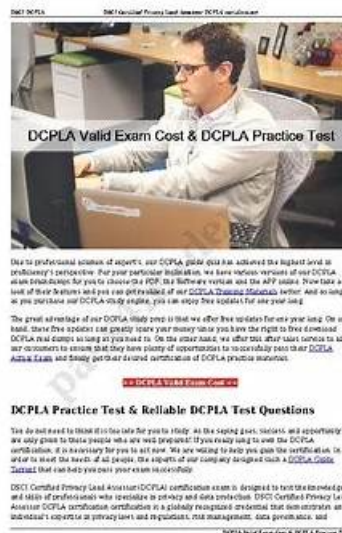


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DSCI Certified Privacy Lead Assessor DCPLA certification Sample Questions (Q59-Q64):

NEW QUESTION # 59

RCI and PCM

The Digital Personal Data protection Act 2023 has been passed recently. The Act shall be supported by subordinate Rules for various sections that will gradually bring more clarity into various aspects of the law.

First set of Rules are yet to be formulated and notified. A public sector bank has identified that it collects and processes personal data in physical documents and electronic form. The bank intends to assess its existing compliance level and proactively undertake an exercise to ensure compliance. Since this is the first time the bank is attempting to comply with a comprehensive privacy law, it has hired a legal expert in Privacy law to assist with initial assessment and compliance activities. As part of the initial visibility exercise the consultant identified that the bank collects and generates a significant amount of personal data in physical and digital form. The data may be upto 200 million customers' data. It is identified that customer onboarding is also done through various business correspondents in the field who collect and process personal data in physical and digital form on behalf of the bank for the purpose of opening bank accounts and this data is shared with the bank through various channels. There are upto 10 business correspondent companies that have been appointed by the bank across the country for such onboarding. These companies further appoint individual contractors on the field to face the customers. The legal consultant also identified that there are a huge number of employees and contractors engaged by the bank whose personal data is being collected and processed by the bank for HR purposes including biometric based attendance. While the intent of initial assessment was the new Act, the legal consultant has also identified that the Bank collects Aadhaar numbers (voluntary submission) from customers and employees and may be subject to Aadhaar Act compliance. It also came as a surprise that the bank wasn't aware of the data breach reporting mandate by one of the regulatory bodies under the Information Technology Act 2000 and that it was a criminal offense. The Bank generally outsources all non-core activities such as call centers which are handled by an Indian BPO company and document warehousing which is handled by another company. The Bank has also moved many of its applications to a known cloud provider as part of its digital strategy and there may be data transfer aspects associated with the same. On review of various contracts with third parties it was identified that the bank has signed standard terms of the cloud provider and has signed contracts with third parties which were in standard format of the third parties. Data protection obligations are not clear or available in these contracts. Bank leadership has been of the opinion that even the third parties should comply with the laws and robust contracts on legal compliance may not be needed. The legal consultant is not just expected to help identify gaps, assist in fixing the gaps but also to help implement controls and processes to continuously comply with evolving Rules under the new Act and also manage data protection with various third parties that may be appointed in the future.

(Note: Candidates are requested to make and state assumptions wherever appropriate to reach a definitive conclusion) Introduction and Background XYZ is a major India based IT and Business Process Management (BPM) service provider listed at BSE and NSE. It has more than 1.5 lakh employees operating in 100 offices across 30 countries. It serves more than 500 clients across industry verticals - BFSI, Retail, Government, Healthcare, Telecom among others in Americas, Europe, Asia-Pacific, Middle East and Africa. The company provides IT services including application development and maintenance, IT Infrastructure management, consulting, among others. It also offers IT products mainly for its BFSI customers.

The company is witnessing phenomenal growth in the BPM services over last few years including Finance and Accounting including credit card processing, Payroll processing, Customer support, Legal Process Outsourcing, among others and has rolled out platform based services. Most of the company's revenue comes from the US from the BFSI sector. In order to diversify its portfolio, the company is looking to expand its operations in Europe. India, too has attracted company's attention given the phenomenal increase in domestic IT spend esp. by the government through various large scale IT projects. The company is also very aggressive in the cloud and mobility space, with a strong focus on delivery of cloud services. When it comes to expanding operations in Europe, company is facing difficulties in realizing the full potential of the market because of privacy related concerns of the clients arising from the stringent regulatory requirements based on EU General Data Protection Regulation (EU GDPR).

To get better access to this market, the company decided to invest in privacy, so that it is able to provide increased assurance to potential clients in the EU and this will also benefit its US operations because privacy concerns are also on rise in the US. It will also help company leverage outsourcing opportunities in the Healthcare sector in the US which would involve protection of sensitive medical records of the US citizens.

The company believes that privacy will also be a key differentiator in the cloud business going forward. In short, privacy was taken up as a strategic initiative in the company in early 2011.

Since XYZ had an internal consulting arm, it assigned the responsibility of designing and implementing an enterprise wide privacy program to the consulting arm. The consulting arm had very good expertise in information security consulting but had limited expertise in the privacy domain. The project was to be driven by CIO's office, in close consultation with the Corporate Information Security and Legal functions.

Why did the Bank not identify till date that they were subject to various other laws related to personal data?

What processes and controls can the legal consultant help the bank with which would help them avoid such gaps with respect to future regulations and rules issued under the new Act? Please answer with respect to the RCI practice area. (upto 250 words)

Answer:

Explanation:

See the answer in explanation below.

Explanation:

The bank has been in a hectic expansion mode and has never been subject to the regulations concerning to the data privacy. This is a huge bank with over 200 million customers, the business operations spread across many geographies and multiple operating business correspondents engaged on behalf of the bank. Thus the bank has till date not identified various other laws related with the data privacy.

The consultant has helped bank implement the following processes -

1. Document the overall business organizations, various geographical presence, various business processes, business partners.
2. Identify all related data privacy laws and regulations that pertain to the various business processes, in each geography and map the regulatory requirements with each personal information being collected/processed.
3. Define the control requirements for each and every piece of the personal information based on the the geography/jurisdiction in which it is being processed.
4. Standardize the contractual clauses with the various business associates with respect to the processing of the personal information. Assign the accountability of the adherence by way of contract amendment. These clauses need to be included in the new contract as and when they are created.
5. Implement an organization framework comprising the legal, compliance, regulatory and business teams to establish the method by which the new regulations will be tracked and the new controls be incorporated in the overall process.
6. Implement the method to assess companies' compliance against these controls and implement the remediation methods if any non-compliance is identified.

NEW QUESTION # 60

Which of the following factors is least likely to be considered while implementing or augmenting data security solution for privacy protection?

- A. Information security infrastructure up-gradation in the organization
- B. Security controls deployment at the database level
- **C. Training and awareness program for third party organizations**
- D. Classification of data type and its usage by various functions in the organization

Answer: C

NEW QUESTION # 61

Before planning the assessment, priority areas need to be determined by conducting a Risk Management exercise. To adequately identify such priority areas, what possible parameters could be considered? (Tick all that apply)

- **A. Degree of involvement of third parties in processing personal information**
- B. Business-related IP dealt by a process/function
- **C. Functions / processes dealing with sensitive personal information such as Personal Health Information (PHI), credit card information, biometrics, among others**
- **D. Deployment of technology solutions that could potentially intrude privacy**
- **E. Functions / processes involved in data collection from end customers**
- **F. Degree of harm that could result from potential privacy breach**

Answer: A,C,D,E,F

Explanation:

According to the DSCI Assessment Framework for Privacy (DAF-PC), risk-based prioritization is essential in planning privacy assessments. Organizations are advised to consider parameters such as the degree of harm from a potential privacy breach, the involvement of processes that handle sensitive personal data (e.g., PHI or biometrics), technology solutions that may affect privacy, and the extent of third-party involvement. These help determine the areas with high privacy risks needing immediate attention.

C (business-related IP) is typically an information security concern, not a privacy concern unless it involves personal data.

NEW QUESTION # 62

It is mandatory for the assessee to provide the pre-requisites to the assessor organization before commencement of the first phase of assessment.

- A. False
- **B. True**

Answer: B

NEW QUESTION # 63

_____ layer of the DSCI Privacy Framework (DPF©) ensures that adequate level of awareness exists in an organization.

- A. None of the above
- **B. Information Usage, Access, Monitoring and Training**
- C. Personal Information Security
- D. Privacy Strategy and Processes

Answer: B

Explanation:

The layer "Information Usage, Access, Monitoring and Training" in the DSCI Privacy Framework includes:

- * Raising awareness on privacy principles
- * Conducting periodic training and education programs
- * Monitoring usage of information and enforcing accountability

This layer plays a vital role in ensuring that privacy-related roles, risks, and procedures are communicated clearly across the organization.

NEW QUESTION # 64

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