



# 3<sup>rd</sup> Annual Data Summit Agenda

## Part 1: Learning session 12 – 2:15 p.m. (2.25 hours)

Time	Program event	Speakers
12 – 12:10 p.m.	<b>Introductions and welcome</b>	<b>Kirsten Thompson</b> , Partner and national lead of the Transformative Technologies and Data Strategy group (Toronto)
12:10 - 12:45 p.m.	<b>High anxiety: Top 6 issues in privacy right now</b>	
	<ul style="list-style-type: none"> <li>Privacy, post-election – what is next?</li> </ul>	To be confirmed
	<ul style="list-style-type: none"> <li>Bill 64 and privacy in Québec</li> </ul>	<b>Chantal Bernier</b> , Counsel and lead of the Canadian Privacy and Cybersecurity practice group (Ottawa)
	<ul style="list-style-type: none"> <li>Ransomware, ransom demands, and determining whether to pay</li> </ul>	<b>Karl Schober</b> , Senior Associate (Toronto)
	<ul style="list-style-type: none"> <li>Payments, open banking, and opening up data</li> </ul>	<b>Tracy Molino</b> , Counsel (Toronto)
	<ul style="list-style-type: none"> <li>Bad news: Privacy litigation is increasing</li> </ul>	<b>Chloe Snider</b> , Partner (Toronto)
	<ul style="list-style-type: none"> <li>Good news: It's getting harder for plaintiffs to win</li> </ul>	<b>Kirsten Thompson</b> , Partner (Toronto)
<b>Accreditation</b>		
<ul style="list-style-type: none"> <li>Law Society of Ontario: 30 minutes Professionalism Credit</li> <li>Law Society of British Columbia: 30 minutes Practice Management Credit</li> <li>Barreau du Québec: In our view, this session would meet the CLE requirements of the Barreau du Québec</li> </ul>		
 		

## Part 1: Learning session 12 – 2:15 p.m. (2.25 hours)

Time	Program event	Speakers
12:45-1:30	<b>COVID Recovery: Managing testing, vaccinations and passports going forward</b> <ul style="list-style-type: none"> <li>Vaccines and vaccine passports/ certificates: update on the law and regulatory environment</li> <li>Looking forward: managing vaccination information in workplaces and businesses (retention, destruction, access requests, disclosures)</li> <li>Managing refusals – what are the options?</li> </ul>	<p><b>Kelly Osaka</b>, Partner (Calgary)</p> <p><b>Karl Schober</b>, Senior Associate (Toronto)</p> <p><b>Eleni Kassaris</b>, Partner (Vancouver)</p>

### Accreditation

- Law Society of Ontario: 45 minutes Substantive Credit
- Law Society of British Columbia: 45 minutes Substantive Credit
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1:30 – 2:15 p.m.	<b>Technology and privacy</b> <ul style="list-style-type: none"> <li>AI - Proposal for a Regulation on a European Approach for Artificial Intelligence and implications for Canada</li> <li>Biometrics – Tips on avoiding landmines when dealing with biometric information (Step 1: make sure you know what biometric information includes!)</li> </ul>	<p><b>Antonis Patrikios</b>, Partner (United Kingdom)</p> <p><b>Luca Lucarini</b>, Associate (Toronto)</p> <p><b>Peter Stockburger</b>, Partner (San Diego)</p> <p><b>Kirsten Thompson</b>, Partner (Toronto)</p>
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## BREAK (2:15 - 2:30 p.m.)

## Part 2: Workshop session (2:30 – 4:00 p.m.) (1.5 hours)

### Stream 1

2:30 – 4 p.m.

#### **Vendor management: best practices for personal data**

##### **Speaker(s)**

**Karl Schober**, Senior Associate (Toronto)

**Michael Beairisto**, Partner (Toronto)

- Data management – best practice in contracting
- More than just a contract: what privacy/data regulators expect you do actually do with that contract
- Elements of a vendor management program
- Risk assessment prior to entering into the contract
- Employee background assessment and monitoring
- Employee policies and training
- Work environment controls
- Access and other cybersecurity controls, and
- Proactive monitoring and enforcement of contractual obligations (audits, termination provisions, etc.)
- Data protection agreements versus data protection clauses
- What are the steps to take when outsourcing the processing of personal data to service providers outside of Canada

##### **Takeaways:**

- Issue spotter for data transfers

##### **Accreditation**

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### Stream 2

2:30 – 4 p.m.

#### **Privacy officer workshop**

##### **Speaker(s)**

**Kirsten Thompson**, Partner and national lead of the Transformative Technologies and Data Strategy group (Toronto)

- Updating your privacy program: key takeaways from recent Canadian federal and provincial privacy commissioners findings and guidance
- Managing data subject rights: access rights and requests to “delete”
- Special issues in complying with or refusing to comply with a data access/correction request (e.g., biometrics, aggregate information)
- “Sensitive personal information” – updated OPC guidance and the impact on breach reporting, safeguards
- Points to consider when drafting or updating a privacy policy/statement
- Defensive privacy: making sure your privacy program is bulletproof in case the regulator comes calling
- Assessing “Real Risk of Significant Harm (RROSH)”
  - Lessons from over 50 data incidents
- Framework: sensitivity of information + likelihood of misuse
- List of factors to consider
- Documenting the RROSH determination
- Best practices in reporting (and some not-so-great ones to avoid)
- When to notify third parties

##### **Takeaways:**

- RROSH framework
- Template access request response policy/process

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