

Budgeting for privacy modernization – what every company needs to know

Speakers:

Sooji Seo - Vice President Legal, Ethics & Compliance, Chief Privacy Officer, Dell

Kirsten Thompson - Partner and National Lead of Dentons' Transformative Technologies and Data Strategy group

Moderator:

David Pickwoad - Dentons Canada's Chief Client Officer

Presenters



Sooji Seo
Vice President Legal, Ethics &
Compliance, Chief Privacy Officer, Dell



Kirsten Thompson
Partner, Toronto
D+1 416 863 4362
kirsten.thompson@dentons.com



David Pickwood
Chief Client Officer, Canada
D+1 416 862 3449
david.pickwood@dentons.com

The CPPA - overview

CPPA – what it could mean

CPPA provision	Budget items to consider
Privacy mgmt program required, plain language disclosures <ul style="list-style-type: none">• Policies, practices and procedures (incl. protection of PI, requests for access to PI, training for staff, and explanatory materials)	Review existing materials and practices and close gaps, rewrite
Appropriate purpose must consider “factors”, be documented	Review “purposes” of all collection in accordance with factors, and document
Validity of consent contingent on certain info being provided to user	Review all documents used to obtain consent to ensure appropriate disclosures being made
Express consent assumed	Onus on organization to establish implied consent appropriate

CPPA – what it could mean

CPPA provision	Budget items to consider
Refusal of withdrawals of consent now available for “reasonable terms of a contract”	Review and revise contracts to include specific terms
Additional exceptions to consent	Undertake data mapping and consent tracking to determine available exceptions, ensure criteria met
Data mobility required	Inventory qualifying information and ensure process for transfers
Algorithmic transparency	Assess whether automated decision-making is being used (vendors?), develop plain language
Disposal of personal information	Development documented processes, incl. for service providers, and in response to requests

CPPA – what it could mean

CPPA provision	Budget items to consider
De-identification requirements and restrictions	Review de-identification processes, understand criteria, document & apply
Expansive breach notification requirement for service providers to data controllers	Develop process for reporting, handling
Codes of practice, certification programs	Details pending in expected regulations.

Why? Investigations, inquiries, audits, orders and fines of the higher of **\$25 million or 5% of gross global revenue** in prior year.

Bonus: Private right of action.