January 20 & 21, 2011 • Fairmont Palliser Hotel • Calgary

The Canadian Institute’s Western Forum on
PRIVACY LAW & COMPLIANCE

Practical Solutions for Conquering your Critical Privacy Challenges & Reducing Liability Risks

Co-Chairs:

Lorene A. Novakowski
Partner, Chair of Privacy Practice Group
Fasken Martineau DuMoulin LLP (Vancouver)

Sharon Polsky
President, AMINA Consulting Corp.
National Chair
Canadian Association of Professional Access & Privacy Administrators (Calgary)

Hear Directly from the Following Organizations:

Alberta Employment and Immigration
Alberta Health Services
Canadian Association of Professional Access & Privacy Administrators
Canpro Risk Solutions Inc.
Manitoba Ombudsman
Mark's Work Wearhouse
Office of the Information and Privacy Commissioner of Alberta
Office of the Information and Privacy Commissioner for British Columbia
Shell Canada Limited
Vancouver Coastal Health Authority

Attend the leading Western Forum on Privacy Law & Compliance to obtain essential information that will help you improve your privacy program, including:

- Insight on the latest privacy law amendments and their implications
- Key breach trends and compliance strategies directly from the Commissioners’ offices
- Tips for overcoming the challenges of conflicting regulatory requirements in a borderless world
- Techniques for ensuring effective breach prevention, including the use of self-auditing
- Practical skills for managing your biggest employee-specific privacy concerns
- And much more!

PLUS! Gain additional skills by attending our practical and interactive pre-forum workshops on January 19, 2011:

Workshop A: The Fundamentals of Privacy Law & Compliance
Workshop B: Step-by-Step Guide to Proactively Managing Privacy Risks through the Use of Self-Auditing Practices

Sponsored by: NYMITY

Supporting Organizations: See Accreditation Details Inside

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Enacted and pending regulatory amendments to provincial and federal privacy laws coupled with the recent privacy breach by B.C.'s Lottery Corporation have left experts wondering whether their own privacy programs are up to the test! Breaches like this highlight why privacy compliance is much more than a mere regulatory requirement – it’s an essential part of risk management! Now more than ever, you must ensure that you remain on top of privacy law and compliance developments in order to protect your organization from costly and disastrous consequences.

Failure to ensure privacy compliance and properly manage against breaches may result in havoc and irreversible reputational and monetary damages for any organization. If you are involved in privacy law or compliance, this is one event you cannot afford to miss!

At The Canadian Institute’s Western Forum on Privacy Law & Compliance an exceptional speaker faculty of professionals will provide you with best practices and top strategies to help you conquer all of your privacy challenges, including:

- Ensuring compliance by conquering the challenges of a borderless world and conflicting regulatory requirements
- Avoiding litigation by overcoming your biggest employee-specific privacy issues
- Protecting against breaches by conducting self-audits and ensuring an effective privacy program is in place
- Maintaining privacy compliance in cross-border, outsourcing and IT transactions
- Uncovering and preparing to guard against the key privacy implications of the proposed Anti-Counterfeiting Trade Agreement…And so much more!

Do not miss this unparalleled learning experience and opportunity to network with other privacy professionals. Spaces will fill up quickly.

WHO SHOULD ATTEND

Privacy Professionals
Compliance Professionals
In-house Counsel
Private Practice Privacy Lawyers
Human Resources Directors/VPs
Chief Technology Officers/Directors
Officers/Directors/VPs of IT Systems

Sponsorship & Exhibition Opportunities
Maximize your organization’s visibility in front of key decisionmakers in your target market. For more information, contact Director Business Development Daniel Gellman at 416-927-0718 ext. 389, toll-free 1-877-927-0718 ext. 389 or by email at d.gellman@canadianinstitute.com

Accreditation
The Canadian Association of Professional Access and Privacy Administrators (CAPAPA) has agreed that participants will earn 2 points for the conference and 1 point for each workshop (4 points in total) toward CAPAPA certification.
This program has been accredited by the Law Society in Saskatchewan, British Columbia and Alberta. Please see our website for details.

Register at 1-877-927-7936 or in Toronto 416-927-7936 or www.CanadianInstitute.com/privacywest
Day One | January 20, 2011

8:15 Registration Opens – Coffee Served

9:00 Opening Remarks from the Co-Chairs

Lorene A. Novakowski
Partner, Chair of Privacy Practice Group
Fasken Martineau DuMoulin LLP (Vancouver)

Sharon Polsky
President, AMINA Consulting Corp.
National Chair, Canadian Association of Professional Access & Privacy Administrators (Calgary)

9:15 Key Federal Developments in Privacy Law & Compliance

Elizabeth Denham
Commissioner, Office of the Information and Privacy Commissioner for British Columbia, Former Assistant Privacy Commissioner of Canada

Office of the Privacy Commissioner of Canada (Ottawa), Invited

• Analyzing the top ten breaches that the Commissioner’s office dealt with over the last year
  - Important lessons learned
  - Tips for breach prevention and traps to avoid
• Reviewing recent findings of The Office of the Privacy Commissioner
• Considering emerging concerns, challenges and risks
• Assessing the latest federal regulatory initiatives
• Examining the status of proposed federal regulatory amendments (i.e. Bill C-28: anti-spam legislation; Bill C-29: amendments to PIPEDA)
• Best practices for achieving privacy compliance
• Understanding the specific standards for document retention
• Identifying emerging privacy issues and risks to watch out for

10:00 Critical Updates from the Western Privacy Commissioners/Offices

Moderator
Marija V. Bicanic
Privacy Officer & Senior Counsel, Corporate Shell Canada Limited (Calgary)

Panelists
Elizabeth Denham
Commissioner, Office of the Information and Privacy Commissioner for British Columbia, Former Assistant Privacy Commissioner of Canada

Irene A. Hamilton
Manitoba Ombudsman

Frank Work, Q.C.
Commissioner, Office of the Information and Privacy Commissioner of Alberta

New this year! We are inviting our delegates to submit questions before the event to have the privacy commissioners answer them during this session. Email your questions, in confidence, to Privacyquestions@CanadianInstitute.com.

• Obtaining an inside look: considering recent investigations, findings and orders by the western privacy offices
  - Analyzing the recent trends and recognizing their significance
  - What do these mean for the future of privacy?
  - What trends are common across the western provinces?
  - How do these impact your organization?
• Avoiding the most common privacy pitfalls
• Assessing the latest provincial regulatory amendments and proposed amendments

11:30 Networking Coffee Break

11:45 Overcoming Privacy Challenges in Online Media Management: Addressing Corporate Concerns

Stephen Burns
Partner, Bennett Jones LLP (Calgary)

Jill Clayton
Assistant Commissioner, Private Sector, Office of the Information & Privacy Commissioner of Alberta

• Identifying some of the risks involved in online media campaigns
• Understanding your risks of engaging/interacting in social media campaigns
• Creating corporate responsibility and making sure obligations are being met
• Organizing and preparing systematic and protected social media campaigns
• Assessing and deciding which social networking tools your organization should use to meet its business needs
• Regulating, monitoring and controlling privacy of information in user-generated content
• Examining reasonable personal information practices when using social networking sites
• Tips on preventing privacy breach via online forums

12:45 Networking Luncheon for Delegates & Speakers

2:00 Best Practices for Privacy Breach Prevention

The privacy breach to BCLC’s new online casino is just one example of a breach that might occur. What went wrong? This session provides a chance to analyze the root cause of the BCLC’s privacy breach and an ability to learn from it, leaving you with practical tips for privacy breach prevention.

• Recognizing the consequences of a privacy breach
• Reviewing effective compliance monitoring methods
• Educating your staff on breach prevention techniques
• Understanding the importance of having a response plan
• Creating a privacy response plan to follow in case of a breach
• Selecting and implementing a breach response team
• Instituting practices and procedures that comply with mandatory breach requirement notifications

2:45 Crisis Management: Top Strategies for Successfully Responding to Privacy Breaches

Julio N. Arboleda
Partner, Borden Ladner Gervais LLP (Calgary)

• What is the very first thing you should do when a breach occurs?
• Evaluating the breach and recognizing its scope
• Containing the breach to minimize risks and exposures
• Knowing how to report a breach and to whom
• Following your breach response plan
• Educating your staff on what not to do
• Recognizing your rights during an investigation
• Managing the organization’s reputation during a breach
• Mitigating the damage against your organization
• Knowing the scope of your potential liability
• What defences are available to you?

Register at 1-877-927-7936 or in Toronto 416-927-7936 or www.CanadianInstitute.com/privacywest
Demystifying your Privilege Challenges: Where Does the Law Stand Post Blood Tribe?

Katrina Haymond
Partner, Field Law LLP (Edmonton)

Lorene A. Novakowski
Partner, Chair of Privacy Practice Group
Fasken Martineau DuMoulin LLP (Vancouver)

A number of recent cases have dealt with the issue of privilege as it relates to Access to Information Requests. The SCC Blood Tribe decision, decided in 2008 set the groundwork for the Air Canada decision decided recently by the Federal Court. Is the Privacy Commissioner overlapping its jurisdiction in requiring the organization that is claiming privilege to provide an affidavit speaking to the nature of the privilege claimed? This session will provide you with an update on this important legal issue.

Networking Refreshment Break

Networking Refreshment Break

Ensuring Compliance by Overcoming the Challenges of Conflicting Regulatory Requirements

Martin P.J. Kratz, Q.C.
Partner, Chair of Intellectual Property Practice Group
Bennett Jones LLP (Calgary)

• Conquering the challenges of a borderless environment
• Learning to balance privacy compliance requirements with other priorities (i.e. the need to collect and retain certain information)
• Do privacy laws trump the legislative requirements of other regulatory bodies?
• Dealing with cross-provincial privacy issues
• Tips for complying with privacy regulatory regimes throughout various jurisdictions

Demystifying your Privilege Challenges: Where Does the Law Stand Post Blood Tribe?

Day Two | January 21, 2011

Registration Opens – Coffee Served

Opening Remarks from the Co-Chair

9:15 Co-Chair’s Recap – Forum Adjourns

9:30 Benchmarking your Privacy Practices: Top Tips for Improving your Records Management & Risk Management Programs

Speaker & Moderator:
George Alvarez
Director, Information and Privacy Office
Alberta Employment and Immigration (Edmonton)

Panelists:
Steven Jewell B.A., LL.M., DPI
Acting Chief Privacy Officer, Information and Privacy
Alberta Health Services

Joe Pendleton
Security Consultant, Former Fraud Detective
Former Director of the Special Investigations Unit of the Government of Alberta

Robert Tremonti
Manager, IT Security & Risk Management
Mark’s Work Wearhouse (Calgary)
Former Security Coordinator at Alliance Pipeline
Former Manager of Information Risk Management at ICBC

Organizations that are most successful – in managing privacy concerns, remaining in compliance and avoiding breaches – are those who work to identify, anticipate and prepare for even the most remote privacy risks.

This session will provide you with the essentials for improving your privacy procedures, practices, protocols and records management procedures to effectively protect your private information and minimize risks.

• How are other organizations dealing with privacy?
• Reviewing some successful privacy program models
• Examining a superior records management program and understanding what makes it superior
• Monitoring and auditing your privacy program efficiently and effectively
• Fixing the weak points to improve your privacy practice
• Implementing the changes and adequately training your staff
• Building in appropriate checks and balances to ensure that the changes are being complied with and working effectively
• Top tips for implementing an incident tracking program
• Learning to work with the privacy offices during audits of your privacy programs

Panelists:
Mark’s Work Wearhouse (Calgary)

• What is and isn’t allowed with respect to employee screening, drug/alcohol testing and criminal record checks
• What is the commissioner's expectations around contractual indemnities in outsourcing or cloud computing arrangements?
• Assessing the privacy and security practices of third party service providers and ensuring they are secure and reliable
• Designing contractual protections to keep private information safe

Avoiding Litigation by Conquering your Employee-Specific Privacy Issues

Tamara L. Hunter
Head of the Privacy Law Compliance Group
Davis LLP (Vancouver)

Monica S. Muller
Legal Counsel, Vancouver Coastal Health Authority

There are a plethora of questions that employers face with respect to: record retention practices once the employee leaves the company, screening practices such as criminal record checks or drug/alcohol testing and limits of employee monitoring. The experts leading this session will analyze some of the latest trends and developments as they take you through an extensive interactive case study that will delve into the key issues facing employers today.

• Employee versus employer privacy rights and obligations
• Rules surrounding information collection and retention practices
• What is and isn’t allowed with respect to employee screening, drug/alcohol testing and criminal record checks
• Considering privacy implications of employee blogs/networking pages
• Should organizations monitor social networking pages of current/prospective employees?
• Addressing issues regarding former employees

Networking Luncheon for Delegates & Speakers

Maintaining Privacy Compliance in Cross-Border, Outsourcing and IT Transactions

Moderator & Speaker:
James T. Swanson
Partner, Burnet, Duckworth & Palmer LLP (Calgary)

Panelists:
Ivan Bernardo
Miller Thomson LLP (Calgary)

Sara A. Levine
Associate Counsel, Alliance Lex (Vancouver)

Paul Zonneveld
Partner, Deloitte (Calgary)

• Understanding what outsourcing and cloud computing mean for your organization’s privacy program
• What are the commissioner’s expectations around contractual indemnities in outsourcing or cloud computing arrangements?
• Assessing the privacy and security practices of third party service providers and ensuring they are secure and reliable
• Designing contractual protections to keep private information safe

Register at 1-877-927-7936 or in Toronto 416-927-7936 or www.CanadianInstitute.com/privacywest
2:15 Uncovering the Key Implications of the Anti-Counterfeiting Trade Agreement: Guarding Yourself from the Consequences of Non-Compliance

Sharon Polsky
President, AMINA Consulting Corp.
National Chair, Canadian Association of Professional Access & Privacy Administrators (Calgary)

The Anti-Counterfeiting Trade Agreement (ACTA) is a proposed agreement that would institute international standards on the enforcement of intellectual property rights. The idea behind it is that it would create an international framework that countries could voluntarily opt to join. Canada has been among the negotiating countries of this agreement; so, why are so many privacy practitioners unaware of ACTA? This session will inform privacy professionals about the origin, the policy reasons behind, the proposed scope and anticipated implications of ACTA. It will discuss the cryptic nature of the agreement as well as Canada’s involvement.

3:30 Protecting Yourself from Industrial Espionage: A Real & Growing Concern

Susan Dumont
Lawyer and Privacy Consultant, Privacy Matters Inc. (Calgary)

Darryl Stark
Director & Managing Partner, Canpro Risk Solutions Inc. (Calgary) (A Canpro Global Company)

There are increasingly real and legitimate reasons for concern about outsiders getting their hands on private company information. This session will leave you with a better understanding of the actual scope of industrial espionage in Canada and a practical approach to protecting yourself from it.

- Is corporate spying really taking place in Canada?
- Has this shown up on your radar yet? If not, why not?
- What information are spies typically looking for?
- Knowing what the risks to your organization are
- Red flags to watch out for in your day-to-day work
- Learning to sweep your office and identify weak points of potential attack
- Building in checks and balances, systems and firewalls to monitor and protect against attack
- What technologies are being used to protect organizations?
- A review of some real case studies where industrial espionage took place and how companies worked through it

4:30 Co-Chairs’ Closing Remarks – Forum Concludes

Interactive Pre-Forum Workshops

January 19, 2011 | 9:00 a.m. to 12:00 p.m.

Workshop A: The Fundamentals of Privacy Law & Compliance

Workshop Leaders
Anne Côté
Field Law LLP (Edmonton)

Komil Kandola
Heenan Blaikie LLP (Vancouver)

This nuts & bolts workshop will teach you the basics and provide you with practical take-away tools that you can put to use as soon as you get back to the office!

- Reviewing the provincial and federal privacy laws in Canada
- Understanding the relationship between various provincial privacy regimes and PIPEDA
- Looking at key privacy decisions by the various courts and understanding the significance of these cases
- Knowing which laws take precedence and why?
- A privacy compliance starting point: where should you begin when creating a privacy compliance program
- Designing and implementing top quality privacy compliance programs for your organization
- Best practices for managing privacy compliance within your organization on an ongoing basis
- Dealing with third party agreements
- A how-to-guide for training and communicating with your employees

January 19, 2011 | 1:00 p.m. to 4:00 p.m.

Workshop B: Step-by-Step Guide to Proactively Managing Privacy Risks through the Use of Self-Auditing Practices

Workshop Leaders
Eleni Kassaris
Blake, Cassels & Graydon LLP (Vancouver)

George A. Wowk
Burnet, Duckworth & Palmer LLP (Calgary)

The workshop leaders will educate you on a step-by-step guide for self-auditing your personal information practices, protocols and breach procedures so as to catch susceptibilities and make program improvements. This workshop will focus on keeping your privacy program fluid and continuously improving it.

- Knowing what to look for: preparing to audit your privacy policies, procedures and protocols
- Implementing continuous checks and balances to ensure new practices are being followed and whether or not they are working
- Building an organizational culture that facilitates compliance and ensures that privacy compliance remains an integral component of the risk-management strategy
- Techniques for educating management and creating privacy awareness throughout your organization