

The OsgoodePD Webinar Series

KEY ISSUES IN PRIVACY AND INFORMATION MANAGEMENT 2015



Eight focused lunchtime webinars that cover the fundamentals and the latest legal developments. This year's topics include:

Privacy 101: Overview and Refresher of Basic Concepts
(September 22, 2015)

Workplace and Employee Privacy Update
(October 6, 2015)

Update from the Office of the Privacy Commissioner of Canada: Current and Evolving Concerns (October 20, 2015)

Legal Requirements and Practical Strategies for Safeguarding Personal Information (October 27, 2015)

Protecting Privacy in Cloud Computing and Other Outsourcing Arrangements (November 10, 2015)

Freedom of Information Update for the Public and Private Sectors
(November 17, 2015)

Privacy Litigation Year-End Update
(December 1, 2015)

Canada's Anti-Spam Law: Lessons From Enforcement to Date
(December 15, 2015)

Top privacy experts from across Canada will provide timely updates and answer your questions on new risks, legal developments and compliance strategies

"THE PRESENTERS WERE WELL-PREPARED, ARTICULATE, INTERESTED IN THEIR SUBJECT, AND OPEN TO RESPONDING TO QUESTIONS OR ENGAGING IN FURTHER DISCUSSION. I WAS IMPRESSED WITH THE QUALITY OF THE PRESENTATIONS."

David Bailey

Compliance Specialist, Ombudsman & Privacy Officer, Zurich Insurance Company (Canada)

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Series Chair

Alex Cameron
Fasken Martineau DuMoulin LLP

Location

Webinar - Online Attendance Only

Dates and Time

8 lunchtime sessions
September 22 - December 15, 2015
12:00 - 1:15 p.m. EDT/EST

Webinar - Online Attendance



The OsgoodePD Webinar Series

KEY ISSUES IN PRIVACY AND INFORMATION MANAGEMENT 2015

With the spiraling growth of technology and new threats to information privacy, organizations both large and small must be prepared to respond to new and unexpected privacy challenges. Whether you are advising on privacy issues or responsible for ensuring your organization has the proper processes in place, you need a solid understanding of the current issues and strategies for managing them.

This *OsgoodePD* webinar series will provide you with an efficient and informative update on key and emerging areas of privacy law and regulation. Taught by some of Canada's leading experts in privacy law and information management, each webinar includes a live online Q&A, giving you the opportunity to ask questions and engage with faculty. Choose to take one, several or all of the webinars - the whole series is great value and sessions are spaced out to allow you to easily participate with minimal incursion on other commitments.

This *OsgoodePD* webinar series is designed to meet your needs. This 75-minute lunch time format provides you with relevant, high quality content with a short time commitment. If you miss the live webinar, you can access the program on demand for up to 60 days.

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Series Chair

Alex Cameron

Fasken Martineau DuMoulin LLP

Faculty

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*Assistant General Counsel
and Privacy Ombudsman
Bell Canada Enterprises*

Nancy Bélanger

*General Counsel and Director
of Legal Services, Office of the
Information Commissioner of
Canada*

Tony Busseri

CEO, Route1

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Daniel Caron

*Legal Counsel, Legal
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and Technology Analysis
Branch, Office of the Privacy
Commissioner of Canada*

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Charney Lawyers LLP

David Elder

Stikeman Elliott LLP

David Fraser

McInnes Cooper

Fida Hindi

*Fasken Martineau
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McLennan Ross LLP

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*Assistant Commissioner (Policy
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*General Counsel and Director,
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Joseph Kwon

Dun & Bradstreet

Regan Morris

*Legal Counsel, Legal
Services, Policy, Research
and Technology Analysis
Branch, Office of the Privacy
Commissioner of Canada*

Scott T. Williams

*Hicks Morley Hamilton Stewart
Storie LLP*

David Young

David Young Law

Privacy concerns can affect nearly every step an organization takes. Are you up-to-date on the latest developments?



SEPTEMBER 22, 2015
(12:00-1:15 P.M. EDT)

Session 1 **Privacy 101: Overview and Refresher of Basic Concepts**

DAVID YOUNG, *David Young Law*

Newcomers to the privacy practice area need to understand the application and limits of the federal privacy act versus the provincial laws in the collection, use and disclosure of personal information. This session will provide you with a sound understanding of basic privacy concepts and give you the tools you need to reduce risks for your organization.

Topics include:

- Definition of “personal information”
- Overview of privacy laws and other sources of rights and obligations
- The *Personal Information Protection and Electronic Documents Act* (PIPEDA) and recent Bill S-4 - *The Digital Privacy Act* amendments
- Private versus public sector privacy obligations and issues
- Provincial versus federal jurisdiction issues – what laws apply?
- Regulatory frameworks versus torts
- Introduction to foundational privacy concepts and obligations
- Basic requirements for building and managing a privacy program
- Key considerations in designing consents, including the use of opt-in and opt-out consent

OCTOBER 6, 2015
(12:00-1:15 P.M. EDT)

Session 2 **Workplace and Employee Privacy Update**

SCOTT T. WILLIAMS, *Hicks Morley Hamilton Stewart Storie LLP*

VICKI L. GILES, *McLennan Ross LLP*

The interaction between employees - and prospective employees - and employers continues to present new privacy challenges as well as novel variations on old ones. Virtually every organization grapples with privacy in both recruitment processes and ongoing employee and HR management. Panellists will discuss the thought-provoking area of employee privacy and surveillance, including the latest directions from courts and emerging best practices to deal with the latest challenges. Topics include:

- Do employees have a free-standing right to privacy in Canada?
- Conducting workplace investigations
- GPS tracking and surveillance
- Social media issues
- Providing employee contact information to unions
- Police information checks
- Striking the right balance between employee and employer rights
- Case law update

OCTOBER 20, 2015
(12:00-1:15 P.M. EDT)

Session 3 **Update from the Office of the Privacy Commissioner of Canada: Current and Evolving Concerns**

DANIEL CARON, *Legal Counsel, Legal Services, Policy, Research and Technology Analysis Branch, Office of the Privacy Commissioner of Canada*

REGAN MORRIS, *Legal Counsel, Legal Services, Policy, Research and Technology Analysis Branch, Office of the Privacy Commissioner of Canada*

Canada's *Personal Information Protection and Electronic Documents Act* (PIPEDA) protects consumers' personal information against privacy breaches. This session will provide you with an update on the latest developments and challenges, and provide insight into the focus and direction of the Privacy Commissioner's Office. In order to meet today's evolving privacy challenges, you must stay up to date on the current enforcement and policy priorities of this key regulator.

AGENDA (Cont'd)

Topics include:

- PIPEDA case law and legislative update
 - recent Bill S-4 - *The Digital Privacy Act* amendments
- Key findings under PIPEDA and the *Privacy Act*
- Current issues in enforcement and investigations
- Current and future policy priorities of the OPC

OCTOBER 27, 2015
(12:00-1:15 P.M. EDT)

Session 4 **Legal Requirements and Practical Strategies for Safeguarding Personal Information**

TONY BUSSERI, *CEO, Route1*

ALEX CAMERON, *Fasken Martineau DuMoulin LLP*

JOSEPH KWON, *Dun & Bradstreet*

The news is filled with stories of lost laptops and flash drives, cybersecurity breaches and data leaks. This kind of loss can be devastating to an organization's reputation and lead to litigation and class action claims. Organizations, counsel and privacy professionals must understand the legal requirements and best practices for data protection in the connected environment.

Topics include:

- Legal requirements for data protection (including in fiduciary relationships and the Rules of Professional Conduct for lawyers)
- Bill S-4 - *The Digital Privacy Act*: new mandatory breach notification requirements
- Regulatory guidance regarding cybersecurity and safeguarding considerations
- Managing risks in respect of the connected, mobile, workforce and "bring-your-own-device" programs
- Key questions you need to ask your Chief Information Officer or other IT professionals
- How to help safeguard personal information entrusted to service providers

NOVEMBER 10, 2015
(12:00-1:15 P.M. EST)

Session 5 **Protecting Privacy in Cloud Computing and Other Outsourcing Arrangements**

DAVID FRASER, *McInnes Cooper*

BILL ABBOTT, *Assistant General Counsel and Privacy Ombudsman, Bell Canada Enterprises*

As the offshore outsourcing of business processes becomes more common, organizations must be vigilant about the associated privacy risks. For instance, the use of cloud providers is an increasingly attractive model for organizations when working with data. But, as a type of outsourcing, cloud computing brings with it an array of privacy concerns, so it is vital to look at best practices and solutions.

Topics include:

- An overview of common outsourcing arrangements and cloud computing models
- Obligations to safeguard information
- Outsourcing of "personal information" and notice requirements
- Legislative requirements regarding outsourcing and cloud computing practices
- Best practices and compliance tips

NOVEMBER 17, 2015
(12:00-1:15 P.M. EST)

Session 6 **Freedom of Information Update for the Public and Private Sectors**

NANCY BÉLANGER, *General Counsel and Director of Legal Services, Office of the Information Commissioner of Canada*

DAVID GOODIS, *Assistant Commissioner (Policy and Corporate Services), Information and Privacy Commissioner of Ontario*

J. ALEXIS KERR, *General Counsel and Director, Legal Services and Integrated Risk Management, Fraser Health Authority*

Whether you are acting for a government entity that is subject to freedom of information laws or you are requesting information from a public body, it is essential for you to stay up to date on new developments. Expert panelists will discuss the current state of freedom of information rights and limitations and how the law is evolving to keep up with today's digital society.

Topics include:

- Case law update under federal and provincial laws
- Impact of new and emerging technologies of freedom of information
- Recent interpretations relevant to the private sector

AGENDA (Cont'd)

- Overview of key information exemptions in freedom of information laws
- Strategies and best practices when making and responding to requests

DECEMBER 1, 2015
(12:00-1:15 P.M. EST)

Session 7 **Privacy Litigation Year-End Update**

FIDA HINDI, *Fasken Martineau DuMoulin LLP*

THEODORE P. CHARNEY, *Charney Lawyers LLP*

Data breaches, whether caused by hackers, careless employees, cybersecurity lapses or other means, can have significant legal ramifications for organizations of all sizes. As privacy breach-related claims wind their way through the courts, you must have a thorough understanding of the potential litigation risks if and when a data breach occurs.

Topics include:

- Current trends in privacy breach class action litigation
- Non-class claims
 - claims under PIPEDA
 - court proceedings under the common law tort of intrusion upon seclusion
- Privacy breach litigation trends in the healthcare sector
- Update on damage awards in privacy breach litigation
- Strategies and best practices for minimizing data breach litigation risk

DECEMBER 15, 2015
(12:00-1:15 P.M. EST)

Session 8 **Canada's Anti-Spam Law: Lessons From Enforcement to Date**

DAVID ELDER, *Stikeman Elliott LLP*

Canada's Anti-Spam Legislation (CASL) is one of the toughest and most stringent anti-spam regimes in the world. The penalties can range up to \$1 million for an individual and up to \$10 million for companies. If you advise or work for an organization that sends messages to and from Canada or has apps or other software that may install on users' computers, it is critical you have a thorough understanding of CASL and how it is being enforced.

Topics include:

- Review of enforcement actions under CASL to date
- CASL penalties
- What can trigger enforcement action
- Strategies and tips regarding undertakings and due diligence

WHO SHOULD ATTEND

- In-house counsel
- Chief privacy officers, chief information officers and other privacy professionals
- Lawyers advising on privacy and IT issues
- IT professionals who are responsible for privacy matters
- Human resources professionals

What last year's attendees said:

"COMPREHENSIVE AND COVERED ALL THE ISSUES RELATED TO PRIVACY...IT IS HELPFUL TO KNOW THE ENTIRE SCOPE OF WHAT'S GOING ON IN THE AREA, AND THIS PROGRAM PROVIDED ME WITH A GOOD FRAMEWORK."

"THE QUALITY LEVEL WAS REALLY EXCEPTIONALLY HIGH - REALLY GOOD PRESENTERS, VERY WELL-VERSED IN THEIR TOPICS."

"VERY HELPFUL - MY COLLEAGUES ATTENDED AS WELL, AND WE HAD MANY FRUITFUL DISCUSSIONS."

REGISTRATION

The OsgoodePD Webinar Series Key Issues in Privacy and Information Management 2015

Fee Per Delegate

\$175 plus HST per session.

\$1195 plus HST for all 8 sessions.

Boardroom rate: Please inquire for pricing and tech requirements.



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSUC.



Eligible CPD/MCLE Hours:

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Each session is eligible for LSUC (ON): 1.25 substantive CPD Hours

Sessions 4 & 5

Each session is eligible for LSUC (ON): 1.25 CPD Hours (0.5 professionalism; 0.75 substantive)

Entire series:

Eligible CPD/MCLE hours: LSUC (ON): 10 CPD Hours (1.0 Professionalism; 9.0 Substantive)

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Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund (less \$50 administration fee) is available if a cancellation request is received in writing 2 days prior to the program date. No other refund is available.

Dates & Time

Tuesday Afternoons

September 22 – December 15, 2015

8 Sessions

12:00 – 1:15 p.m. EDT/EST

Location

Webinar

Online Attendance Only



4 Convenient Ways to Register

1. **MAIL** your registration form to:
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