

## Canada: Accountability guide 'takes data protection from policy to practice'

By Asta Puraite



The Canadian Federal, British Columbia and Alberta Privacy Commissioners released - on 17 April 2012 - accountability guidance for the private sector entitled 'Getting Accountability Right with a Privacy Management Program', which aims to help companies develop a privacy management program compliant with the accountability requirements under Canadian law.

"Accountability is the first fair information principle in the federal Personal Information Protection and Electronic Documents Act (PIPEDA)", said Jennifer Stoddart, Privacy Commissioner of Canada. "This reflects its importance - it is the bedrock of [PIPEDA]".

The proposed Privacy Management Program consists of a number of 'building blocks' or steps that companies should take, such as demonstrating organizational commitment by securing 'buy-in from the top' as 'senior management support is key to a successful privacy management program and essential for a privacy respectful culture'. Appointment of a privacy officer, establishment of a privacy office with sufficient resources, and a reporting mechanism are also essential parts of a compliant program.

Companies should also have in place program controls, personal information inventories, policies, risk assessment tools, training and education requirements, breach and incident management response protocols, service provider management and external communication. Finally, companies should follow a number of steps to ensure ongoing assessment and revision of their programs.

Elizabeth Denham, the British Columbia Information and Privacy Commissioner, said: "Given what Commissioners have seen in our investigations of technical breaches of privacy laws, there is a need to outline the basics of privacy management to Canadian organizations. These guidelines will help businesses take data protection from policy to practice."

"It is important to issue joint guidelines to give Canadian businesses some assurance that there is consistency in the expectations of Commissioners", said Jill Clayton, the Information and Privacy Commissioner of Alberta. "There are very important principles for business to follow, such as fostering a culture of privacy protection through the development of sound policies leading to a privacy management program."

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