Building and Fostering a Culture of Privacy

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Data Privacy Best Practices Training for Libraries
April 2021
Week 4

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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.

Fill in the blank – The greatest challenge in implementing a culture of privacy at my library is_____.

Data Privacy Best Practices Training
Week 4 - April 2021
1. Privacy and Organizational Culture

Privacy programs fail because...
- Lack of funding, including dedicated/adjusted budget lines
- Lack of resources
- Lack of dedicated staff time
- Lower priority over other parts of library operations
- Lack of buy-in by any part of the library (staff, volunteers, admin, board, etc.)
- Lack of support by decision makers and administration
- Unaddressed organizational culture issues often compound the above factors of failure

Organizational Culture is Hard to Change
Organizational Culture and Coping

<table>
<thead>
<tr>
<th>Common organizational culture issues</th>
<th>Coping strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Communication</td>
<td>Spend political or professional capital wisely</td>
</tr>
<tr>
<td>Tension between people, departments, offices, etc.</td>
<td>No matter what you do, you will fail sometimes</td>
</tr>
<tr>
<td>Office politics</td>
<td>You alone will not solve your organization’s dysfunctions</td>
</tr>
<tr>
<td>Unchecked power dynamics</td>
<td></td>
</tr>
<tr>
<td>Territory struggles</td>
<td></td>
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<tr>
<td>Race/ethnicity, gender identity, sexuality, disability, etc.</td>
<td></td>
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</tbody>
</table>

Stakeholders and Creating Buy-in

- Library administrators
- Legal counsel
- Library board
- Library workers
- Parent organization/institution
- Patrons
- Community partners

- What are the motivators and concerns?
- What can they relate to in terms of interests, beliefs, experiences, etc.?

Identifying Needs and Gaps

- Surveys (within reason)
- Department/team/group meeting/listening sessions
- Informal meetings (coffee/hallway chats)
- Community conversations/listening sessions
- Privacy and security audits
- Data inventories and risk assessments
Achieving Buy-in – Strategies

• Come to the table and make a place for yourself
• Have vocal allies in the organization that will support your ideas
• Come with a story that aligns to their motivations and concerns
• Come with a realistic actionable plan or outline
• Strive for positive-sum outcomes

Group Therapy, Session #1

Think of a time when you took part of a project or effort to implement a system-wide change in the organization.
• What were you trying to change?
• Were you successful in implementing the change?
• What contributed to the success/failure?

2. Building Privacy into Organizational Culture – Frameworks and Standards
Privacy Frameworks – Privacy by Design

1. Proactive not reactive; preventive not remedial
2. Privacy as the default setting
3. Privacy embedded into design
4. Full functionality – positive-sum, not zero-sum
5. End-to-end security – full lifecycle protection
6. Visibility and transparency – keep it open
7. Respect for user privacy – keep it user-centric

Privacy Frameworks – Privacy by Default

- Moves from embedded privacy considerations in operations (PbD) to making privacy the default in operations
- Set highest level of privacy settings and risk mitigations as starting point (auto-protect)
- Shifts some of the burden of protecting patron privacy from the patron to the library

Privacy Frameworks – Data Ethics

“Data ethics are the norms of behavior that promote appropriate judgments and accountability when collecting, managing, or using data... ethical decision making is best achieved by taking a holistic approach and widening the context to weigh the greater implications of data use.”

~ Federal Data Strategy; Data Ethics Framework

Common data ethics principles

- Transparency
- Accountability
- Professional and industry ethics and best practices
- Equity
- Centering and empowering the individual behind the data
“Ethics is knowing the difference between what you have the right to do and what is right to do.”

- Potter Stewart, US Supreme Court Chief Justice

Data Ethics Litmus Test

How do patrons react when they learn about the library’s data practices?

Privacy Frameworks – NIST Privacy Framework

The Core provides an increasingly granular set of activities and outcomes that enable an organizational dialogue about managing privacy risk.

Profiles are a selection of specific Functions, Categories, and Controls from the Core that an organization has prioritized to help it manage privacy risk.

Implementation Tiers support communication about whether an organization has sufficient processes and resources in place to manage privacy risk and achieve its Target Profile.
**NIST Privacy Framework – Core**

<table>
<thead>
<tr>
<th>Profiles</th>
<th>Strategies</th>
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</thead>
<tbody>
<tr>
<td>Communication</td>
<td>Multiple transparency policies, processes, and procedures for data</td>
</tr>
<tr>
<td>Enforcement</td>
<td>processing purposes, practices, and assigned privacy rules are</td>
</tr>
<tr>
<td>Library Privacy</td>
<td>established and in place.</td>
</tr>
<tr>
<td>Ethics, Standards,</td>
<td>Business and responsibilities (e.g., public relations) for</td>
</tr>
<tr>
<td>and Guidance</td>
<td>communicating data processing purposes, practices, and assigned</td>
</tr>
<tr>
<td></td>
<td>privacy rules are established and in place.</td>
</tr>
<tr>
<td>ALA</td>
<td>Informational, Internal or public reports for communicating data</td>
</tr>
<tr>
<td></td>
<td>processing purposes, practices, and assigned privacy rules are established</td>
</tr>
<tr>
<td></td>
<td>and requirements are established and in place.</td>
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<td></td>
<td>Video and electronic surveillance technologies guidance</td>
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<td></td>
<td>Law enforcement request guidance</td>
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</table>

**Figure 6: Relationship Between Core and Profiles**

**Library Privacy Ethics, Standards, and Guidance**

**ALA**
- Library Bill of Rights
- Privacy: An Interpretation of the Library Bill of Rights
- Code of Ethics
- Policy concerning Confidentiality of Personally Identifiable Information about Library Users
- Library Privacy Guidelines and Checklists
- Video and electronic surveillance technologies guidance
- Law enforcement request guidance

**IFLA**
- IFLA Statement on Privacy in the Library Environment
- IFLA Code of Ethics for Librarians and other Information Workers

**CLA and California State Library**
- Statements and recommendations (example – LinkedIn statement by both organizations)
NIST Privacy Framework - Tiers

- Tier 1, Partial
- Tier 2, Risk Informed
- Tier 3, Repeatable
- Tier 4, Adaptive

Implementing Privacy Frameworks & Programs

A SnapShot Method for Establishing or Improving a Privacy Program

Ready: use the Identify- and Assess-P Functions to get “ready.”
Set: “set” an action plan (based on the differences between Current and Target Profiles)
Go: “go” forward with implementing the action plan.

Patron-Centered Privacy Design

Good Design ...

Honors Reality
Creates Ownership
Builds Power

Figure 7: Notional Collaboration and Communication Flows Within an Organization
Group Therapy,
Session #2

Using the scenario for Session #1, how could the frameworks and standards discussed in this section aid in your change efforts?

3. Keeping Up

Professional Development and Resources

- Work groups
- Online communities and interest groups
- Internal documentation and resource sharing
- Training (online, in person, conferences)
- Sharing examples and stories from news, posts, other colleagues
- ALA's Choose Privacy Every Day
- Library Freedom Project
- IMLS grant funded projects
- IAPP
- Electronic Frontier Foundation
- Future of Privacy Forum
Discussion –
Sharing is Caring!

Where do we go from here?

• Training
• Policy and Procedure
• Programming

(Need more help? Head to the Action Plan exercise on Basecamp!)
Questions and Open Discussion

Thank you :-)

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Bonusslide Implementation Tiers in NIST Privacy Framework

<table>
<thead>
<tr>
<th>Tiers vs maturity</th>
<th>Ad-hoc</th>
<th>Defined</th>
<th>Managed</th>
<th>Optimized</th>
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<tbody>
<tr>
<td></td>
<td>Repeatable</td>
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<td></td>
<td>Risk Informed</td>
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<td></td>
<td>Suitable Incorporation of CIA</td>
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<tr>
<td>Ad-hoc</td>
<td>Policy: “We are strict on our doors”</td>
<td>Policy: “No access to all our offices”</td>
<td>Policy: “All facilities, including doors and workstations, have advanced door security”</td>
<td>Policy: “Each door to building has its own or provides compensating controls based on risk”</td>
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<tr>
<td>Optimized</td>
<td>Risk analysis informs policy</td>
<td>Dynamic risk analysis done; manual dependent</td>
<td>Dynamic risk analysis done; manual dependent</td>
<td>Dynamic risk analysis done; manual dependent</td>
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</table>
Resources and Further Reading

- International Association of Privacy Professionals. https://iapp.org/.

Resources and Further Reading

  - This book is focused on negotiations and can be very useful in vendor negotiations; however, the advice found in this book can apply to talking points and communication strategies for creating buy-in with stakeholders and target audiences.
Resources and Further Reading

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