

# Privacy by Design: Principles, Approaches, Constraints

**Alžběta Krausová**  
Masaryk University

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# Privacy by Design

Compliance with legal norms, best practices, and technical standards throughout the whole lifecycle of processing personal data

Integration of all the principles in the very essence of organizational structure including technical means of processing personal data



# Privacy at Workplace?

Does it make sense to grant an employee a right to privacy in the situation when an employee stipulated to perform („live“) only according to instructions given by an employer during a specific timeframe for monetary reimbursement?



# Privacy at Workplace: Enemies Paradigm

Employer's interest  $\neq$  Employee's interest ?

## **Common interests:**

Productivity - Profit

Satisfaction

Innovation

Social capital



# Critical Areas

Performance of a contract (suspicion of exploiting employers resources and preventing them from profit)

Security (health data, profiling for specific purposes)



# Existing Approaches

Total control by an employer

Video surveillance – constant monitoring

Checking electronic communication

Clear privacy policies, random checks, fixed rules

High degree of freedom

Trust

Personal assessment



# Legal Compliance - Levels

BUSINESS APPROACH – Company Values



Organizational level  
(structure, policies, processes)

Technical level  
(technical infrastructure, customised software –  
requirement of compliance as well!)



HUMAN FACTOR



# Legal Compliance - Lifecycle

The whole organisational and technical system must be set up and maintained in a way compliant with the relevant legislation and technical standards

Time before employment

Application process

Duration of employment

After termination

After going out of business





# How to incorporate Privacy by Design?

Respecting legal framework:

Organisational structure – DP officers

Translation of principles into specific processes

Setting up clear rules and information processes

Customising information systems for compliance

Clear and transparent language

Complete and detailed documentation



# Incorporating Values

Strategy for success

Respect for biological determination of human nature

Balanced relationship between the parties

Achieving trust

Positive motivation leading to loyalty

Transparent and fixed rules binding for both parties (no hidden practices, surprise, etc.)



# Constraints

Human factors

Existing mindset

Economic interests (finding balance)



# Thank you for your attention.

Alžběta Krausová

Betty.Krausova@ict-lawyer.eu

