GDPR Overview – Technical Activities

October 2020
Agenda

- GDPR Overview
- Current state of IEEE and TA GDPR activities
- Critical Areas for Staff and Volunteers
  - Handling of Data Breaches (process review)
  - Handling of Data Subject Requests (process review)
- Next Steps
- How you can help
What is the GDPR?

- The General Data Protection Regulation (GDPR) (Regulation EU-2016/679) is a regulation by which the European Parliament, the Council of the European Union, and the European Commission intend to strengthen and unify data protection for all EU citizens and individuals within the European Union (EU).

- The GDPR’s primary aim is to give control back to citizens and residents over their personal data. Because of its extraterritorial aspects, international businesses are impacted by the regulation.

- The GDPR applies to organizations established in the EU and to organizations, whether or not established in the EU, that process the personal data of EU individuals.
  - IEEE meets these qualifications and is subject to the GDPR and has committed to support data privacy.

- Went into effect on 25 May 2018.
What are Some of the Key Points?

- **Right to be Forgotten**: Individuals may require data controller to erase their personal information from databases.

- **Right to Access/Data Portability**: If asked, an organization must provide a copy of personal data in a commonly used and machine readable electronic format.

- **Breach Notification**: Organizations are now required to report data breaches to regulatory authorities within 72 hours of first becoming aware of the breach.

- **Privacy and Data Considerations**: Organizations must design systems with privacy in mind from the outset ("Privacy by Design"). Organizations also should only process and maintain the data necessary for the completion of their duties, as well as limit access to only those needing this information.

*Fines for non-compliance may be substantial*
Consent as a Basis for the Use of Personal Information

- The GDPR allows for the processing of personal data under specific circumstances; one is if the individual has provided consent
- Consent must be opt-in, implied consent/opt-out is no longer viable
- Consent to use personal data must be “freely given, specific, informed, and unambiguous”
- Organizations must request consent in an intelligible and easily accessible form; legalese terms and conditions will not be acceptable
- If personal data will be shared with third parties this must be disclosed to gain effective consent
- Consent must be as easy to withdraw as it is to give
What IEEE Has Done to Address GDPR

- Updated compliance training courses for IEEE staff and volunteers
- Evaluated existing vendor service agreements to ensure inclusion of GDPR-related terms and conditions
- Evaluated business platforms and applications such as conference registration systems, websites, peer review tools, marketing and customer management systems to assess data privacy concerns
- Moving towards centralized applications and services where possible
- Improved consent and opt-out capabilities and record keeping to enable customers to manage communications
What Does This Mean to IEEE Volunteers and Staff?

- GDPR compliance relies on all of IEEE, both volunteers and staff
  - Consent-based marketing and communications is critical
  - Data must be handled properly
    - New Data Access and Use Policy
    - Updated Records Management Program (pending approval)
    - Data breaches are critical and must be reported immediately

- Processes for collecting personal data and emailing on behalf of IEEE have changed. This may include deletion of data currently in your possession

- New tools and processes developed to support compliance
  - Data Subject Requests
  - Capture, tracking and application of consent

- Data breaches are critical and must be reported immediately

The IEEE GDPR team recognizes and values the contributions of our volunteers and is committed to ensuring that they are able to perform their role in a compliant manner
Technical Activities GDPR Bulletins


- Bulletin #1 – Overview of the EU General Data Protection Regulation
- Bulletin #2 – Handling Data Breaches under GDPR
- Bulletin #3 – GDPR Communication Guidelines
- Bulletin #4 – GDPR and Working with Event Contractors and Vendors
- Bulletin #5 – Complying with GDPR During the Event Registration Process
- Bulletin #6 – Handling Requests From Individuals under GDPR
- Bulletin #7 – GDPR Terms
- Bulletin #8 – Social Media & GDPR
- Bulletin #9 – GDPR and Personal Information on Websites
Links to Additional Resources


- IEEE Data Access and Use Policy
- Training
- Data Privacy FAQs
- GDPR Dictionary
- GDPR Quick Facts
- GDPR Overview – Technical Activities
- IEEE Website and Campaign Consent Collection Instructions
- IEEE Records Retention Program (Coming Soon)
Collection and Use of Consent

- Collection of consent (input to IEEE Content Management System (CMS))
  - Acceptance of IEEE Privacy Policy populated by:
    - Capture on IEEE websites
    - Capture via email marketing campaign
    - Capture via event registration using Bulk List Loading tool or direct feed to the CMS
  - Website capture modules developed and waiting on technical instructions from IT
  - Marketing guidance on when/where to use under development (TA team)

- Validation prior to marketing communications (use of consent)
  - Validation of mailing lists requires screening against the CMS to ensure agreement and confirm any “Do Not Contact” status
    - For internally managed campaigns, validation occurs automatically
    - Third party campaigns and other external lists require manual validation using the List Validation Tool
<table>
<thead>
<tr>
<th>List Source</th>
<th>Tool, Service</th>
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<tbody>
<tr>
<td><strong>Internal</strong> (Siebel, Tableau)</td>
<td>Use List Validator Not Required</td>
</tr>
<tr>
<td><strong>External</strong> (Independent Owner)</td>
<td>Use List Validator</td>
</tr>
<tr>
<td><strong>Internal, integrated</strong> (e.g. Tableau, eNotice, enterprise Marketo, BDRS Services)</td>
<td>Use List Validator</td>
</tr>
<tr>
<td><strong>External, standalone</strong> (e.g. MailChimp, ConstantContact)</td>
<td>Use List Validator</td>
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Marketing Rules of Engagement Summary

- **List management**
  - Valid audiences based on interactions, purchases or engagement
  - Keep lists clean
  - Remove invalid emails, local “Unsubscribes”, or names that have had no interaction in the past two years

- **Campaign management options**
  - Internal resources (BDRS, Marketo, eNotice)
  - External third-party vendors (e.g. MailChimp, ConstantContact, Higher Logic (was MagnetMail))

- **Email practices**
  - All communications MUST have a functioning “Unsubscribe” option
  - Inclusion of acceptance of the IEEE Privacy Policy

- **Communications plan**
  - Updated TA Bulletins
Events and GDPR

Attendee Registration

- Each event registration **must** collect consent locally to the following prior to processing the registration:
  - IEEE Privacy Policy
  - IEEE Event Terms & Conditions

- Upon conclusion of the event, attendee registration lists with the appropriate acceptances must be submitted to IEEE for inclusion in IEEE’s Content Management System (CMS) via the Bulk List Load Utility unless registration system directly linked to the CMS
  - Lists submitted by events to TA contact person for loading into the CMS (Bulk Consent Load tool)

- Onsite registration should take action to protect registrant data:
  - Verify that the individual picking up a name badge is the actual individual
  - Shred any uncollected name badges
  - Lock registration laptops at all times
  - Avoid printing any registrant lists and shred those printed when no longer needed
Personal Information on Websites

The following guidelines must be adhered to:

- Volunteer leadership groups (Society AdCom, ExCom, Committees)
  - Only provide the information needed to allow other community members to contact them during their current term
  - Acceptable information includes; name, email, photo. Affiliation or employer should only be included when that is required information
  - Do NOT include address (home/work) and phone numbers
  - When an individual’s term expires, the email address should be removed from the website

- Reviews or Testimonials
  - May be in written or video format
  - May include name, likeness and IEEE affiliation, but no contact information is appropriate
  - Should obtain agreement from the individual to use their image or video, comments, and opinions

- Awards or Honors Recipients
  - Provide only the name of the individual, no contact information
  - Only include affiliation if it is relevant to the nature of the recognition
  - Photos of the award presentation are appropriate

For complete information, see Technical Activities GDPR Bulletin #9 – Personal Information on Websites (https://ta.ieee.org/operations/technical-activities-data-privacy-resource-page)
IEEE Data Access and Use Policy

Policy Summary

- This policy outlines the responsibilities under GDPR of IEEE Staff and Volunteers, as well as associated third parties acting on behalf of IEEE, when collecting and/or managing personal data

- **Data Collection and Access**
  - Must present to data subjects the purpose for which the data is being collected, a link and agreement to the IEEE Privacy Policy, a link to any specific terms and conditions and a link to agree to receive additional information outside of the purpose described (subscriptions)
  - These agreements/acceptances must be communicated to IEEE CMS for tracking and compliance during marketing activities
  - Publication or sharing of data must be in accordance with the IEEE policies and practices
  - Mass email communications must allow the user to unsubscribe from further communications

- **Data Processing and Handling**
  - IEEE is responsible for all IEEE Data processed on his behalf, including that done by third party partners
  - Data shall only be processed as previously communicated to the user when the data was given
  - Processing the data is necessary for legitimate business purposes; or there are legal requirements for processing the data (e.g. processing a financial transaction during a purchase)
IEEE Data Access and Use Policy – cont.

- **Data Management**
  - Sensitive personal data must be encrypted
  - Must take precautions to make sure IEEE Data is stored and handled securely and is not accessible to unauthorized individuals
  - Data is deleted from personal devices where it is no longer needed

- **Data Privacy compliance course for volunteers and staff**
  - Updated with information about the new policy
  - Initial rollout to Volunteer leadership occurred in February 2019
  - Additional wave rolling out fall 2019 to other volunteer positions who collect/process personal data

Update to the IEEE Records Management Program is also underway
Handling Data Breaches Under GDPR

▸ Data Breach protocol documented and communicated in TA GDPR Bulletin #2: Handling Data Breaches under GDPR
  – Simple description of what a breach could entail
  – Emphasis on rapid action to notify IEEE
  – Directed to report to IEEE IT Security Team at privacy@ieee.org
  – Recommended to forward bulletin to colleagues who handle personal data, newsletters/websites or other activities that include personal data

▸ Data Breach protocol also included in the Data Access and Use policy and associated training

▸ Breaches are anything that potentially exposes sensitive information
  – Hacking or system intrusions
  – Loss or theft of PC, mobile device
  – Sending personal data to an incorrect recipient
  – Access by an unauthorized third party
Types of Data Subject Requests

*Putting control of personal information in the hands of the data subject*

- Right of access (‘Right to know what information is present’)
- Right to rectification (data cleanup/correction)
- Right to erasure (‘Right to be forgotten’)
- Right to restriction of processing (‘Exclude my data from defined processing’)
- Communicate any rectification or erasure of personal data or restriction of processing
- Right to data portability
- Automated individual decision-making, including profiling

These requests apply to **ALL** areas where data is held or processed, including staff, volunteer, and third-party partners.
Handling Data Subject Requests - Overview

- Data Subject Request initial intake process
  - Request sent via email to Privacy mailbox with specific subject-line
  - Evaluated by DPO and Legal to determine legitimacy
  - Request passed to OUs for action

- Technical Activities process developed in July 2018 for outreach to S/C/TC for action and verification

- Notification to S/C/TC on handling requests
  - TA GDPR Bulletin #6: Handling Requests From Individuals Under GDPR (31 July 2018)
    - Direct communication to S/C Presidents, copy to society Executive Directors (sent 13 July 2018 under Kathy Land signature, re-sent under Ray Liu signature in April 2019)

- Establishment of responsible point person for each community (new addition)
  - Executive office staff (ED or designate) or other TA staff (39 communities)
  - Third-party association support vendor (e.g. ConferenceCatalyst) (11 communities)
  - For volunteer-only societies, default is President who may delegate to POC (18 communities)

- Process improvements identified and being implemented
  - More direct staff engagement as Points of Contact (POC) for S/C/TCs
  - Separate process for conferences with direct outreach by MCE required and under development
  - Focus on positive confirmation of action by POCs to ensure compliance
  - Re-confirmation of volunteer responsibilities to take place each December
  - Annual update to POC list in January
Society/Council/TC GDPR Point of Contact (PoC)

Roles and Responsibilities

- Responsible for checking all relevant systems for the data subject’s information for each type of request that is issued
  - Membership
  - S/C/TC events, webinars, etc. other than technical conferences
  - Publications
  - Other systems as available

- Right to be Forgotten
  - Removing and confirm removal of data subject from relevant systems

- Access to Their Data
  - Providing data file for each instance the data subject appears

- Retract Consent from Communications
  - Removing and confirm removal of data subject from relevant systems

ED, and/or Staff, or OU President/delegate
How You Can Help

- IEEE Volunteers and Staff should familiarize yourself on data privacy information
  - TA GDPR Bulletins
  - Permission-based marketing approach
  - Tools (bulk load, list validation, etc.)
  - New Data Access and Use Policy

- Reach out to the GDPR team to respond to questions you can’t answer via TA Answer Central

- Be responsive to Data Subject Requests
  - Investigate and take action promptly
  - Respond back to the TA SME

- Communicate importance and process for volunteers to report data breaches right away
GDPR Resources

- **Policy Updates and Developments**
  - IEEE Privacy Policy (Updated) [https://www.ieee.org/security-privacy.html](https://www.ieee.org/security-privacy.html)
  - IEEE Data Retention Guidelines (Update underway)

- **Key Tools and Resources**
  - IEEE Privacy Portal where end-users can manage their communication preferences (in limited release)
  - Bulk Loading utility for adding captured consent for events and other activities (in limited release)
  - List Validation utility for verifying marketing lists against policy acceptance and subscriptions (in limited release)

- TA Answer Central: [https://ta.ieee.org/home/ta-answer-central](https://ta.ieee.org/home/ta-answer-central)