

Table of contents

About this fifth edition, contributors and your guide	ix
Introduction	xii
Key terms	xiv
Key concepts	xvi
The habitat: data protection, privacy and security	xvi
The territory: Europe, U.S. and the Rest of the World	xix
The species: personal data, personally identifiable information and sensitive data	xxi
Activities encountered: transfers and other forms of processing	xxiv
The observed: controllers and processors	xxvi
The game wardens: data protection authorities, officers	xxvii

The Field Guide

1	Starting a compliance program	1
	Taking charge	1
	Tools and automation	3
	Working with internal stakeholders and outside advisors	4
	Appointing a privacy officer	5
	Preparing a task list	13
	Executing tasks	28
2	International data transfers – selecting compliance mechanisms	30
	Three hurdles	32

	Options to clear hurdle 3 – prohibition of international transfers	36
	Compliance mechanisms compared	40
	Implementation	49
	Data transfers from other jurisdictions	53
3	Drafting documentation	55
	Why are you creating the document?	55
	Who is your audience?	59
	Categories and examples of documentation	60
	Notices	66
	Consent	75
	How to obtain valid consent	78
	Opt in, opt out and in between	80
	Above and beyond opt-in consent	84
	Other considerations for consent drafting	86
	Agreements	88
	Protocols	95
	Data subject requests, questionnaires and data submission forms	96
	Documenting decisions and compliance efforts	98
	Records of Processing Activities (RoPAs), data maps and flowcharts	101
	Government notifications, approvals	102
4	Maintaining and auditing compliance programs	105
5	Data privacy A to Z	111
	<u>A</u> dvertising	112
	<u>B</u> ig data and brokers	114
	<u>C</u> loud computing	117
	<u>D</u> ata retention and residency requirements	129
	<u>E</u> mployee data and monitoring	133
	<u>F</u> inancial information	145
	<u>G</u> overnment investigations, information requests	146
	<u>H</u> ealth information	150