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## Govern Your Data to Meet CCPA & GDPR Challenges

### **BOTH THE LETTER AND SPIRIT OF THE LAW SHOULD BE CONSIDERED TO BENEFIT YOUR BUSINESS**

Paradigm Technology and Informatica sponsored a roundtable in Dallas to discuss the European Union's General Data Protection Regulation (GDPR, implemented in 2018) and the California Consumer Privacy Act (CCPA) of 2018. A group of 11 experts attended, including several Chief Information Officers as well as data privacy, governance, and analytics experts. They represented diverse industries including software, electronics distribution, real estate, hospitality, technology consulting, banking, and payment systems. The CIO for a home products wholesaler and retail company facilitated the discussion and hosted the roundtable.

"I know the acronym GDPR, but that's about it," the host joked. "My company just started selling direct-to-consumer; we used to ship only to distribution centers and stores. So, I am eager to learn what GDPR and CCPA mean for my company." He added, "There are at least ten states with similar laws on the horizon, but they are all different. I want to hear from those of you who've dealt with GDPR: how do regulation and litigation guide business practice?"

### **KEY TAKEAWAYS**

- Start with a foundation you can build on
- Follow the letter of the law - to a point
- The spirit of the law helps your business
- Governance and security work hand-in-hand

## REGULATIONS VARY, SO LAYER YOUR COMPLIANCE STRATEGY

“We’re using GDPR as the gold standard,” explained the electronics representative. “It encompasses 85-90% of the laws that followed. When CCPA passed, it wasn’t an unmanageable problem. On the contrary: we took our privacy policy and started adding all the things we wanted to shore up anyway.” He elaborated, “It is all about transparency for us. In the CCPA, the ‘right to be forgotten’ is equivalent to the GDPR language ‘right of erasure.’ So, we added language to cover both. GDPR is our foundational governance guide; then we will add California, Connecticut, Massachusetts, Canada, and so on.”

He then explained how he frames governance for his company leadership. “Our executive team wanted to leave cookie management to the browser companies, thinking that was adequate for GDPR compliance. Now, it is easier for me to say, ‘You can’t do that. Here is a company that just got fined for that.’”

He described another benefit of building on a foundation such as GDPR regulation. “Our data protection node is based in Germany because they have the strictest interpretation of GDPR. If we’re clearing the bar in Germany, we will clear any other country’s bar as well.” The hospitality representative agreed and outlined similarity to CCPA in the United States: “Exactly. If a Federal law takes effect here, it won’t trump any state law. We’ll still need to be compliant with the various state laws, including CCPA and any that follow.”

## DUE DILIGENCE AND KNOWING YOUR LIMITS

The electronics representative also explained how governance must face inward as well as outward: “Demonstrate due diligence. It is not enough to set the policy, you must also follow the policy. If you say you’re going to delete customer data after 10 years, delete the data after 10 years. If you don’t, you’re going to have a problem.”

The hospitality representative shared his perspective on these types of privacy laws, saying, “Remember:

it is primarily aimed at marketing. Customers don’t want their information shared with third parties. Whether you call it forgetting or erasure, the general interpretation is that I can remove you from marketing, outreach, and application advertising.” Future litigation will determine if that interpretation holds, and participants asked sincere questions about how to prove that customer data has been deleted. “Nobody is sending a forensic analyst into my databases,” the hospitality representative replied. “Even if they did, the data would be impossible to find.”

That may be adequate for some aspects of business, but one participant asked the hospitality representative how he manages Payment Card Industry data security (PCI). “I outsource that,” he responded. “It is completely unmanageable.”

## HONORING THE SPIRIT OF THE LAW BUILDS TRUST WITH CUSTOMERS

With much of the conversation focusing on the letter of the law, an analytics and governance expert from Paradigm Technology suggested an alternative. “Don’t change your governance for regulation’s sake. That is not sufficient. Incorporate your response to these laws into your day-to-day operations to show that you’re constantly thinking about the broader implications of privacy and security and financial risk for consumers.” She continued, “Yes, you need to meet the requirements of the regulation, but let’s think about how you can help your business by getting control of your data. Then, the turnaround deadline or being able to produce the required information is a much easier conversation to have.”

She also echoed the theme of due diligence. “The CCPA asks you to make your best effort, not to be perfect. You need to make your best effort to protect the consumer and their data.” A security software representative agreed. “Why not leverage regulation for our governance goals? We are taking the opportunity to refine our processes and use it as a competitive advantage.”

## SUPPORT YOUR SECURITY TEAM WHILE ACHIEVING YOUR GOVERNANCE GOALS

An infrastructure software specialist in enterprise data privacy and protection from Informatica wrapped up the conversation by describing how governance can also help security and vice versa. “Master Data Management (MDM) and Enterprise Data Catalog (EDC) and cloud integration solutions are at the core of my company. We’re so deep in the data that our own customers are asking us for more controls and privacy and protection. We’ll use MDM for consent management, for example. We will crawl the systems to find all the data we can, and then assign it to a unique identity - essentially a subject registry.”

He then described what he has seen with the advent of CCPA. “Some customers are asking us simply where to begin with CCPA, but we’ve seen the most interest specifically in data subject access requests (DSAR). How are they going to anonymize their data? We’ve seen two masking tactics. One is dynamic masking, which means the data is there but we’re controlling who can see it. The other is to make the data unrecoverable. The important thing to realize is just how many people touch stored data, which has significant security implications. Frequently, I talk to information security specialists, and they’re purchasing privacy products primarily for the security benefits. They don’t always realize it can also build up their whole DSAR process.”

## FUTURE STATE

Responding to regulation can be daunting, but it needn’t hinder your business. With effective strategy, regulation can motivate internal governance and build trust with customers. Solutions exist to help. “Consider leveraging an MDM solution,” Paradigm’s analytics and governance expert suggested. “It can help classify customers and map where data is coming from. Customer-specific MDM helps keep everything together for an individual customer request. You can pull data from multiple sources. In many cases, you want the full view of that customer and how they are interacting with different systems - whether they request their data under consumer protections or not.”

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## ABOUT THE HOSTS

An award-winning end-to-end strategic solutions provider, Paradigm Technology is a leader in Digital Transformation, working for 25 years with the Fortune 500. We enable our clients in: Customer & Vendor Centricity, Data Governance, Real-time Analytics and Cloud Adoption. Our Data Scientists help make sense of IoT and Big Data to predict and answer the hard questions to grow revenues, reduce costs and avoid risk. Paradigm’s Business Transformation Practice supports this through IT simplification, change management and robotic automation.

Informatica® is the only Enterprise Cloud Data Management leader that accelerates data-driven digital transformation. Informatica enables companies to fuel innovation, become more agile and realize new growth opportunities, resulting in intelligent market disruptions. Over 25 years, Informatica has helped more than 9,000 customers unleash the power of data.



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