Centre for Information Policy Leadership
Hunton & Williams LLP

Emerging Best Practices for Responsible Big Data

Bojana Bellamy
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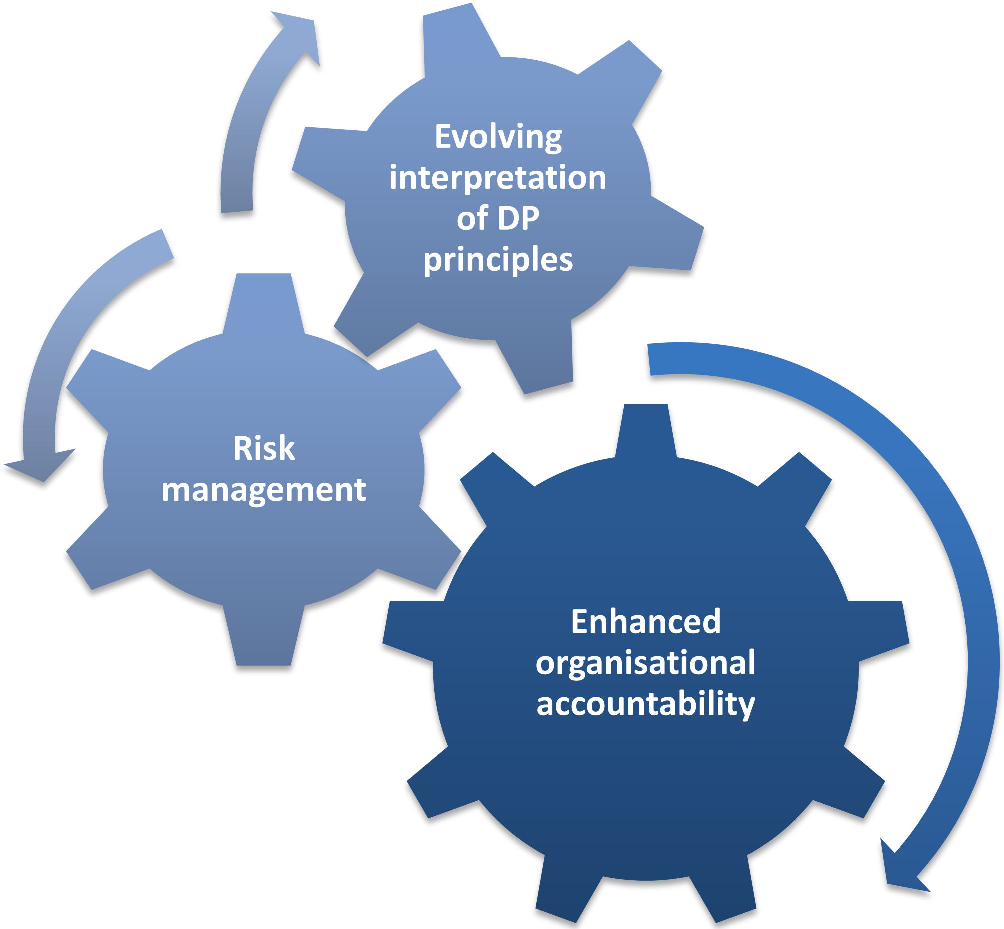
How to Interpret Privacy Principles in the Age of Big Data?

- Scope of regulated personal data
- Consent v. legitimate interest
- Fair processing and notice
- Purpose specification and compatibility
- Data minimisation and deletion
- Data quality
- Profiling and automated decision taking
- Data security

Seeking Solutions?

Objectives - deliver effective protection and compliance; realise business opportunities & societal benefits; build trust and preserve reputation


Evolving interpretation of DP principles
Risk management
Enhanced organisational accountability

Evolving Interpretation of Key Principles

Preserving qualified anonymisation

- Robust de-identification technology
- Intent, commitment and internal measures not to re-identify data
- Contractual obligations with third parties not to re-identify

From consent to legitimate interests, subject to safeguards

- More use of legitimate interests, balanced with impact/risks to individuals
- Organisational ability to demonstrate

From legalistic notices to new transparency - dashboards, portals, layered and just in time notices

- Managing individuals' expectations and concerns, with focus on unexpected uses of data
- Explaining the "data exchange" and its benefits

Rethinking fair processing

- Transparency about data uses
- Effect of processing on individuals
- Consider reasonable expectations, context and uses (analytics v. decisions)

Stretching purpose limitation

- Wider compatibility - incorporate considerations of risk/impact on individual and reasonable expectations of individuals
- Benefits of processing and reticence risk

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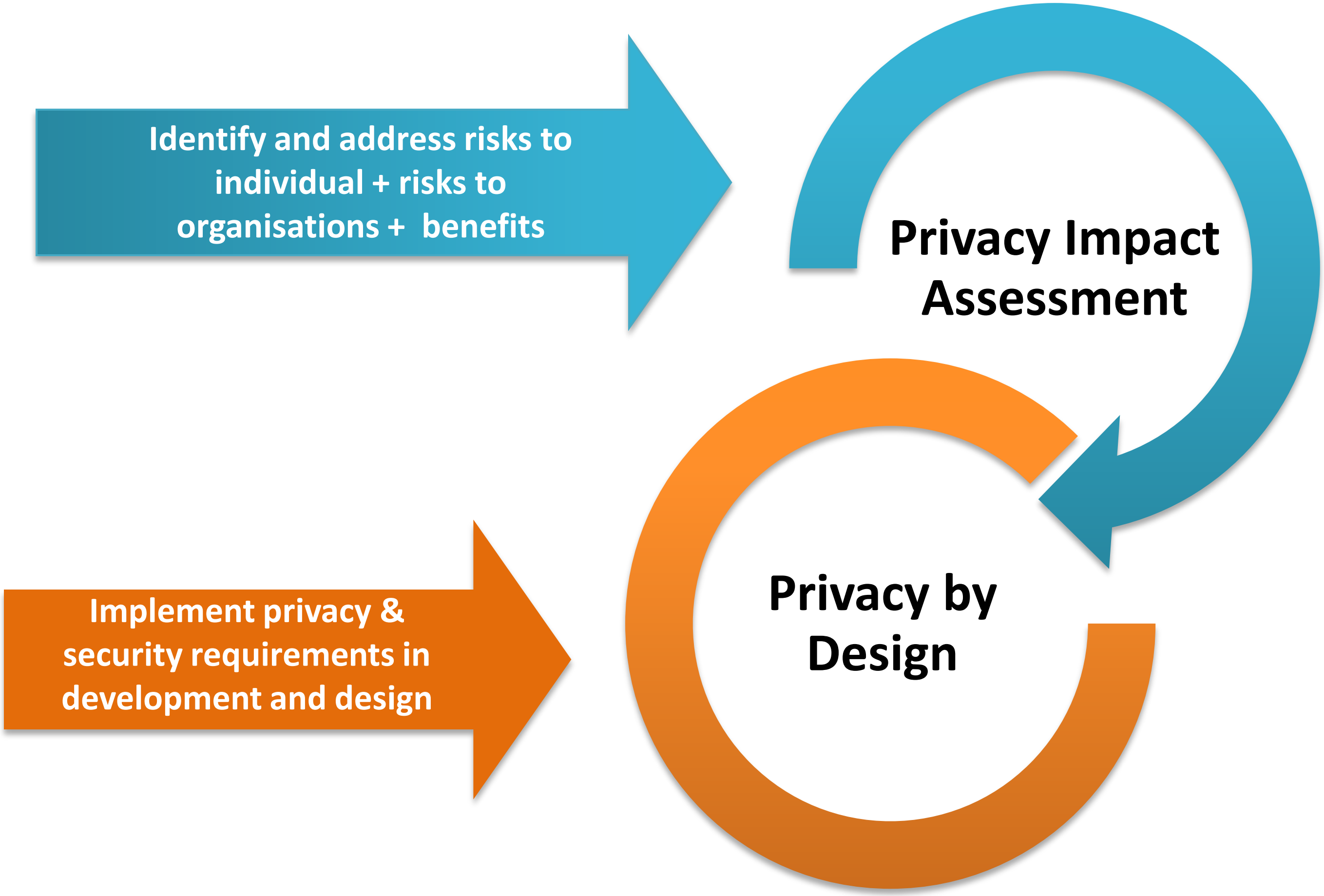
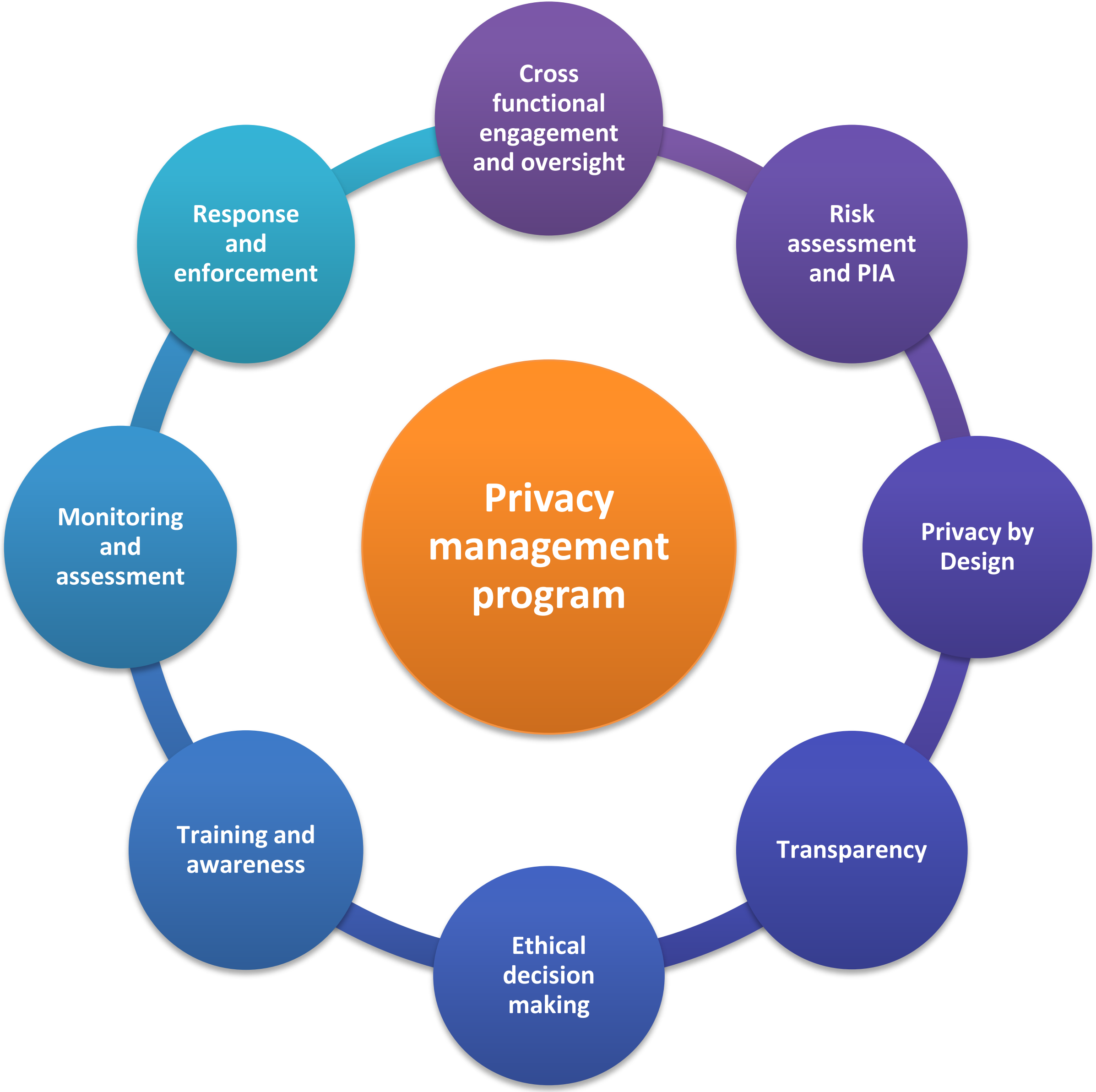
Privacy Risk Management in Big Data


Identify and address risks to individual + risks to organisations + benefits
Privacy Impact Assessment
Implement privacy & security requirements in development and design
Privacy by Design

Requires organisations to:

- ➢ Consider risk in a novel way - from perspective of individuals and the organisation, as well as reticence risk
- ➢ Embed early, expert and cross-functional review in project lifecycle

Enhanced Accountability for Big Data - Digital Corporate Responsibility



Privacy management program

Cross functional engagement and oversight

Risk assessment and PIA

Privacy by Design

Transparency

Ethical decision making

Training and awareness

Monitoring and assessment

Response and enforcement