



3rd Annual Data Summit Agenda

Part 1: Learning session 12 – 2:15 p.m. (2.25 hours)

Time	Program event	Speakers
12 – 12:10 p.m.	Introductions and welcome	Kirsten Thompson , Partner and national lead of the Transformative Technologies and Data Strategy group (Toronto)
12:10 - 12:45 p.m.	<p>High anxiety: Top 6 issues in privacy right now</p> <ul style="list-style-type: none"> • Privacy, post-election – what is next? • Bill 64 and privacy in Québec • Ransomware, ransom demands, and determining whether to pay • Payments, open banking, and opening up data • Bad news: Privacy litigation is increasing Good news: It's getting harder for plaintiffs to win 	<p>Mark Schaan, Associate Assistant Deputy Minister, Strategy and Innovation Policy Sector Innovation, Science and Economic Development Canada / Government of Canada</p> <p>Chantal Bernier, Counsel and lead of the Canadian Privacy and Cybersecurity practice group (Ottawa)</p> <p>Karl Schober, Senior Associate (Toronto)</p> <p>Tracy Molino, Counsel (Toronto)</p> <p>Chloe Snider, Partner (Toronto)</p>
	<p>Accreditation</p> <ul style="list-style-type: none"> • Law Society of Ontario: 30 minutes Professionalism Credit • Law Society of British Columbia: 30 minutes Practice Management Credit • Barreau du Québec: In our view, this session would meet the CLE requirements of the Barreau du Québec 	
	 	

Part 1: Learning session 12 – 2:15 p.m. (2.25 hours)

Time	Program event	Speakers
12:45-1:30 p.m.	COVID Recovery: Managing testing, vaccinations and passports going forward <ul style="list-style-type: none">• Vaccines and vaccine passports/ certificates: update on the law and regulatory environment• Looking forward: managing vaccination information in workplaces and businesses (retention, destruction, access requests, disclosures)• Managing refusals – what are the options?	Kelly Osaka , Partner (Calgary) Karl Schober , Senior Associate (Toronto) Eleni Kassaris , Partner (Vancouver)

Accreditation

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1:30 – 2:15 p.m.	Technology and privacy <ul style="list-style-type: none">• AI - Proposal for a Regulation on a European Approach for Artificial Intelligence and implications for Canada• Biometrics – Tips on avoiding landmines when dealing with biometric information (Step 1: make sure you know what biometric information includes!)	Antonis Patrikios , Partner (United Kingdom) Luca Lucarini , Associate (Toronto) Peter Stockburger , Partner (San Diego) Kirsten Thompson , Partner (Toronto)
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BREAK (2:15 - 2:30 p.m.)

Part 2: Workshop session (2:30 – 4:00 p.m.) (1.5 hours)

Stream 1

2:30 – 4 p.m.

Vendor management: best practices for personal data

Speaker(s)

Karl Schober, Senior Associate (Toronto)

Michael Beairsto, Partner (Toronto)

- Data management – best practice in contracting
- More than just a contract: what privacy/data regulators expect you do actually do with that contract
- Elements of a vendor management program
- Risk assessment prior to entering into the contract
- Employee background assessment and monitoring
- Employee policies and training
- Work environment controls
- Access and other cybersecurity controls, and
- Proactive monitoring and enforcement of contractual obligations (audits, termination provisions, etc.)
- Data protection agreements versus data protection clauses
- What are the steps to take when outsourcing the processing of personal data to service providers outside of Canada

Takeaways:

- Issue spotter for data transfers

Accreditation

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Stream 2

2:30 – 4 p.m.

Privacy officer workshop

Speaker(s)

Kirsten Thompson, Partner and national lead of the Transformative Technologies and Data Strategy group (Toronto)

- Updating your privacy program: key takeaways from recent Canadian federal and provincial privacy commissioners findings and guidance
- Managing data subject rights: access rights and requests to “delete”
- Special issues in complying with or refusing to comply with a data access/correction request (e.g., biometrics, aggregate information)
- “Sensitive personal information” – updated OPC guidance and the impact on breach reporting, safeguards
- Points to consider when drafting or updating a privacy policy/statement
- Defensive privacy: making sure your privacy program is bulletproof in case the regulator comes calling
- Assessing “Real Risk of Significant Harm (RROSH)”
 - Lessons from over 50 data incidents
- Framework: sensitivity of information + likelihood of misuse
- List of factors to consider
- Documenting the RROSH determination
- Best practices in reporting (and some not-so-great ones to avoid)
- When to notify third parties

Takeaways:

- RROSH framework
- Template access request response policy/process

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