Beyond Data Privacy Training

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Data Privacy Best Practices Training for Libraries
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Week 3

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Today's Schedule

1:00 – 1:20  Welcome and course housekeeping
1:20 – 1:45  Training
1:45 – 1:50  Break
1:50 – 2:25  Training
2:25 – 2:30  Wrap up
Last Week Recap

Series Housekeeping – Guidelines

• When you disagree, challenge or criticize the idea, not the person.
• Speak from your own perspective.
• Be mindful of the time.
• One speaker at a time.
• What is said in this space, stays in this space unless you have permission.

0. Housekeeping – The Kitchen Sink
The Sink
- Privacy Risk Management
- Vendor Management
- Patrons and Data Privacy

Tie everything together

1. Privacy Risk Management
Risk = Threat x Vulnerability x Cost

- **Threat**
  - Potential scenario that can cause damage or loss to an organizational asset

- **Vulnerability**
  - Weakness in any system or structure that a threat can use to cause harm to the organization

- **Cost**
  - Potential impact, be it monetary, reputational, legal, operational, etc. on organizations and people targeted by threat

(Likelihood and Severity are also factors in calculating risk)

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**Discussion – (Risk = Threat x Vulnerability x Cost) + Libraries**

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**Risk Assessments**

<table>
<thead>
<tr>
<th><strong>What do we have?</strong></th>
<th><strong>We can, but should we?</strong></th>
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<tbody>
<tr>
<td>Data Inventories</td>
<td>Privacy Impact Assessments (PIA)</td>
</tr>
<tr>
<td>- Recording where data lives in the library and beyond (in the case of external departments and vendors)</td>
<td>- Evaluates new and changing processes or systems for compliance to legal regulations and policies</td>
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<td>- Tracking data through the data lifecycle (collection, storage, etc.) as well as how the data is used, who is using/disclosing data, and why</td>
<td>- Assesses privacy risks presented by processes or systems</td>
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<td>- Identifies and examines possible ways to mitigate risks in processes or systems</td>
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### Addressing Risks - Strategies

<table>
<thead>
<tr>
<th>Accept</th>
<th>Mitigate</th>
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| • Risk to org or person is low
• Resource restrictions | • Privacy controls can be implemented in the process or product to limit risk |

<table>
<thead>
<tr>
<th>Transfer</th>
<th>Eliminate</th>
</tr>
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<tbody>
<tr>
<td>• Risk can be better managed by another entity, product, or process</td>
<td>• Changes to product or process to avoid identified risk</td>
</tr>
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</table>

### Poll – Accept, Transfer, Mitigate, or Eliminate?

### 1.5 Library Privacy Policy and Procedures
## Risk Reduction – Policies and Procedures

**Policies**

- The “what” and “why”
- A library must have a Patron Privacy & Confidentiality Policy
- Policies are shaped by legal regulations, professional ethics/standards, and best practices
  - California laws
  - Local laws (e.g. retention schedules)
  - Federal laws (when applicable)

**Procedures**

- The “how, when, where, and who” of policy implementation
- Who will use the procedure and how the documentation will be used?
- Procedure matching policy, policy matching procedure
- Guidelines as procedures

## Risk Reduction – Policies and Procedures

- Data collection, use, storage, and retention based on data classifications
  - High/Medium/Low Risk
  - Confidential/Sensitive/Private/Public Information
  - Personally Identifiable Information (PII)/Non-personal Information
- Regularly scheduled data inventories
- Identifying “trigger” events that would initiate a data inventory or PIA process
  - Selection of a new application, new work process, changes in procedure/policy, changes in vendor product/services

## 2. Vendors
Selection

**RFP - Request for Proposals**
- Used to gather bids from potential vendors
- Potential uses:
  - Outline privacy requirements
  - Gather information about specific privacy features
  - Gather information about data practices, including collection, processing, and disclosure

**Privacy and Security Functional Requirements - Examples**
- Ability to opt-in/opt-out of non-essential data collection and/or disclosure
- Meets/exceeds industry security standards
- Compliance to legal regulations
- Privacy policy

**Contract Red Flags**
- “Reasonable” and other vague terms
- Lack of definitions for terms
- Indemnity/liability clauses
- Termination details – data exit
- Lack of information about responses to law enforcement or government data requests
- Legal jurisdiction!
- Lack of transparency
- Data ownership
- Data reselling or disclosure to other third parties
- Monitoring patron use (web analytics)
- Using “Aggregated”, “Anonymized”, “De-identified” without defining methods
Negotiations (Or How to Be A Good Advocate for Patron Privacy)

- Contract Addendums (vetted by legal staff) Are Your Friend
- Patron data rights (under CCPA/CPRA, GDPR when applicable) and opt-in/opt-out rights
- Negotiate privacy protections around collection, use, disclosure, retention, and deletion

\textit{You don't have to sign contracts that put patron privacy at risk.}

- It helps to have some backup from other libraries and organizations.
- This strategy works if enough libraries advocate for privacy practices (e.g. LinkedIn Learning).
- Is the compromise worth the risk to the patrons who will experience the greatest amount of harm if something goes wrong?

Discussion – Should I stay or should I go?

3. Patrons and Data Privacy
Library Use and Privacy – Data Exhaust

- Public computers & WiFi
  - Reservation systems
  - Logs
  - Data collection/retention in reservation process
  - Computer Images
  - Installed tools and apps
  - System/application logs
- Network
  - IP addresses
  - Traffic logs
  - Accounts accessing network (if requiring sign-in for WiFi)
- Meetings rooms
  - Reservation systems
  - Data collection/retention in reservation process
- Printers, copiers, scanners, fax machines
  - Memory storage
  - “Abandoned” printing jobs
- Surveillance
  - Security camera footage
  - Incident reports
  - Event recording (online and physical events)

Library Use and Privacy – Data Exhaust, Sources, and Use Expectations

- Library Websites and...
  - Web analytics
  - Social media
- Vendor resources and...
  - Authentication
  - Proxy URLs
  - User accounts
  - Web analytics
  - Other data exhaust
  
  **Patron data sources and uses**
  - What data is given to the library by the patron vs data collection without explicit awareness
  - Primary vs secondary uses of data
  - What does the patron expect vs how the library actually uses data
  - Example - Marketing and data analytics and external data sets containing data about patrons

Library Vendors and Patrons

- Vendors collecting data from the library vs vendors collecting data from patrons
- Vendor communications about privacy to patrons
  - Deceptive patterns around privacy settings/information
- Library communications about vendor privacy practices to patrons
  - Privacy policy, vendor privacy policy page, website alerts, etc.
Patron Communications

- Privacy notice
  - Be accessible in both online and in physical formats
  - Explain privacy policies and patron privacy/confidentiality rights in simple, concise language to a general audience
  - Published in the major languages of the service population
  - Inform the reader of any policy changes
- Press releases, blog posts, newsletter updates
- Website alerts and popups are limited in their effectiveness – use judiciously
- Dialogue with community partners and organizations

Patron Privacy Programming and Services

- Digital literacy
- Information security and privacy
- Device security

Patron Privacy as a Service (PPaaS)

San Jose Public Library's Virtual Privacy Lab
- Customized privacy toolkits based on patron’s needs and risks
- Individual toolkit modules about specific privacy topics:
  - Social media
  - Security
  - Information footprint
  - Anonymity & tracking
- In-depth modules for intermediate/advanced learning

Cornell University Libraries' Privacy Services
- Digital privacy literacy
- Individual consultations
- In-class or customized workshops
- Open drop-in workshops
- Privacy risk consultations
- Digital communication with human subjects whose anonymity must be protected
- Crossing the U.S. border
- Personal identities with an increased risk of doxing, harassment, or surveillance
Questions and Open Discussion

Wrap Up

Next Week

Week Four - Building and Fostering a Culture of Privacy
• April 28th, 1 pm – 2:30 pm
• Register at https://www.plpinfo.org/event/building-and-fostering-a-culture-of-privacy-2/

Week Three Activities/Reading
• Year One Toolkit, Sections 2 (pg. 14-15), 3-5
• Exercises on Basecamp
Thank you :-)

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Resources and Further Reading

Additional bibliographies and resources can be found in the Toolkit and training resources at the https://www.plpinfo.org/dataprivacytoolkit/.