

DATA PROTECTION AND PRIVACY REGULATIONS

Websites and mobile apps are common sources of violations

Your customers' digital experience is powered by a range of third-party services not controlled by enterprise IT—ad blocker, advertising, analytics, content recommendation, data management, payments, social widgets, video players, etc. These third-party services can collect consumer data without your knowledge or authorization. With governments and regulators adopting stronger positions regarding consumer data protection rights, how do you manage these digital vendors? How do your digital assets comply with regulations?

MORE REGULATION



INCREASED ENFORCEMENT

Increased COPPA prosecution; fines up to US\$40,000 for each violation

GDPR fines up to €20M or 4% annual turnover

2016

- Doubling of fines—UK

2017

- €5.8M—Italy
- €150,000—France
- €1.2M—Spain

HK\$50,000 (up to) 2 year prison term

Continued noncompliance: HK\$1,000 a day

WHICH MEANS CHANGE...

1

ONLINE BEHAVIOR:

Any website/app tracking activity may involve personal and/or personally-identifiable information and may be subject to consumer consent

2

DATA SECURITY:

Ability to protect collected data (storage, use and transfer) is just as important as obtaining consent to collect it

3

ENHANCED CONSUMER RIGHTS:

Consumers can request control of their digital footprints: access to, portability of and/or erasure of their online activity data

4

CODIFIED FINES:

Regulations increasingly include financial consequences

ENTERPRISES NEED TO DEMONSTRATE COMPLIANCE IN THEIR DIGITAL ENVIRONMENTS:

Know what data is collected

Establish a legal basis for collecting data

Identify all parties with access to consumer data

Clearly state data tracking activity

Solicit and receive consumer consent

Generate and store audit trail of data collection activity

HOW DOES YOUR WEBSITE/MOBILE APP COMPLY?

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KEY ELEMENTS OF DIGITAL ASSET COMPLIANCE

- ✓ **PRIVACY NOTICE:** Create and visibly post a policy regarding your treatment of the consumer data collected during website/app use.
- ✓ **DATA AUDIT AND MAP:** Identify current data tracking activities and verify ability to collect and process it.
- ✓ **LEGAL BASIS:** Establish a lawful basis for processing personal data. Where necessary, clearly indicate how a consumer can signal agreement to data collection.
- ✓ **PARENTAL CONSENT:** Determine if your enterprise markets to or attracts children (age < 13 years U.S.; 16 years EU; individual nations could lower this limit).
- ✓ **DATA REQUEST:** Develop an easy-to-find mechanism for users to request information on their data collected via website/app.
- ✓ **DPO:** Delegate an individual to be in charge of proper care and use of the user's personal data collected via your digital assets.
- ? **VENDORS:** Identify all vendors executing on websites/apps, including non-contracted resources.
- ? **DIGITAL ASSET POLICY:** Communicate requirements and responsibilities to vendors.
- ? **AUDIT:** Establish a procedure for testing vendor compliance with digital asset policy.

HOW DO YOUR DIGITAL ASSETS DEMONSTRATE REGULATORY COMPLIANCE?

Digital Vendor Risk Management (DVRM) provides real-time visibility and insight into noncompliant activity and threats operating within your website and mobile app environments. Continuous monitoring exposes unauthorised data tracking elements, actively remediates violating activity, (according to regulatory, industry or company-specific policies) and generates an audit trail to demonstrate reasonable care.

DISCOVER AND CLASSIFY



Identify and analyze all code executing on websites and mobile apps

COMMUNICATE AND COMPLY



Share digital asset policy with vendors and measure their compliance

RESOLVE AND REPORT



Block and remediate unauthorised activity and create an audit trail

VERIFY WEBSITE/MOBILE APP COMPLIANCE

Discover what consumer data is collected on your website/app.

www.themediatrust.com/DataPrivacyInfo



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