

The Compliance Trifecta: Enabling a Conversation with the Enterprise

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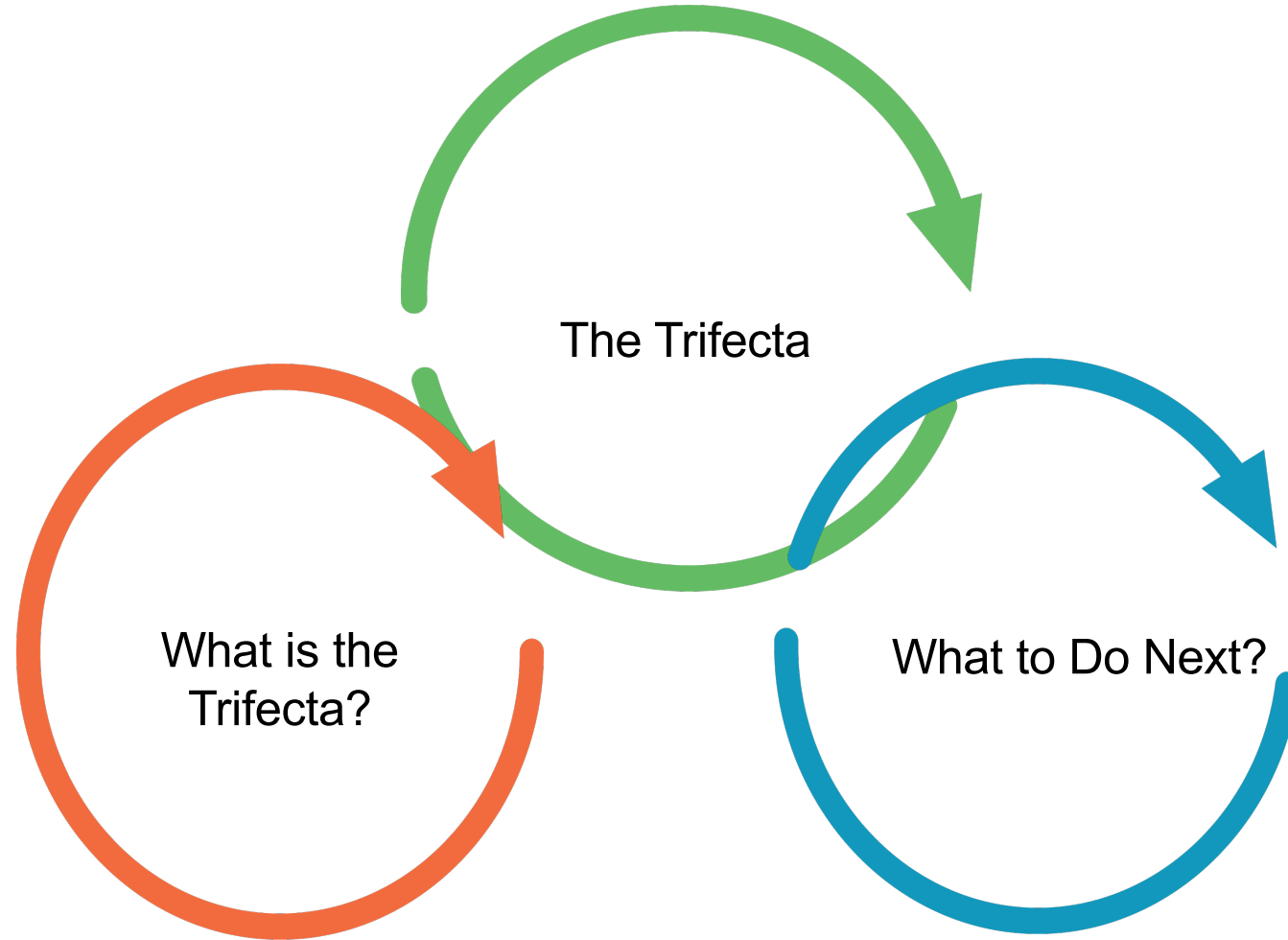
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Principal
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Agenda

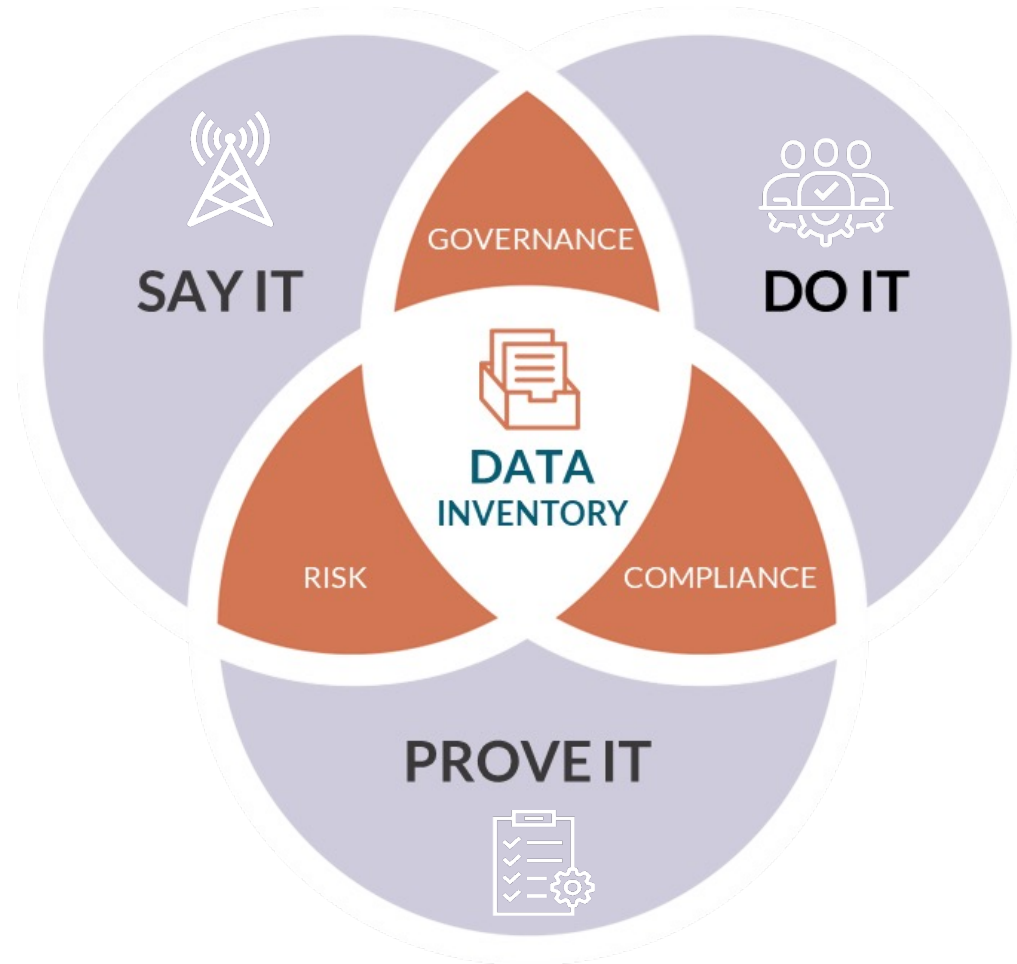


Enabling a Conversation

- Many of these elements will be familiar to seasoned privacy practitioners
- The problem lies in working with the enterprise and communicating the why and the how
- The goal of this presentation is to present a way to have that conversation with the business to build robust privacy programs

What is the Compliance Trifecta

Make clear and transparent statements about your organization's privacy policies and practices.

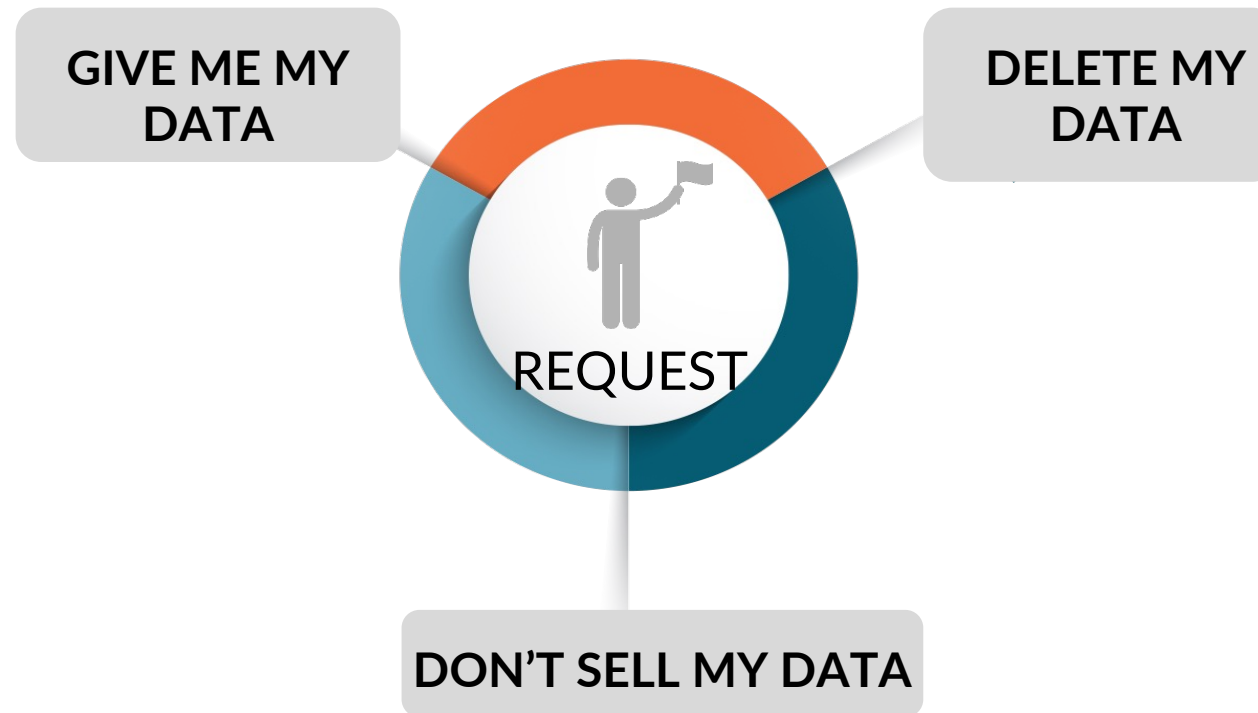


Implement & follow through on the privacy promises made in your policies and notices.

Be ready and able to demonstrate compliance and accountability.

- It is not enough for the CPO or privacy counsel to ignore or be apart from operational concerns
- "If all you know how to use is a hammer, everything looks like a nail."
- Vital for CPO/privacy counsel to be aware of operational, technological and business realities
- Ownership for privacy does not belong solely in the privacy office or with privacy counsel; we don't handle personal information
- Accountability cuts across the enterprise, so implementing a privacy program requires operational and technological understanding, and understanding the need to move privacy from project to program – embedding it in the operations and making it a team sport
- A good hard look at whether the skills we have learned as lawyers, is enough
- Read: CPO and CISO: [The Evolving Roles of Privacy and Security Professionals](#)

Accountability: DSR are the 'pen test' of privacy programs



Need to resolve at the earliest and the lowest level possible

Responding to DSR will highlight operational issues



Say it

CPRA as well as many other laws, requires adequate notice and ‘just in time’ notices:

- Categories of PI and sensitive PI collected, purposes, if being shared/sold, and retention periods
- Pointing to a privacy policy is not enough – must present notice at the point of collection
- Must address what third parties collect data on your site
- Cookie banners are not sufficient by themselves – data is collected through more than just cookies

Credit: Omer Tene ([LinkedIn Post](#))

Not sufficient to point to complicated legalistic notices

How we use your personal information

- The personal information we collect all announcements, software updates, and you can opt out anytime by [updating your preferences](#).
- We also use personal information to help you use our services, content and advertising, and to help you get the most out of our products.
- We may use your personal information, including your name, to determine appropriate language of Apple ID account holders.
- From time to time, we may use your personal information in our communications about purchases and services. Your personal information is important to your interaction with these communications.
- We may also use personal information to help us conduct research to improve Apple's products, services, and features.
- If you enter into a sweepstake, contest or promotion, we may administer those programs.

Privacy Policy of Company Name

Company Name Website Name website, which provides the following information:

This page is used to inform website visitors regarding our policies with respect to the collection, use, and disclosure of Personal Information. If you decide to use our Service, you agree to our Website Name website.

If you choose to use our Service, you consent to the collection of information in relation with this policy. The Personal Information collected is used for providing and improving the Service. We will not use or disclose your information with anyone except as described in this Privacy Policy.

The terms used in this Privacy Policy have the same meaning as in our Terms and Conditions, which is accessible at Website URL. For more information, see our Privacy Policy.

Information Collection

For a better experience when using our Service, we may require you to provide us with certain personally identifiable information, including but not limited to your name, phone number, and postal address. The information that we collect will be used to contact you for our Service.

Log Data

We want to inform you that whenever you visit our Service, we collect information that your browser sends to us that is called Log Data. This Log Data may include information such as your computer's Internet Protocol ("IP") address, browser version, pages of our Service that you visit, the time and date of your visit, the time spent on those pages, and other statistics.

Cookies

Cookies are files with small amount of data that is commonly used an anonymous unique identifier. These are sent to your browser from the website that you visit and are stored on your computer's hard drive.

Our website uses these "cookies" to collection information and to improve our Service. You have the option to either accept or refuse these cookies, and know when a cookie is being sent to your computer. If you choose to refuse our cookies, you may not be able to use some portions of our Service.

PRIVACY POLICY

This Privacy Policy sets out the commitment of **Legal Entity Name** trading as **Trading Name** (ABN **your ABN**) ("**Trading Name**", "we", "us") to protect the privacy of personal information we collect about you, including through this website, **your URL** ("Website"), as well as through our other business operations or directly from you.

Please read this Privacy Policy carefully and contact us using the details set out below if you have any questions.

By providing us with personal information, you indicate that you have had sufficient opportunity to access this Privacy Policy and that you have read and accepted it and consent to the collection, use, holding and disclosure of your personal information as outlined.

Personal information to us, then you don't have to, however this may affect your use of this

PERSONAL INFORMATION WE COLLECT

The personal information we collect may include:

- your name and username or similar identifier);
- your contact details such as your billing and delivery address, email address and phone number;
- billing details about payments to and from you and other details of products you purchase;
- your internet protocol (IP) address, your login data, browser type and version, unique device ID, operating system and version, advertising and location, browser plug-in types and versions, operating system and hardware on the devices you use to access our website);
- your username and password, purchases or orders made by you, your feedback and survey responses);
- information about how you use our website, products and services); and
- communications data (including your preferences in receiving marketing from us and our communication preferences).

If you do not wish to provide personal information to us, you may choose to deal with us anonymously or use a pseudonym, feel free to do so.

PERSONAL INFORMATION

We collect personal information from you when you **make an enquiry with us (for example, by telephone or email), sign up for a service via our website or submit a contact enquiry on our website,** or otherwise provide us with personal information.

Collecting personal information from you in a fair and lawful manner means to collect personal information and collecting it from others only where it is reasonable to obtain certain information from you directly. We collect personal information from you in a fair and lawful manner.

We use cookies, web beacons and similar technology to collect or receive information from our website and use that information to provide measurement services such as the Facebook pixel, Google Analytics and AdWords). If we receive your personal information, we will protect it as set out in this Privacy Policy.

We will only use your personal information where we form the opinion that the information has been provided to us for the purpose of providing our Service to you.

HOW WE HOLD, USE AND DISCLOSE PERSONAL INFORMATION

Clear, transparent notices

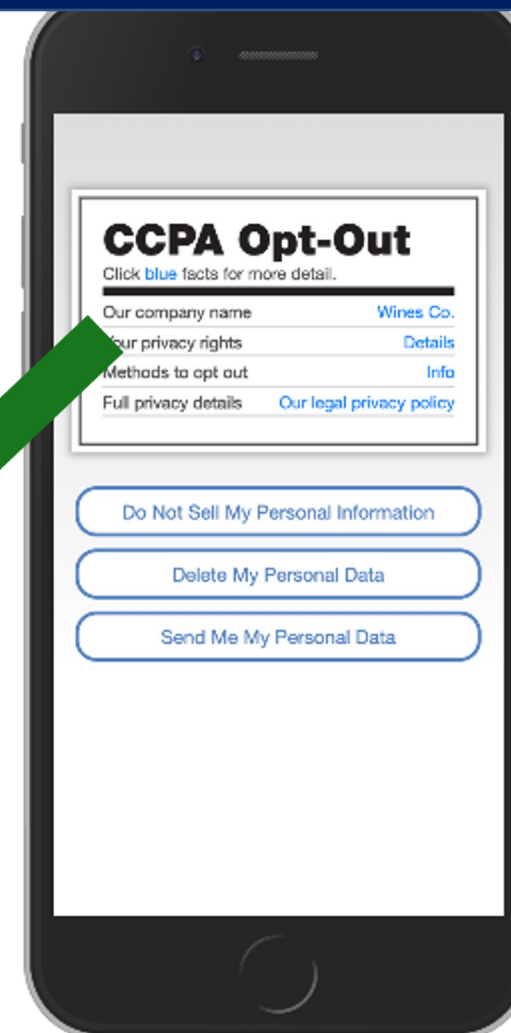


or

On your phone,
text:

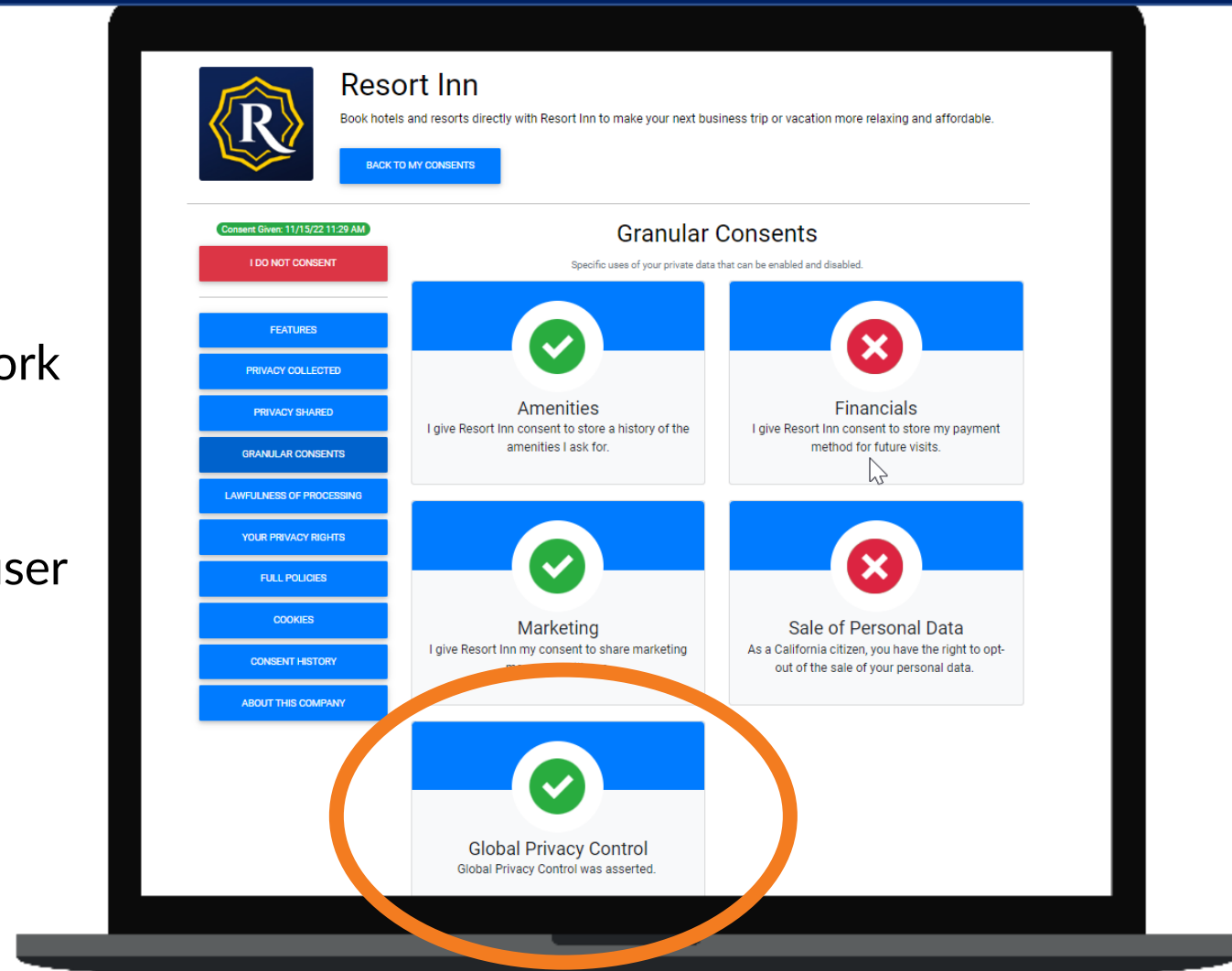
xt

and send to
717.467.3214



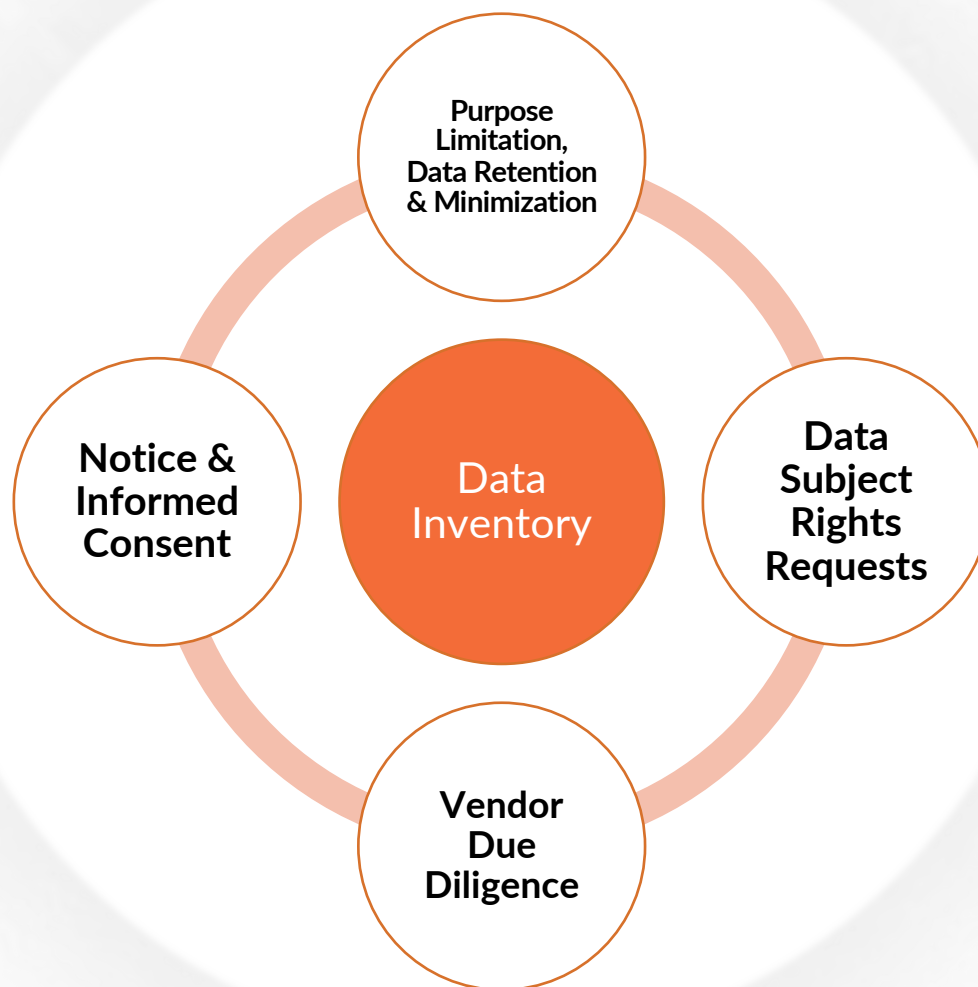
Clear and Simple Choices

- Consumer experiences matter
- Privacy notices must work well on mobile
- Preference automation (like GPC) streamlines user experience



Do it

Data is at the center of everything



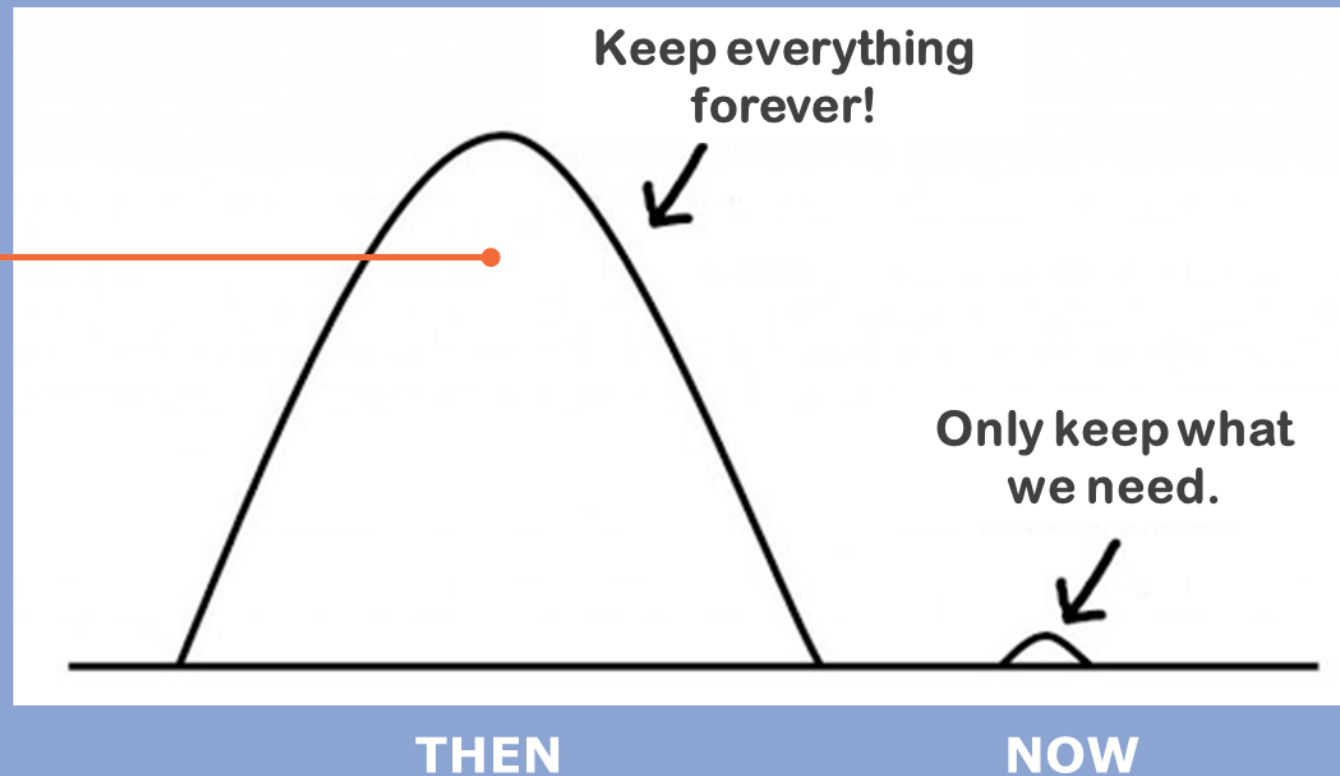
A legal and business case for inventory

- Building an inventory that is ever-green enables the organization to adapt to new and changing requirements in the law
 - Be able to demonstrate your stewardship over data and accountability
- An inventory is consumed by many groups within the organization; have you allied with them?
 - Don't annoy the business with repeated questions about the same data
 - Replication of effort is costly and inefficient
 - Tools often support multiple groups, not good to have them unable to share data
 - Getting budget is easier
- Other drivers:
 - Understand your data to address appropriate security and respond to breaches
 - Litigation and regulatory investigation

Data minimization - the new imperative

KEY RISKS:

- Data Breach
- Ransomware Attack
- Enforcement Action
- Litigation
- Class Action
- Consumer Requests



Time and Accuracy – What is often missing



Time-intensive,
Manual Processes
to Support DSR



Lack of Visibility
into Processing
Activities



Out of Date
& Inaccurate
Inventory



Unable to Link
Inventory to
Purposes for
Processing

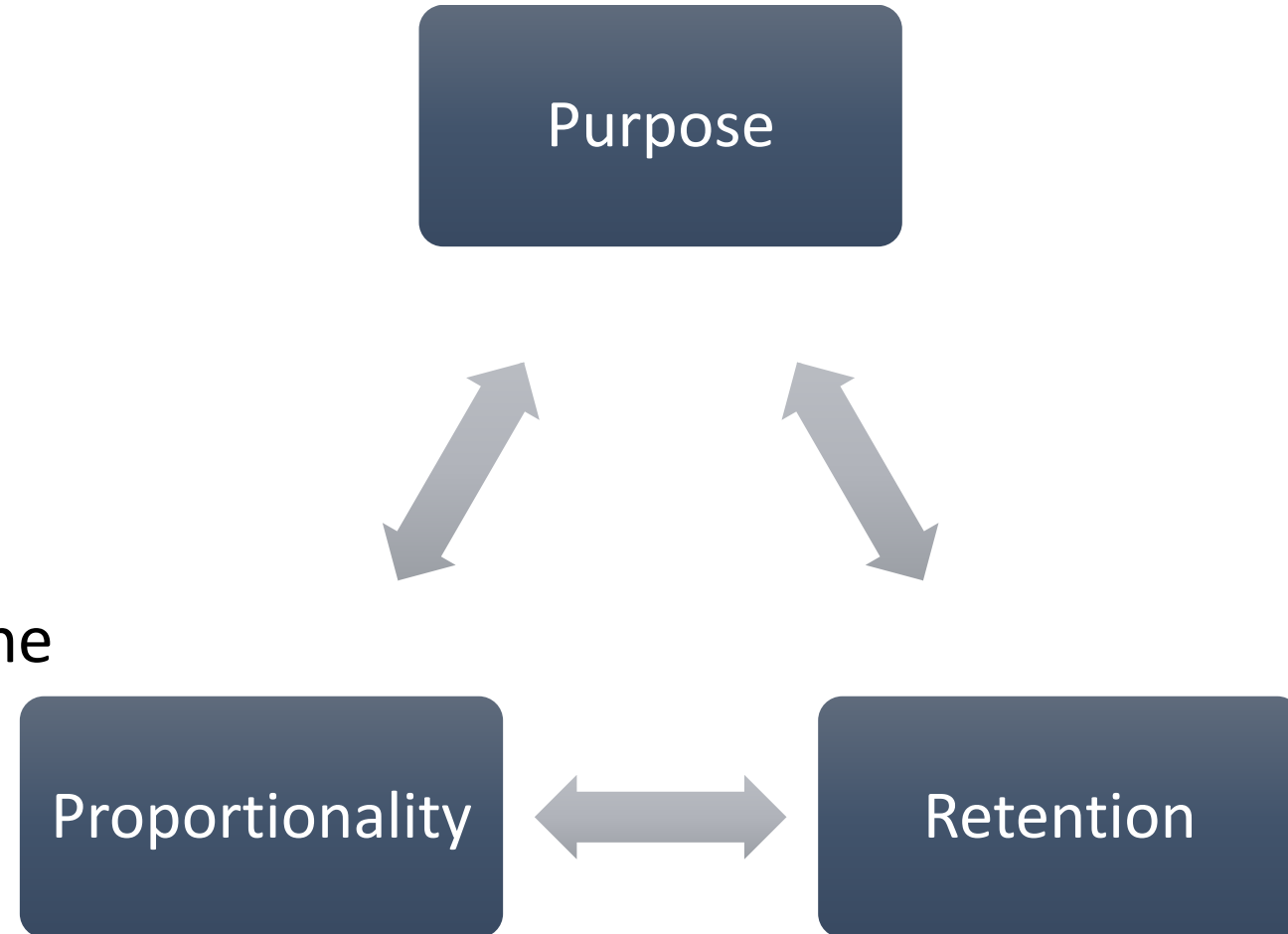


Lack of Evidence
Demonstrating
Accountability

Be able to prove it

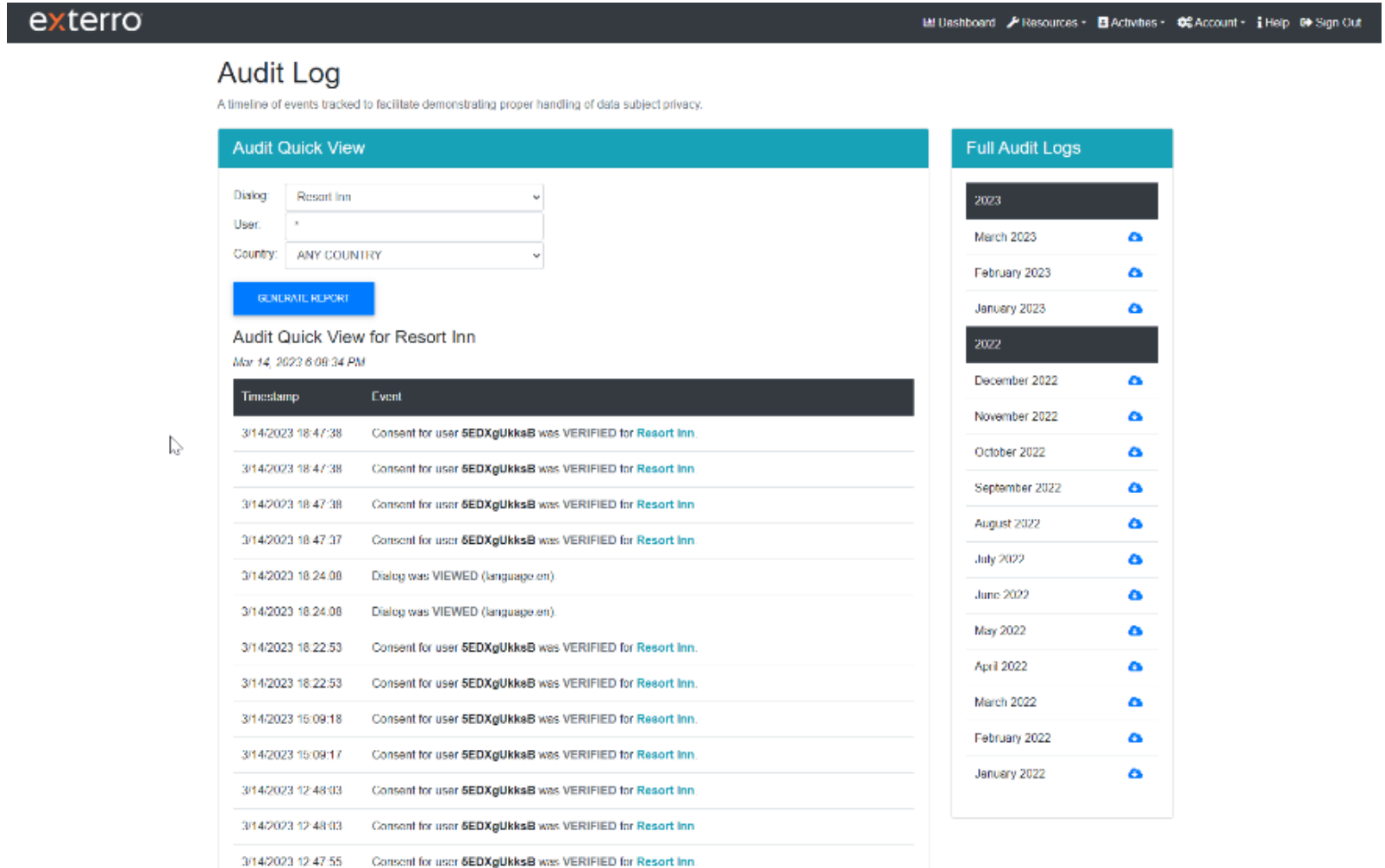
Auditability: Purpose and Proportionality

- You can only collect what you need for the purpose
“not incompatible with the disclosed purpose”
- What you collect and keep must be proportional to the task“
- You must get rid of it when you are done with the task



Auditability: Chain of Control over Data and Records

- ✓ Centralized Dashboard & Audit Trail
- ✓ Persistent, Universal Consent
- ✓ Single-Source of Truth
- ✓ Tracking Across Multiple Brands, Websites, & Devices



The screenshot shows the exterro Audit Log interface. At the top, there is a navigation bar with the exterro logo and links for Dashboard, Resources, Activities, Account, Help, and Sign Out. The main heading is "Audit Log" with a subtitle: "A timeline of events tracked to facilitate demonstrating proper handling of data subject privacy." Below this is the "Audit Quick View" section, which includes filters for Dialog (Resort Inn), User (*), and Country (ANY COUNTRY), along with a "GENERATE REPORT" button. The "Full Audit Logs" sidebar on the right shows a calendar view for 2023 and 2022. The main table displays a list of audit events with columns for Timestamp and Event.

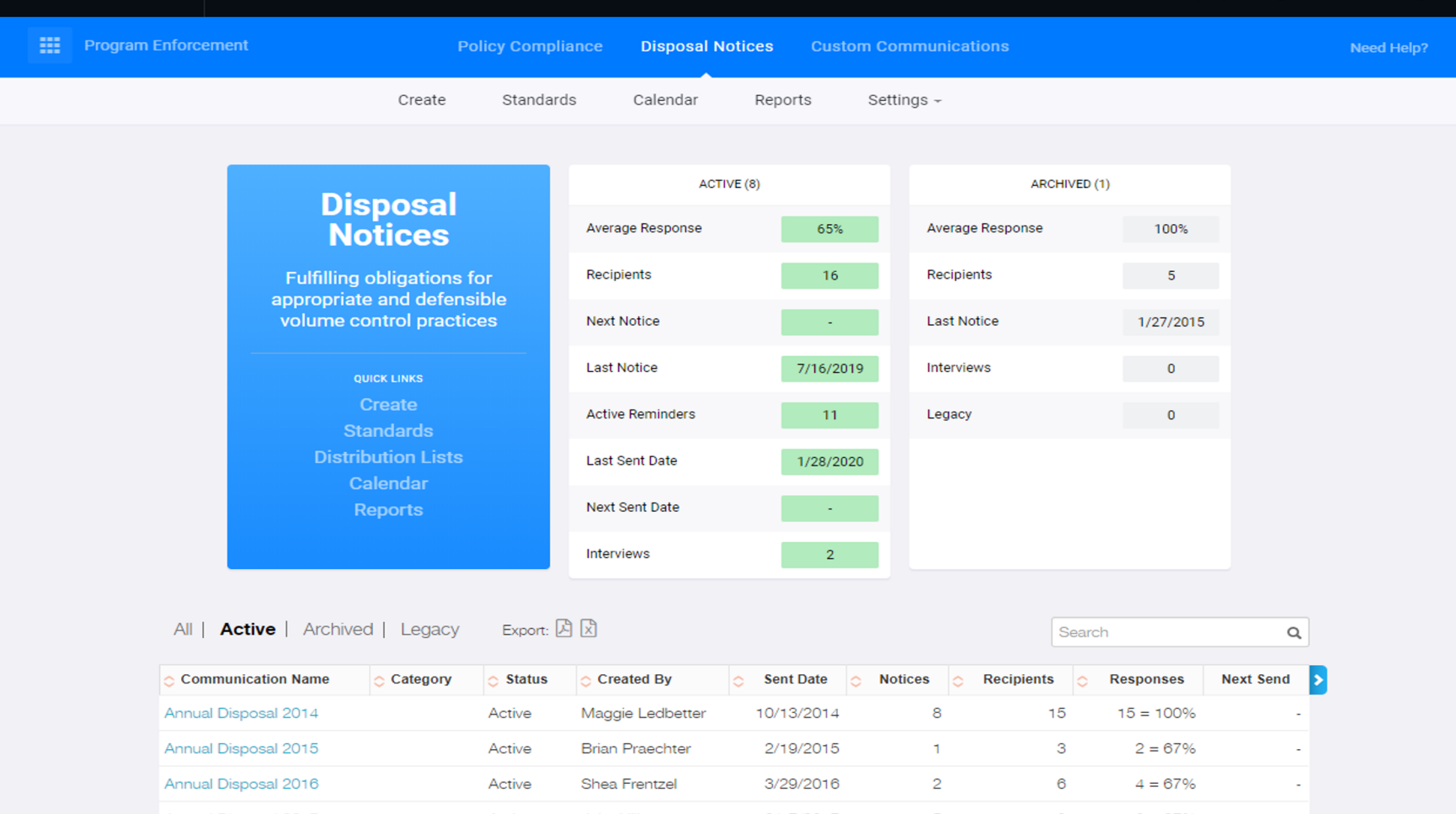
Timestamp	Event
3/14/2023 18:47:38	Consent for user 5EDXgUkksB was VERIFIED for Resort Inn.
3/14/2023 18:47:38	Consent for user 5EDXgUkksB was VERIFIED for Resort Inn.
3/14/2023 18:47:38	Consent for user 5EDXgUkksB was VERIFIED for Resort Inn.
3/14/2023 18:47:37	Consent for user 5EDXgUkksB was VERIFIED for Resort Inn.
3/14/2023 18:24:08	Dialog was VIEWED (language:en).
3/14/2023 18:24:08	Dialog was VIEWED (language:en).
3/14/2023 18:22:53	Consent for user 5EDXgUkksB was VERIFIED for Resort Inn.
3/14/2023 18:22:53	Consent for user 5EDXgUkksB was VERIFIED for Resort Inn.
3/14/2023 15:09:18	Consent for user 5EDXgUkksB was VERIFIED for Resort Inn.
3/14/2023 15:09:17	Consent for user 5EDXgUkksB was VERIFIED for Resort Inn.
3/14/2023 12:48:03	Consent for user 5EDXgUkksB was VERIFIED for Resort Inn.
3/14/2023 12:48:03	Consent for user 5EDXgUkksB was VERIFIED for Resort Inn.
3/14/2023 12:47:55	Consent for user 5EDXgUkksB was VERIFIED for Resort Inn.

Auditability: Chain of Control over Data and Records

Centralized Management of
Your Retention Standards

Routine Policy Notices at
Scheduled Intervals

Disposal Notices to
Employees with their
Retention Requirements




The screenshot shows a web application interface for managing disposal notices. The top navigation bar includes 'Program Enforcement', 'Policy Compliance', 'Disposal Notices', and 'Custom Communications'. Below this, there are sub-navigation options: 'Create', 'Standards', 'Calendar', 'Reports', and 'Settings'. The main content area features a central blue box titled 'Disposal Notices' with the text 'Fulfilling obligations for appropriate and defensible volume control practices' and a list of 'QUICK LINKS' including 'Create Standards', 'Distribution Lists', 'Calendar', and 'Reports'. To the right, there are two summary cards: 'ACTIVE (8)' and 'ARCHIVED (1)'. The 'ACTIVE' card shows metrics such as Average Response (65%), Recipients (16), Next Notice (-), Last Notice (7/16/2019), Active Reminders (11), Last Sent Date (1/28/2020), Next Sent Date (-), and Interviews (2). The 'ARCHIVED' card shows Average Response (100%), Recipients (5), Last Notice (1/27/2015), Interviews (0), and Legacy (0). Below these cards is a table with columns for Communication Name, Category, Status, Created By, Sent Date, Notices, Recipients, Responses, and Next Send. The table lists several 'Annual Disposal' notices from 2014 to 2017, with details on their status, creator, dates, and response rates.

Communication Name	Category	Status	Created By	Sent Date	Notices	Recipients	Responses	Next Send
Annual Disposal 2014		Active	Maggie Ledbetter	10/13/2014	8	15	15 = 100%	-
Annual Disposal 2015		Active	Brian Praechter	2/19/2015	1	3	2 = 67%	-
Annual Disposal 2016		Active	Shea Frenzel	3/29/2016	2	6	4 = 67%	-
Annual Disposal 2017		Active

Auditability: DSR Response

GIVE ME MY DATA

✓  EXEMPTIONS

DELETE MY DATA

✓  LEGAL HOLDS

✓  RETENTION
REGULATIONS



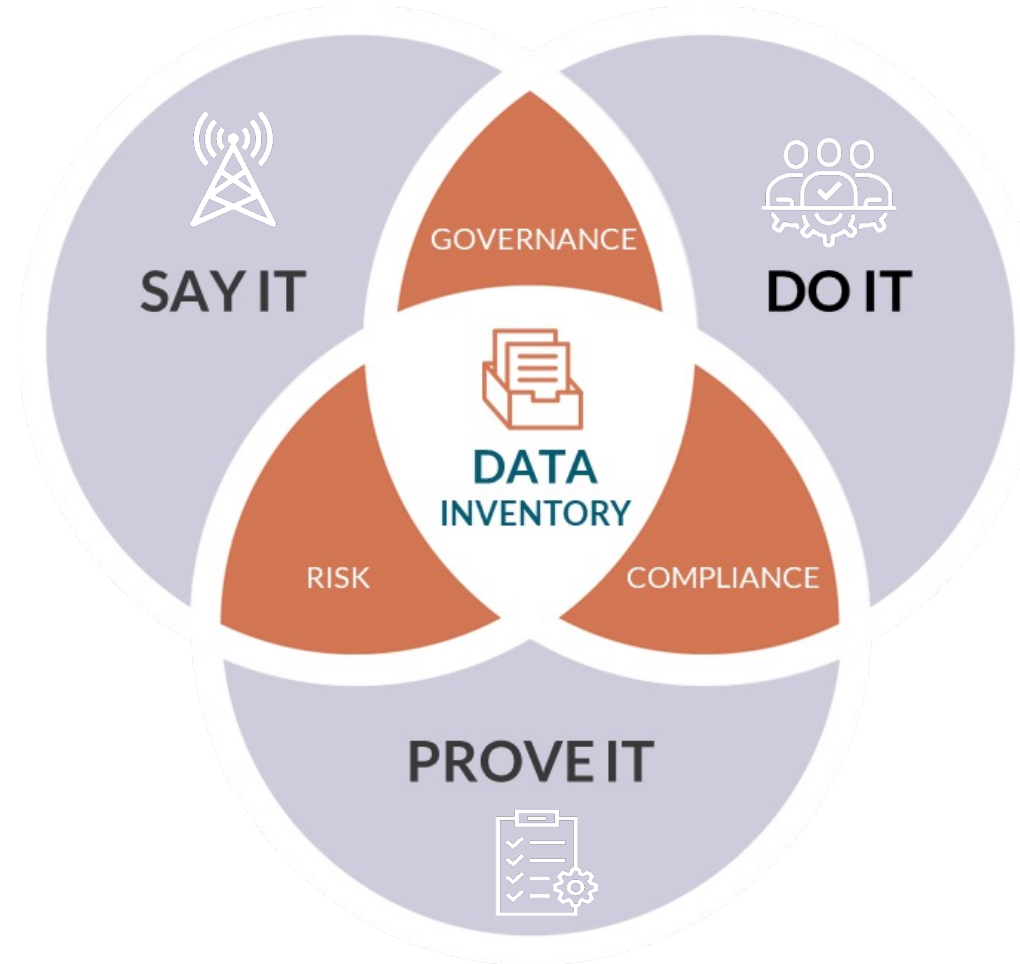
REQUEST

CORRECT MY DATA

DON'T SELL MY DATA

What to do next

Make clear and transparent statements about your organization's privacy policies and practices.



Implement & follow through on the privacy promises made in your policies and notices.

Be ready and able to demonstrate compliance and accountability.

Questions & Contacts



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