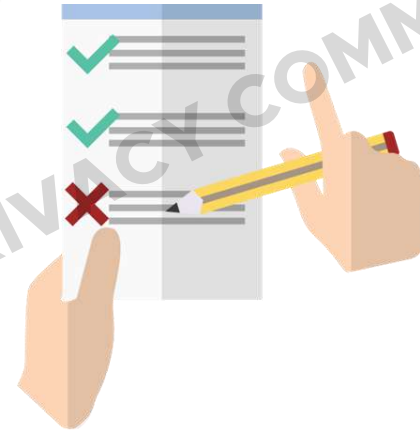


PRIVACY MANAGEMENT PROGRAM



Joe Vizcarra
Communications Officer, NPC

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5 PILLARS OF DATA PRIVACY ACCOUNTABILITY & COMPLIANCE

1

Appoint a
Data
Protection
Officer

2

Conduct a
Privacy
Impact
Assessment

3

Create a
Privacy
Management
Program

4

Implement
Privacy &
Security
Measures

5

Be ready in
case of a
Data Breach

THE 3RD PILLAR

3

BE ACCOUNTABLE

- + Create a Privacy Management Program
- + Write your Privacy Manual

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How to comply
w/ the DPA?

have a
**PRIVACY MANAGEMENT
PROGRAM (PMP)** in place.

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How so?

When the PMP is part of your structure, it will help you create an internal culture protective of data privacy rights of individuals.

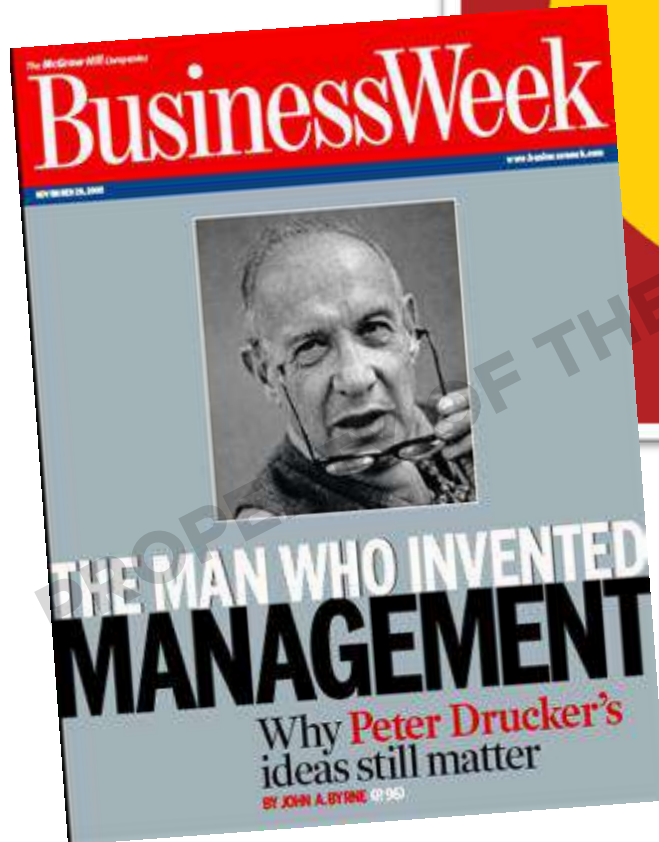
Culture eats strategy for breakfast!



Culture

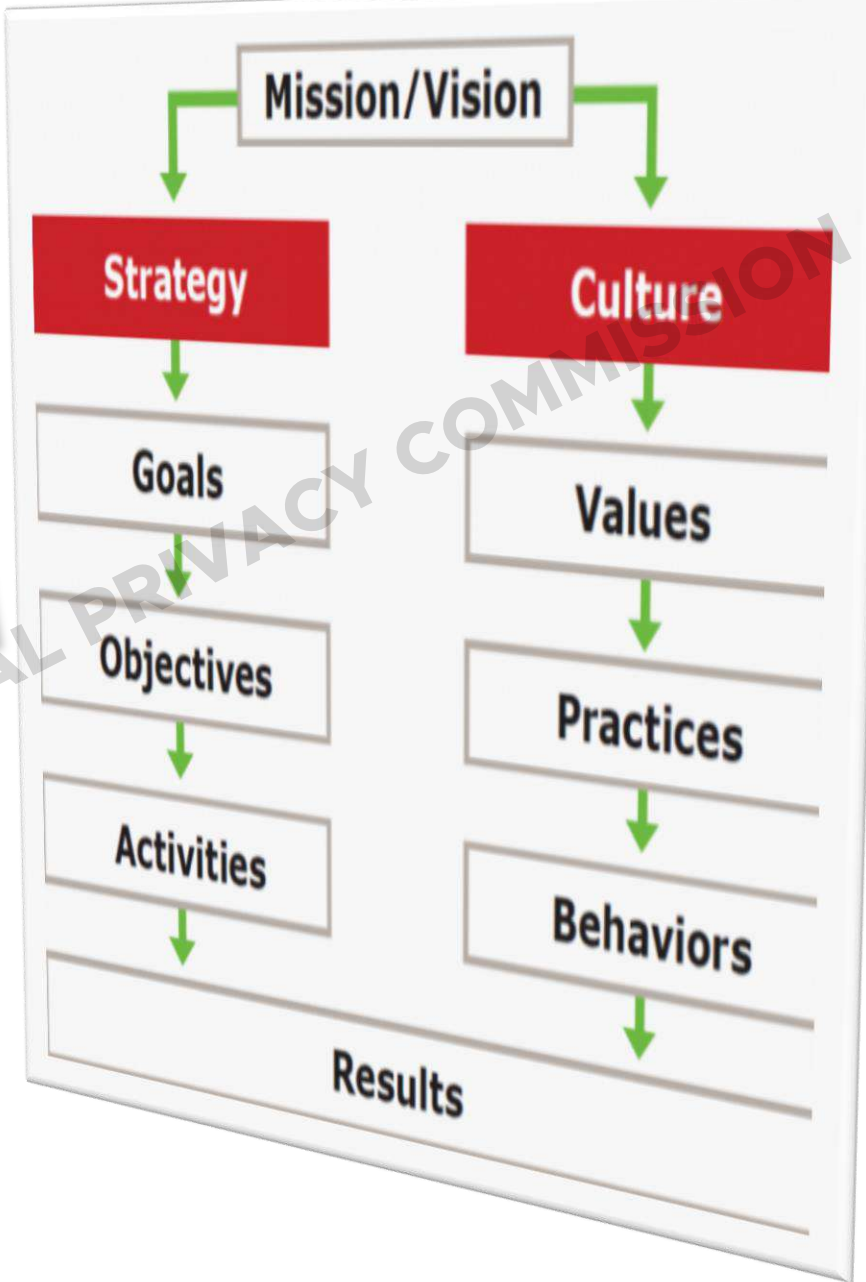


Strategy



...**WHY?!**

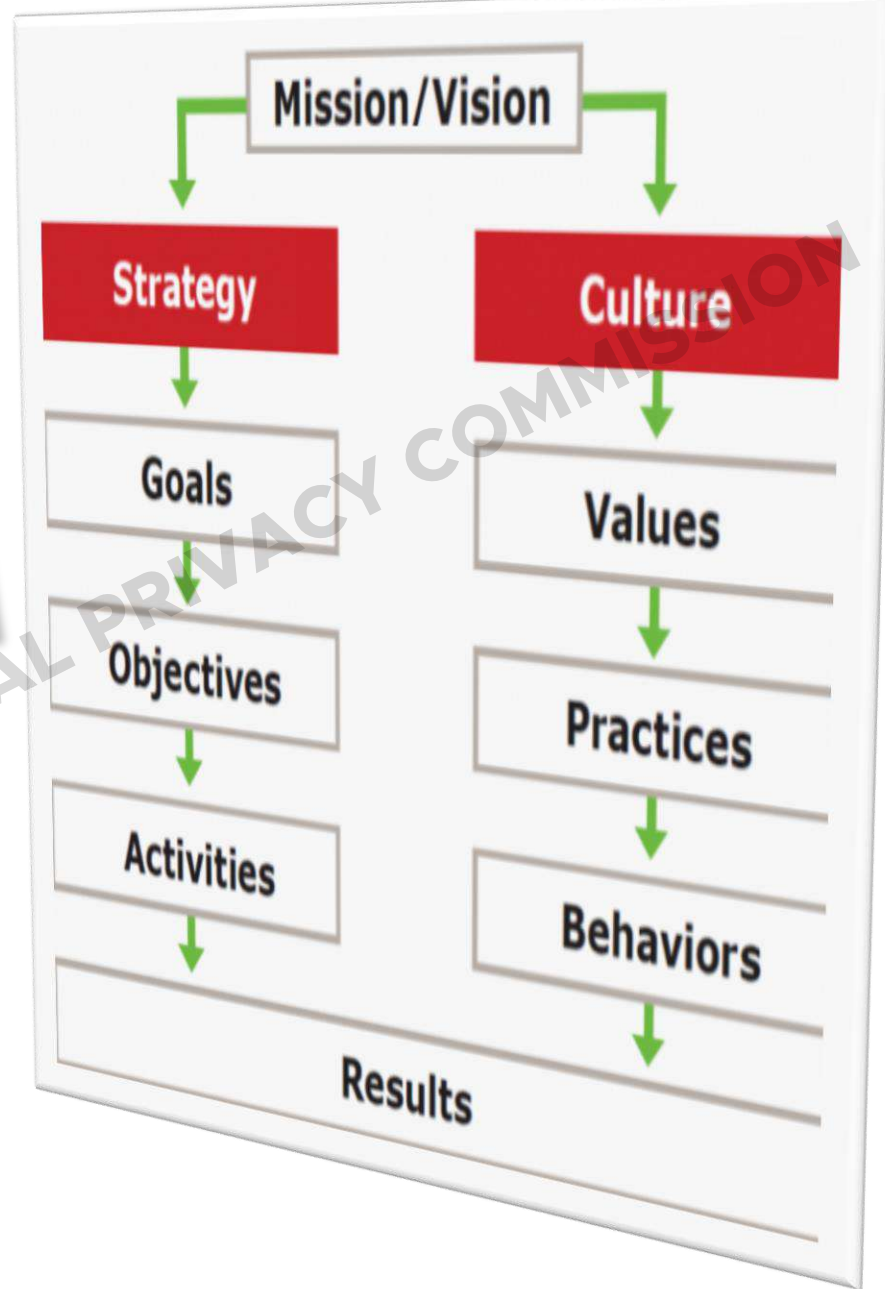
PEOPLE ARE LOYAL TO CULTURE NOT STRATEGY



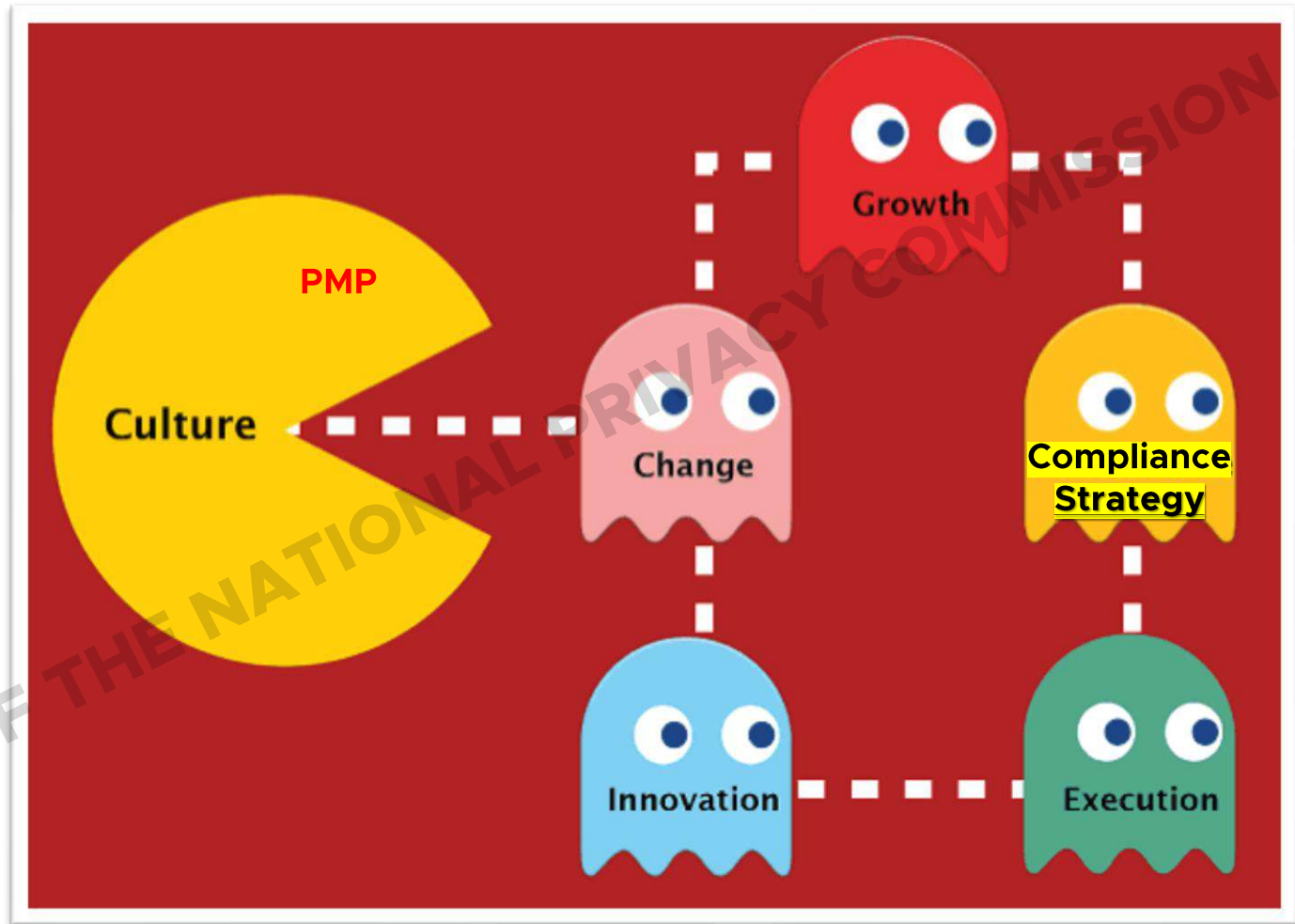
"Culture is what people do when no one is looking."



Herb Kelleher
Chairman, Southwest Airlines



When PMP is part of your Culture



What is the PMP?

Refers to a process intended to *embed* privacy and data protection in the strategic framework and daily operations

of a PIC/PIP, maintained through organizational commitment and oversight of coordinated projects and activities.

- NPC Advisory No. 2017-03

What is the PMP?

a management **framework**
to help you build a
strong **privacy infrastructure**

supported w/ constant
review & monitoring
to **facilitate compliance.**

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Why have a PMP?

- ✓ **Minimize** the risks of privacy breaches
- ✓ **Maximize** your ability to tackle root causes
- ✓ **Reduce** the damage arising from breaches

2 Key Benefits of having a PMP

□ It puts everyone on the same page

- ✓ why is are we doing this?
- ✓ what results do we expect?
- ✓ what benefits are we aiming?
- ✓ what we need to do to get there?

□ It makes compliance workable

- ✓ Outlines the WHATs & HOWs
- ✓ Reduces likelihood of violations

5 PILLARS OF DATA PRIVACY ACCOUNTABILITY & COMPLIANCE

3

BE ACCOUNTABLE

Create a Privacy Management Program

Write your Privacy Manual

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5 PILLARS OF DATA PRIVACY ACCOUNTABILITY & COMPLIANCE

What is accountability?

Demonstrated
assumption of responsibility
for protection of
personal information

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Your PMP as Seal of Accountability



*The PMP represents your organization's **demonstrable capacity** to comply with the DPA.*

When executed properly the PMP promotes:

- ✓ **Good practices**
- ✓ **Customer trust & confidence**
- ✓ **Competitive & reputational advantages**

Elements of the PMP:

1. BASIC STRUCTURE:

2. CONTINUING ASSESSMENT
& DEVELOPMENT:



The diagram illustrates the elements of a Privacy Management Program (PMP) as four interlocking gears. A large blue gear in the center is labeled 'Program Controls'. To its top-left is a red gear labeled 'Organizational Commitment'. To its top-right is a yellow gear labeled 'Oversight & Review'. To its bottom-right is a green gear labeled 'Assess & Revise'. Two curved blue arrows indicate a clockwise flow: one starts at the top left and points towards the 'Organizational Commitment' gear, and another starts at the bottom left and points towards the 'Assess & Revise' gear. A diagonal watermark reads 'PROPERTY OF THE NATIONAL PRIVACY COMMISSION'.

Organizational
Commitment

Program
Controls

Oversight
& Review

Assess &
Revise

Elements of the PMP:

1. BASIC STRUCTURE:

✓ Buy-in from the top

Management must...

- **Designate** a DPO and/or COP to manage PMP
- **Endorse** a set of Program Controls
- **Report to the Board** on the program



Organizational
Commitment

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Elements of the PMP:

1. BASIC STRUCTURE:



Personal Data Inventory

Policies

Management of PIP

Risk Assessment Tools

Breach Handling

Capacity Building

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Elements of the PMP:

1. BASIC STRUCTURE:

✓ Personal Data Inventory

- *What personal data you process?*
- *How do you use them?*
- *Do you really need them?*

Inventory enables informed decisions:

- What type of CONSENT to get
- What type of PROTECTION to provide
- When to DISPOSE the data
- How to ACCOMMODATE data subject requests



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Elements of the PMP:

1. BASIC STRUCTURE:

✓ Policies

Derived from the legal requirements:

- **COLLECTION** of personal data
- **ACCURACY & RETENTION**
- **USE** of personal data, requirements for consent
- **SECURITY** of personal data
- **TRANSPARENCY** of policies and practices;
- **ACCESS to & CORRECTION** of personal data



Elements of the PMP:

1. BASIC STRUCTURE:



✓ Risk Assessment Tools

To help identify & mitigate leakages and security risks

▪ ***Risk assessment should be conducted:***

- a. for **new projects** involving personal data
- b. on existing projects involving **new processing** of personal data.

Elements of the PMP:

1. BASIC STRUCTURE:

✓ Capacity Building

- General orientation for employees.
- Special training for key roles.
- Should be **current** & relevant.



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Elements of the PMP:

1. BASIC STRUCTURE:

✓ Breach Handling

- Has procedures and officer(s) for handling personal data breaches.
- Clear reportorial responsibilities
- Can distinguish between types of breaches



Elements of the PMP:



1. BASIC STRUCTURE:

✓ Management of PIP

- | | |
|--------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| ○ Security measures to be taken | ○ Reporting of irregularities |
| ○ Timely destruction of data no longer needed | ○ Measures to ensure compliance w/ agreed obligations |
| ○ Prohibition vs other USE & DISCLOSURE | ○ PIC's right to AUDIT and INSPECT |
| ○ Prohibition vs SUB-CONTRACTING
(absolute/qualified)
<i>[Rule X. of IRR]</i> | ○ CONSEQUENCES for violation of the contract |

Elements of the PMP:

2. CONTINUING ASSESSMENT & DEVELOPMENT:



a DPO must periodically develop an **Oversight & Review Plan**

- It sets out how and when the PMP will be monitored & assessed for effectiveness
- It helps you keep your PMP on track and up-to-date.
- It sets out performance measures and mandates a schedule for when the program controls should be reviewed.

Elements of the PMP:

2. CONTINUING ASSESSMENT & DEVELOPMENT:



- *The effectiveness of program controls should be:*
 - ✓ **monitored regularly**
 - ✓ **audited periodically**
 - ✓ and where necessary **revised accordingly**

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Elements of the PMP:

2. CONTINUING ASSESSMENT & DEVELOPMENT:



It must address

- The **latest threats and risks**?
- Whether **program controls** address new threats / complaints / audit findings?
- **New services** that involve increased collection, use or disclosure of data?
- **Need for training.** Is it taking place? Is it effective? Is the training up-to-date?

Elements of the PMP:

2. CONTINUING ASSESSMENT & DEVELOPMENT:



Also

- Schedule regular **PIAs**
- Review forms, contracts, policies, & procedures regularly
- Review, validate & revise your **Privacy Manual**

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PLAN

Create the execution plan for the PMP.

DO

Carry out the PMP

*The
PMP
Success
Cycle*

Adjust PMP to feedbacks, NPC updates, PIAs & other changes

ACT

Integrate the PMP into the organization's system.

CHECK

Translate your PMP into a Privacy Manual

Privacy

Management

Program



**PRIVACY
MANUAL**

2018 Edition

Prepared by
Juan de la Cruz, DPO

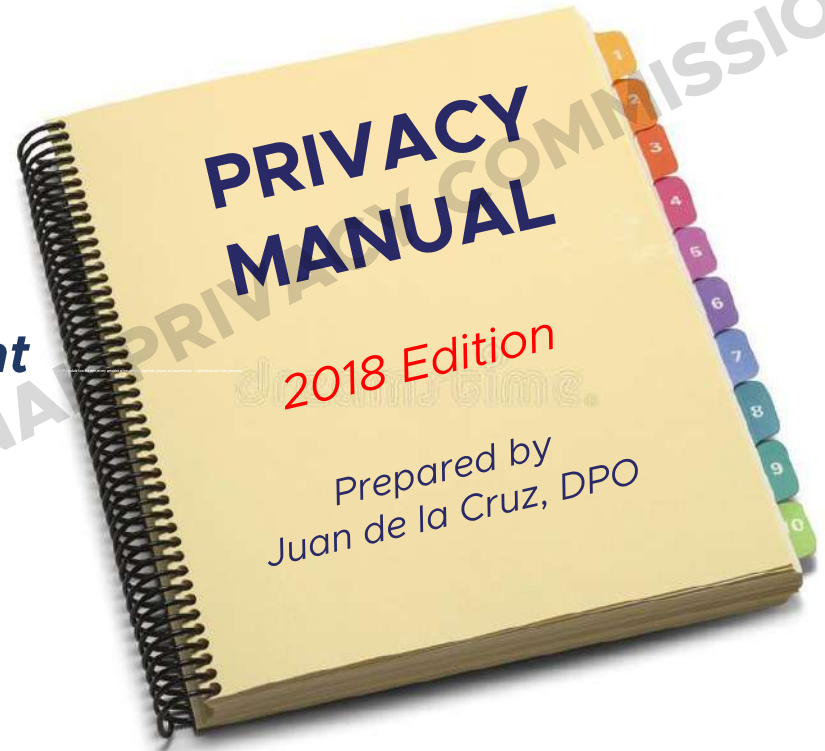
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Privacy Manual

The Written Privacy Governance Framework

Key Contents

- ✓ **Leadership Commitment**
- ✓ **Internal Staff Concerns**
- ✓ **Data Subject Interests**



Highlights

**Shows
Commitment
to Good
Corporate
Governance**

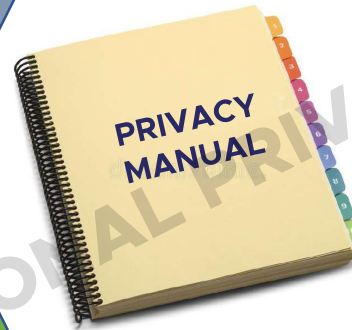
**Provides for
Safeguards
(PDP based
on PIA)**

**Ensures
Legal
Compliance**

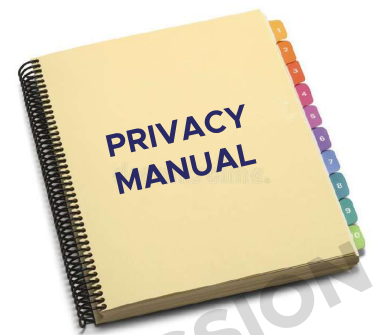
**Builds Trust
w/ Customers,
Employees,
Stakeholders &
Regulators.**

**Covers
Internal Oversight
& Review**

**Institutes
Readiness for
Handling
Breaches**



Recommended Structure



I. Introduction

Why the organization needs the Privacy Manual

II. Definition of Terms

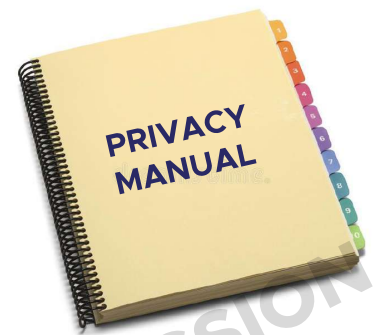
Makes sure users know the jargons used

III. Scope & Limitations

Establishes the coverage of the Privacy Manual

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Recommended Structure



IV. Processing of Personal Data

Lays out the 5 stages of data life cycle/s w/in the organization.

V. Security Measures

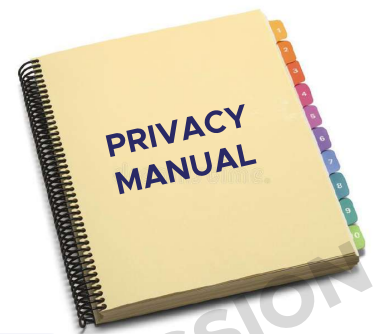
The physical, technical and organizational measures.

VI. Breach & Security Incidents

Policies & procedures for managing breaches and security incidents.

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Recommended Structure



VII. Inquiries & Complaints

*Procedure for inquiries
& complaints by data
subjects.*

VIII. Effectivity

*Period of effectivity of
the Privacy Manual.*

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3rd Pillar

Be Accountable



Create your PMP,
write your privacy manual.

***“Accountability
breeds **RESPONSE-**
ability.”***

- Steven Covey

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Thank you!

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