# Exploring the 'design' in privacy by design

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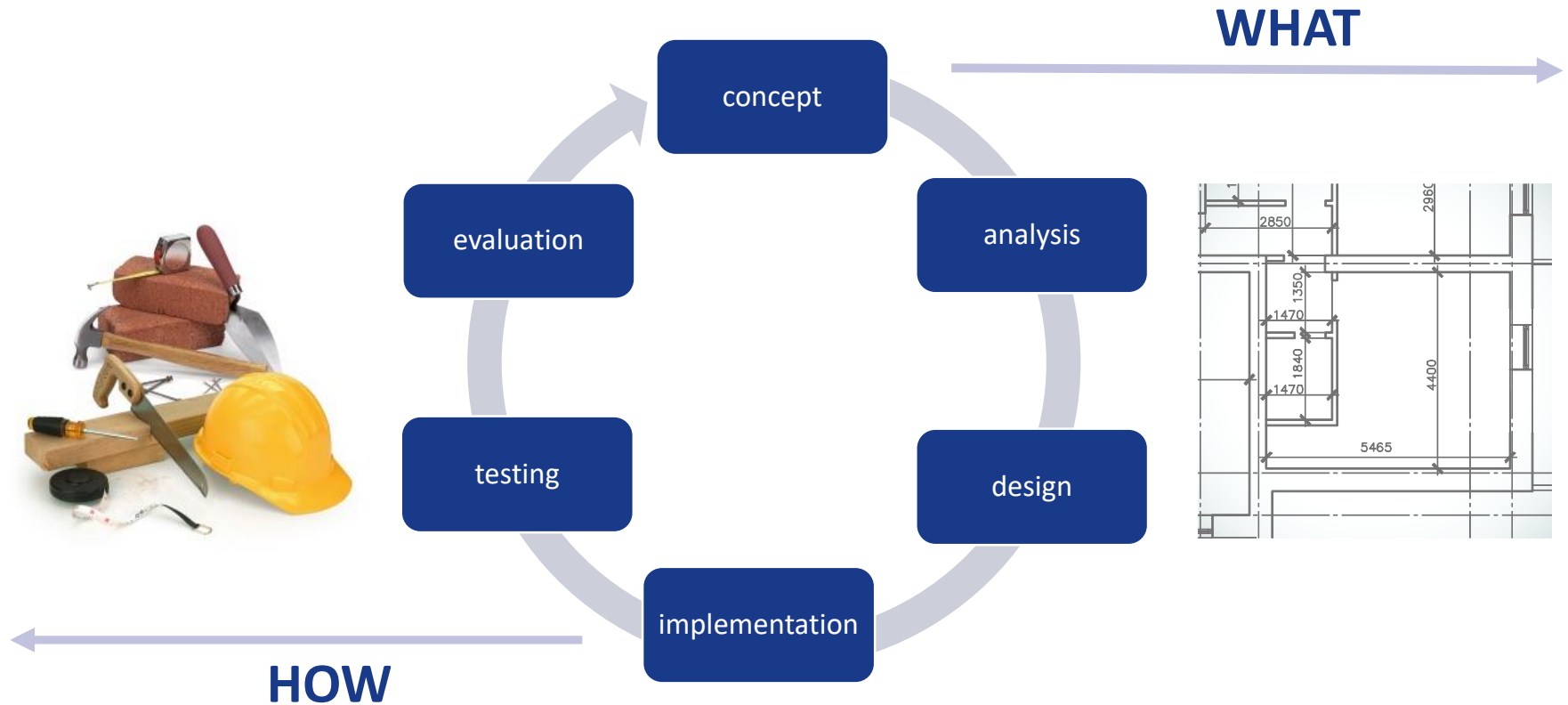
European Union Agency for Network and Information Security

# By design..

Privacy and data protection

**GDPR article 25
Design to implement data protection principles**

# How to project the law to systems?



**WHAT**

concept

analysis

evaluation

design

testing

implementation

**HOW**

# #1 By design means 'think privacy'

- Engineering privacy and data protection into data processing operations.

- Not only technical – procedures, processes, people: a strategic change.

- Practical implementation: quick wins and big challenges.

> Think privacy – Design privacy

# #2 Designing needs a plan

| | PRIVACY BY DESIGN STRATEGY | DESCRIPTION |
|---|---|---|
| 1 | Minimize | The amount of personal data should be restricted to the minimal amount possible (data minimization). |
| 2 | Hide | Personal data and their interrelations should be hidden from plain view. |
| 3 | Separate | Personal data should be processed in a distributed fashion, in separate compartments whenever possible. |
| 4 | Aggregate | Personal data should be processed at the highest level of aggregation and with the least possible detail in which it is (still) useful. |
| 5 | Inform | Data subjects should be adequately informed whenever personal data is processed (transparency). |
| 6 | Control | Data subjects should be provided agency over the processing of their personal data. |
| 7 | Enforce | A privacy policy compatible with legal requirements should be in place and should be enforced. |
| 8 | Demonstrate | Data controller must be able to demonstrate compliance with privacy policy into force and any applicable legal requirements. |

**Source: ENISA, Privacy and data protection by design**

# #3 Choosing appropriate measures

- Measures appropriate to the risk.

- Data minimization: a strong starting point.

- Which tool should I use?
  - Defining the state-of-the-art.
  - Companies not always in position to control design of systems/tools.

Need for guidance and examples!

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# Design is not just what it looks like and feels like. Design is how it works.

## Steve Jobs

**"**

# Thank you

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