitely not

While you wait, take a piece of paper
and try to draw the data flows for where
your company takes in, processes, and
shares PII (if any)

How Much to Invest

STEP 2

Assign Ownership

Who is responsible for knowing where PII flows within your organization or company and how to monitor it and delete it if necessary?

POLL

Who is responsible for ongoing ownership over your organization's protection of PII?

- Chief Information Security Officer (CISO) / Chief Information Officer (CIO)
- Human Resources
- Data Security Officer
- Privacy Officer
- Chief Technology Officer
- Other

How Much to Invest

STEP 3

Monitor Regulations

Many partners struggle with keeping up to date with the changes and new regulations due to the complexity of the regulations, lack of resources, or budget restrictions.

POLL

How do you keep up with regulation changes?

- Paid legal service or monitoring service
- Listservs
- News outlets
- Ad hoc research
- I don't know, it's not my responsibility

RECOMMENDATION

Establish a system based on the most strict regulation. Different geographies create new and interesting challenges.

How Much to Invest

STEP 4

Train Staff

On how and what data to erase or disclose.

POLL

Does your company or organization have mandatory data security training programs?

- Yes, annually
- Yes, but not regularly
- Sometimes
- I'm not sure
- Not that I'm aware of

How Much to Invest

How Much to Invest: Small Companies and Nonprofits

- Nonprofits
- Small Companies
- Startups

Do the Basics

- 1 **MAP YOUR PII DATA FLOWS:**
Understand if you have PII and what it is, where it is coming from, and where it is stored
- 2 **Read the fine print on contracts with third parties**
- 3 **Limit access to applications that use PII**
- 4 **Create clear rules internally on data security and train your team**



1 How Much to Invest



How Much to Invest: Mid-Size Enterprises

- Mid-size companies (250 – 1000 employees)

Invest in Your Priorities

- 1 **Technology that maps your data**
 - a. For example, Veritas Data Insight
 - b. Automated deletion; minimize the data you store
 - c. Dig into why you need that data
- 2 **Access management**
 - a. Enterprise-wide automation to manage access to applications that use PII
- 3 **Training on data security per job function**

How Much to Invest



How Much to Invest: As an Individual

Whether you're a compliance officer or an individual contributor, there are basic steps you can take or questions you can ask to contribute to protection of PII

- 1 **Think Before You Send**
Does it have PII in the email or attachment?
Does the receiver need the PII you are able to send?
- 2 **Think Before You Sign**
Read privacy policies and fine prints on contracts before you sign.



1 How Much to Invest



How Much to Invest: TechSoup as a Case Study

- Privacy policy — clearly state how information is shared (no legal jargon please!)
- Be honest about where your organization is in its digital transformation with partners
- Surprising actions taken by companies
 - Sharing information about fraud trends
 - Increased demand for preemptive action before integration with partners

How Much to Invest 4

Proposed Strategies to Address Risks to PII

Proposed Strategies to Address Risks

- Understand the regulations you need to comply with
- Do the basics — access management, restrict access to PII, password management
- Map your data as best you can in any way you can — whiteboard, PowerPoint, etc.
- Train employees on PII and how to protect their and their customers' PII
- Don't rely on third parties to "take care of it"

Proposed Strategies to Address Risks to PII



Proposed Areas of PII Risk That Tech Can Help With

Data Mapping

Where do you process and control PII?

Access Management

How do you remember who needs reminders and how often?

Data Classification

How do you identify PII?

Automated Training

How do you remember when and which people need reminders?

Third Party Management

Who has access to your PII? How do your customers or beneficiaries know?

Proposed Strategies to Address Risks to PII 5

How Can Technology Help?



Privacy Notification and Tracking of External Parties
With so many users accessing most of your websites, be sure to enlist a service to help ensure all visitors read and accept your Privacy Policy



Automating Access Management

- Internal access management
- Machine learning to predict behavior



Automate and Standardize Workforce Training
Given high turnover in a lot of organizations, we recommend you base your workforce training on an automated system, rather than on a person- or function-based live training



Map Data Flows
Enable non-techies to map simple data flow diagrams using Microsoft PowerPoint, Visio, or LucidChart.com



Encryption
If your personal information is encrypted when it's stored and transmitted, there is less chance of a privacy breach

Proposed Strategies to Address Risks to PII 6

Thank You from
TechSoup!