

Keeping an Eye on **Privacy and Data Protection Risks**

Prepared for **Nonprofit Organizations Institute**

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Agenda

- What are “Privacy” and “Data Protection”?
- Some Risk Considerations
- Privacy Focus: Terms of Use and Privacy Policies
- Data Protection Focus: Information Security Program and Vendor Management

What is Privacy?

- “Privacy” means how you collect, use, disclose, and dispose of personal information
 - Staff
 - Donors
 - Customers/Beneficiaries of services
- Personal Information is not just SSNs
- To many nonprofits, exposure to “privacy” may be a privacy policy on their websites

“Reasonable Expectations”

Privacy Framework in the U.S.

U.S. does not have a national privacy law

U.S. has targeted Federal laws

- Financial, health and benefits, education, children
- Background checks
- Telecommunications and e-communications
- Federal agencies

- FTC regulation fills in the gaps for commerce

State laws

- Data breach notification laws
- Online privacy laws
- Biometric laws
- SSN use laws

What is Data Protection?

- “Data Protection” means protecting against unwanted access to data, systems, and business processes
- Administrative, technical, physical safeguards
- Cannot have privacy without security

What is protected?

Personal Information

Company Proprietary & Confidential

Third Party Proprietary & Confidential

Internal Systems and Operations

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