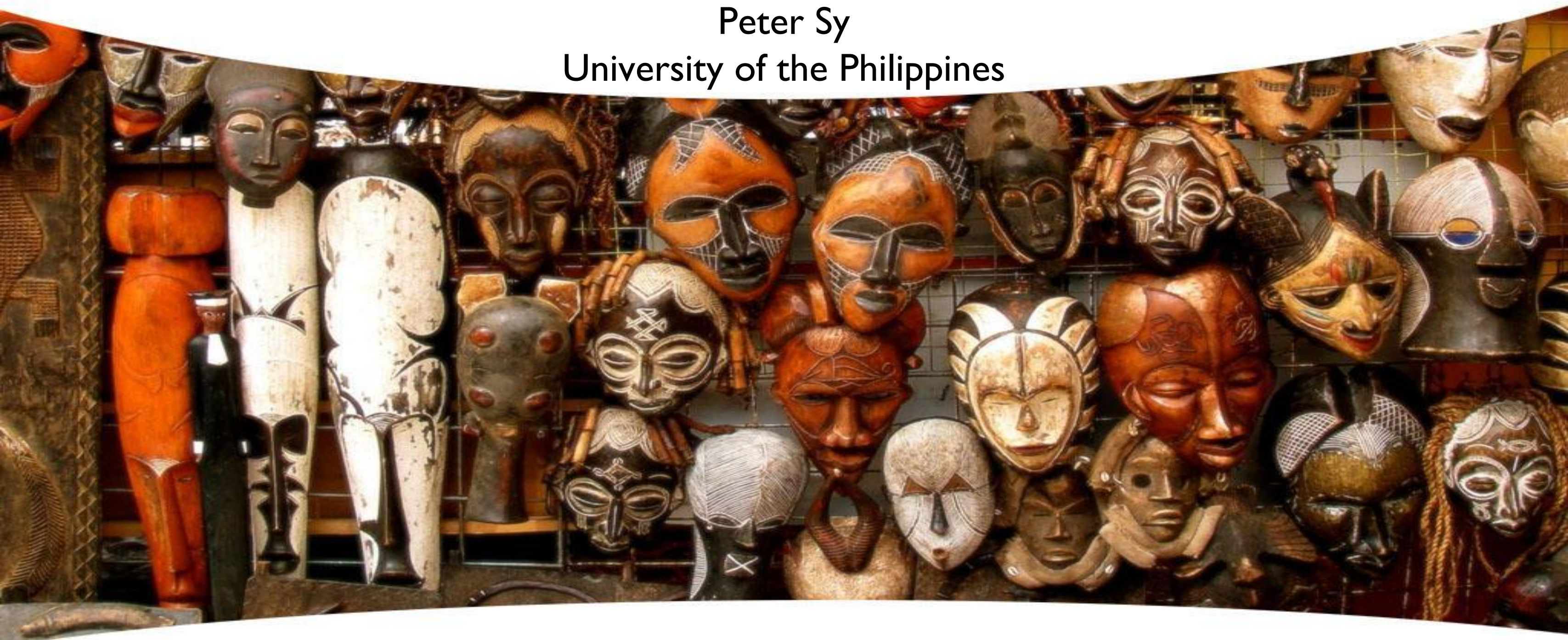


# Data Privacy: A Brief Intro

Peter Sy

University of the Philippines



Regulating the internet giants

# The world's most valuable resource is no longer oil, but data

*The data economy demands a new approach to antitrust rules*



def

# privacy

- the right to be let alone (Warren & Brandeis, 1890)
  - ex: “do not call” registry
- Decisional Privacy - personal & family decisions about life, death, and reproduction that **protect citizens from state intrusions**

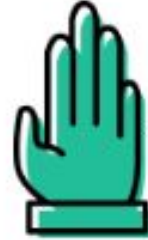
def

# privacy

- Informational Privacy - "the claim of individuals, groups, or institutions to determine for themselves **when, how, and to what extent information** about themselves is communicated to others" (Alan Westin, 1967)
- be-let-alone preference, decisions, personal information - in form of data. Hence, "**data privacy**"



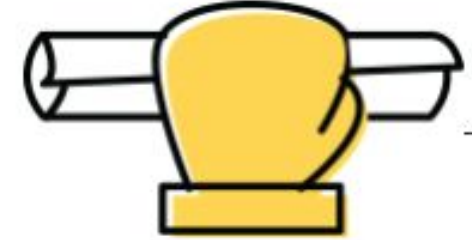
**The right to be informed**



**The right to access**



**The right to object**



**The right to erasure or blocking**



**The right to damages**



**The right to file a complaint**



**The right to rectify**



**The right to data portability**

limits?

Def

# Personal data

“any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier... (Art 4.1, GDPR)

# Personal Identifiers

- Name
- Address
- Telephone
- Fax
- Email
- Social Security
- Birth date
- Medical record
- Health plan
- Dates of treatment
- Account number
- License number
- Device identifiers
- Vehicle identifiers
- URL
- IP address
- Biometric identifiers
- Photos or comparable images

Def

# Personal info controller

“the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data...” (Art 4.1, GDPR)

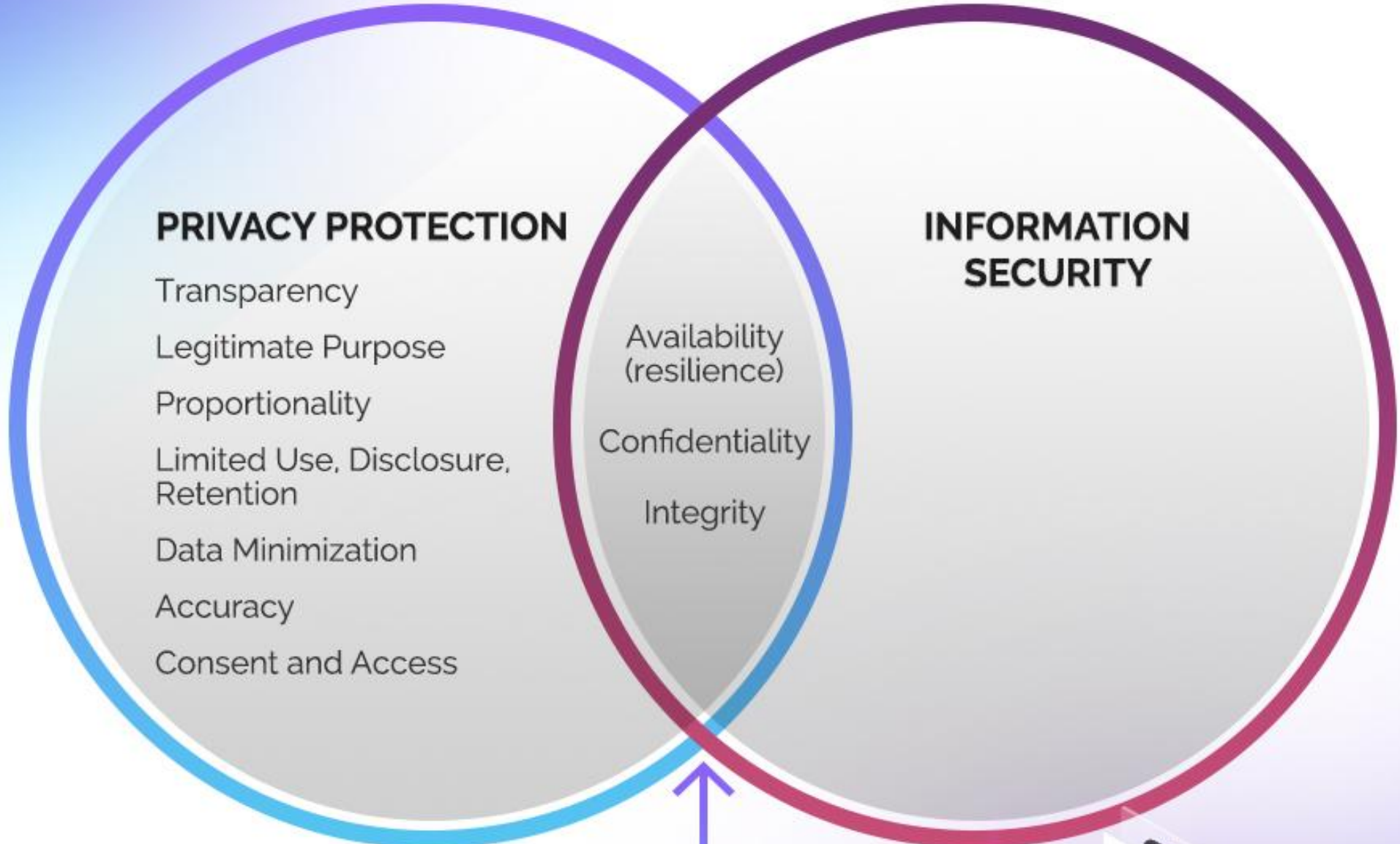




Def

# Personal info processor

“a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller” (Art 4.8, GDPR)



Security of processing

Privacy impact assessment



## Consent

“any freely given, specific, informed and unambiguous indication of the data subject’s wishes by which he or she, by a statement or by a **clear affirmative action**, signifies agreement to the processing of personal data relating to him or her” (Art 4.1, GDPR)

- not silence, pre-ticked boxes, not inactivity
- “clear and plain language”



**Patient verification**

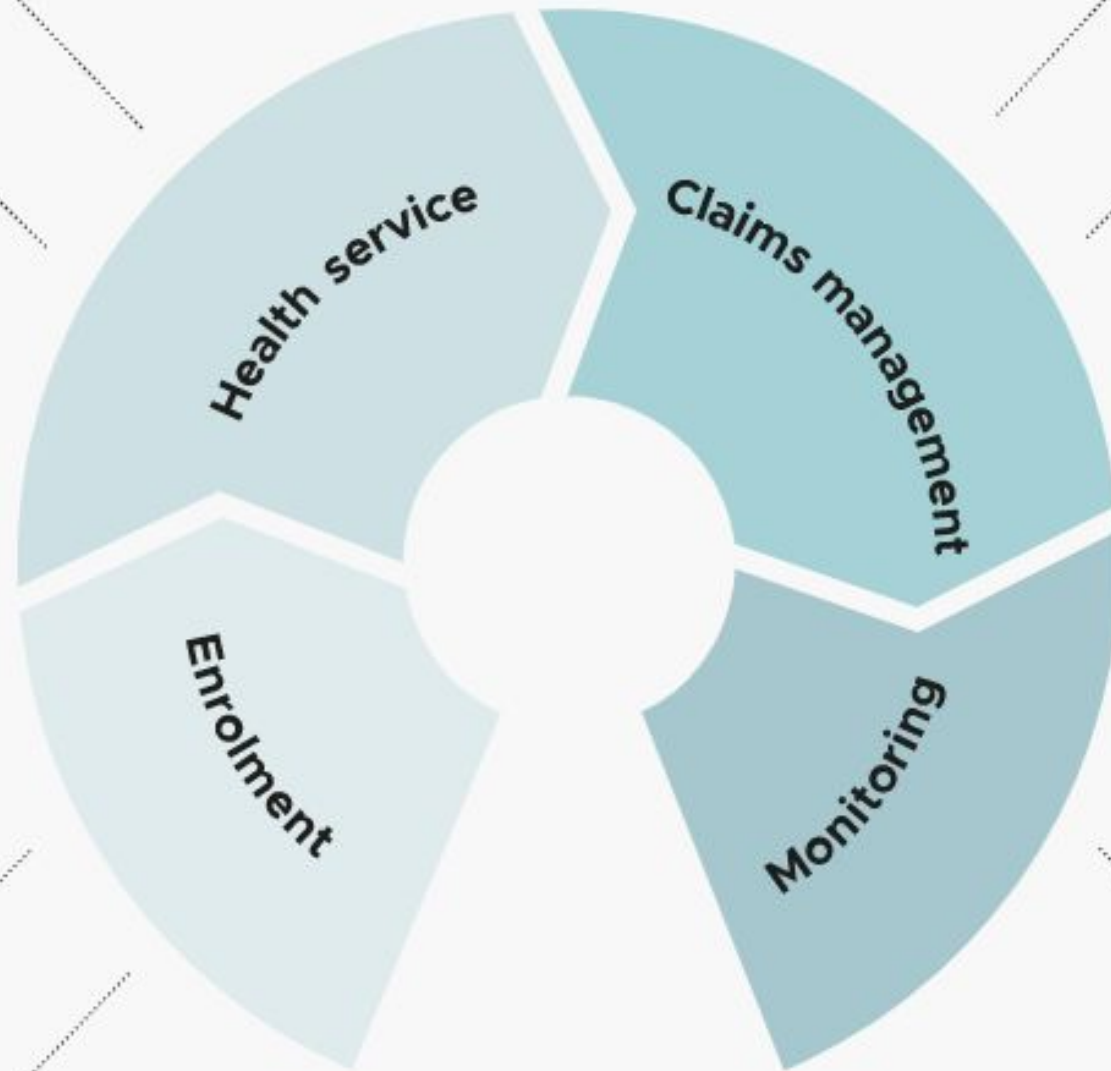
**Patient treatment**

**Claim entry**



**Paper or app registration**

**Data storage on server**



**Claim submission**

**Claim review**

**Payment approval**



**Monitoring and reporting**

# THE INFORMATION LIFECYCLE

## 5. DISPOSAL

Release of de-identified data or proper disposal of personal information that's no longer needed.

## 4. PROTECTION

Appropriate steps, strategies have to be in place to secure personal data your organization holds.

## 3. RISK ASSESSMENT

Processes, systems, programs, projects dealing with personal information need to be evaluated for privacy risks.



## 1. COLLECTION

What is the extent necessary to collect and hold personal information in order to carry out your functions?


## 2. HANDLING

Using, organizing, sharing personal information requires an overall data and privacy management plan.



# Breach

“a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed” (Art 4.12, GDPR)



# Breac h Types

- Availability breach – from the loss accidental or unlawful destruction of personal data
- Integrity breach – from the unauthorized alteration of personal data
- Confidentiality breach – from the unauthorized disclosure of or access to personal data

Source: NPC, “Exercising Breach Reporting Procedures”



# Recom- mendations

- Data and Privacy Management Plan
- Data Protection Officer
- Privacy Impact Assessment
- Breach Management Plan