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CONTACT

Avoiding the hassle of data compliance enforcement



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The second pertained to individual access requests; while PIPEDA requires users' personal information to be made available, and to be amended where appropriate, Kosa said a lot of companies aren't providing access to the data they're holding, and don't know how to.

The third area of concern involves requirements for safeguards, with complaints claiming that information isn't being treated safely.

Kosa dove deeper into the complaints to find the top five specific complaints: users being forced to give information (such as providing a phone number to complete a transaction, which is illegal under PIPEDA); not being told how the data will be used; loss of personal information; using information for a reason other than permitted under the original consent agreement; and mishandling of data that has been transferred to a third party.

Unfortunately, Kosa said, many of these issues continue to go unaddressed because the subject isn't front of mind for Canadian companies.

"The drivers are problematic," she said.

"The volume isn't there to make them think about it that much."

However, Kosa said, the ramifications of even one misstep can be disastrous. For example, the retail chain Winners/HomeSense was lambasted last year after failing to protect customer data.

"The repercussions of non-compliance aren't really in fines," Kosa said.

"It's more bad PR, reputational loss, and impact to service uptake."

In the end, it's a matter of being a good corporate partner, she said.

"You need to be nice to the people whose information you handle."

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