

Table of Contents

Foreword	v
Introduction	ix
Chapter 1: Modern Privacy	1
Government Responses	2
The Role of Mass Technology	4
Privacy Claims and Disconnects	4
Privacy Breaches — Impact, Notification Obligations and Strategic Plans	8
Privacy Breaches — a Costly Affair	10
Best Practices to Limit Privacy Breaches	12
Destruction and Disposal of Personal Information	14
Responding to Privacy Breaches	14
Breach Notification	15
Content of Breach Notification	16
Canadian Privacy Laws and Breach Notification	17
Post-Breach Management	18
Chapter 2: Evaluating Privacy Products and Technolo- gies	25
Privacy in Technology	25
Seeking Privacy Assurance through Technology	29
Ensuring that Security Controls are in Place	30
Evaluating Privacy Controls in Technology Products	32
Assessing the Privacy of Commercial Solutions	34
Mapping Privacy Principles to IT Functionality	38
Scalable Solutions for Privacy Maintenance	40
20 Questions: a Simpler Approach to Assessing the Pri- vacy of Solutions	41
Dealing with the Elephant in the Room: the Legacy Chal- lenge	43
Embedded Privacy Weakness: the Case for Redesign	44
The Real Challenge of Privacy Re-engineering	45
Adopting an Effective Process for Privacy Remediation	46
Additional Guidance	49
Chapter 3: Assessing Privacy Process Effectiveness	53
On Usability, Convenience and Application Design	53
Conducting a Privacy Impact Assessment	56
The PIA Process	57
Assessing Privacy Posture vs. Compliance	59

TABLE OF CONTENTS

Automating Privacy Processes	61
Data Disposal Practices	63
Systems Acquisition, Development and Maintenance	66
Your First PIA	67
Other PIA Resources	67
Prioritizing Privacy Risks	68
Monitoring and Detection of Privacy Threat	69
Identifying and Anticipating Privacy Issues	71
Assessing Breach Response and Notification	75
Does the Physical Environment Impact Enforcement?	76
Content Monitoring and Filtering in the Workplace	77
Chapter 4: Building Strong Privacy Practices	79
Privacy Protection as Information Governance	79
The Requirement to Govern Under Canadian Privacy Statutes	80
The Accountability Requirement	80
The Privacy Officer — Role and Requirements	81
Contract as the Source of Personal Responsibility	83
Governance of Information Through Reasonable Measures and Due Diligence	85
Reasonableness and Due Diligence in Law	85
Canadian Privacy Commissioners on Reasonableness and Due Diligence	88
Best Practices for Achieving Due Diligence	91
Risk Assessment Structures	91
Intrusion Detection and Security Audit Structures	91
Records Management Structures	93
Human Resources Policy	93
Physical Transfer of Personal Information Policy	94
Disposal Procedures	94
Privacy Breach Procedures	95
The Mechanics of Governing Information	96
Developing Policies and Procedures — Key Requirements	96
Making Policies Enforceable	97
Confidentiality Agreements	98
Monitoring and Auditing Employees for Compliance	100
The Prevailing View	101
Evidence of Change	103
The Recommended Approach	105
Investigating and Addressing Non-Compliance	106
Departing Employee Protocols	109
Chapter 5: Consumer Applications and Solutions	115
Technology and Socio-Cultural Trends	115

TABLE OF CONTENTS

Towards Total/Ultimate Personalization and Identification	119
How to Link it With Each Unique Individual?	123
Recognizing Deceptive Practices	125
Personal Information Vaults	128
Anti-Monitoring Tools	131
Privacy on the Internet	134
Browser Add-Ons	137
Adblock Plus	138
Betterprivacy	138
Bugnosis	138
Privacy Choice Opt-Out	139
TACO	139
TOR	139
WOT	139
Instant Messaging	140
Social Networking	143
What can be Done to Avoid These Risks?	147
Knowledge Management and Data Mining Tools	148
What About the Individuals Themselves?	152
Legal Recourse and Case Law	153
Chapter 6: Answering the Privacy Challenge	159
Where Can Privacy Lead Us?	159
The Privacy Paradox is not so Paradoxical After All	161
Realizing the Relevance of Privacy	162
Shared Situational Awareness	164
Taking the Pulse of the Privacy Profession	166
Road to a Peak Privacy Program	168
The Aim: Self-Synchronization	169
The Privacy Infostructure	172
The Core Library	172
The Collaboration Platform	177
The Privacy Campaign	185
Participants	186
Applications and Sensors	186
Project Management Methodologies	187
Risk Management in Projects	187
Integrating Projects and Privacy Infostructure	189
Program Enhancement Tools	191
Peak Privacy Program — Applied	194
Appendix A — Infostructure Framework Products	195
Appendix B — 10P of Privacy Compliance	196
Chapter 7: Resources for Privacy Professionals	199
Privacy by Design	199

TABLE OF CONTENTS

Privacy Maturity Model	199
Privacy Statement Template	200
Appendix 1 — Privacy by Design	201
Appendix 2 — AICPA/CICA Privacy Maturity Model User Guide	214
Appendix 3 — Sample Privacy Statement Template	223
Glossary	241

