Privacy Compliance for Dark Data

Upgrade Your GDPR and CCPA Compliance

Globally, governments and legislators are increasingly regulating to enhance privacy rights and consumer protection. In Europe, the General Data Protection Regulation (GDPR) has bought into force the most sweeping regulation in decades while in California, the California Consumer Privacy Act (CCPA), and more recently the California Privacy Rights Act (CPRA), is recognized as having some of the most rigorous guidelines for what organizations can and cannot do with personal information.

At the heart of any such regulation is the definition of personal data, extending that to include any information that can be linked to an identifiable person. This is complemented by the rights individuals have over that data including, for example, the right to disclosure, the right to erasure or the right to be forgotten. Where organizations cannot protect those rights or where their error or omissions (perhaps in security or over-retention) lead to data breach, individuals can bring civil cases (under California regulation) or the regulator (under GDPR) can levy significant fines.

In the first wave of privacy regulation, organizations sought to establish basic processes for management of their privacy policies, response, and overall exposure. They also considered how to identify where their business applications potentially stored personal information subject to regulation. A few years on, as thinking becomes more sophisticated, organizations should understand that the the **majority of their data assets are not adequately covered by this first wave response.** This paper describes how ActiveNav's data discovery solutions address that gap by providing insights into organization's dark data to enable more complete compliance with modern privacy regulation.

Discovering Regulated Data for Privacy Compliance

Simply put, an organization that does not understand its dark data holdings cannot comply with privacy regulations. Regardless of the efforts to control application-based data, knowing where customer and employee personal data is held in file shares, document management systems, chat platforms or email servers is critical. The problem is that such repositories are notoriously difficult to deal with because the content within is so variable and is constantly in use.

This is why ActiveNav focuses on data discovery for these dark data sources, providing insights into any organization's holdings of regulated personal data along with the tools required to act to minimize those holdings. Its key capabilities include:

- High performance discovery to produce a comprehensive inventory across diverse unstructured data sources.
- Data scoring to identify regulated data hotspots and prioritize business response for compliance.
- Visualization and workflows to enable efficient and defensible minimization action.
- Compliance views that fulfil requirements for data mapping and records or processing activity across unstructured data sources.
- Target search, for fulfilment of data subject access requests.
- Monitoring to identify behavior and change patterns to establish a sustainable governance and compliance program.

Unlike general data privacy vendors, ActiveNav's experience in unstructured data discovery makes it the best and most robust choice for privacy compliance across large volumes of dark data.

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Dark Data Discovery

To complement solutions addressing application data, ActiveNav Cloud connects to dark data sources such as on-premise and cloud based file shares, Office365 environments like SharePoint, OneDrive and Teams, document management tools such as Google Workspace or Dropbox, and email servers such as Microsoft Exchange. Its proprietary collector technology discovers data structure and context and extracts regulated data elements including direct identifiers (national IDs, SSNs, email addresses) and references to indirect identifiers or special category personal data. This process builds and maintains an accurate inventory of all dark data holdings.
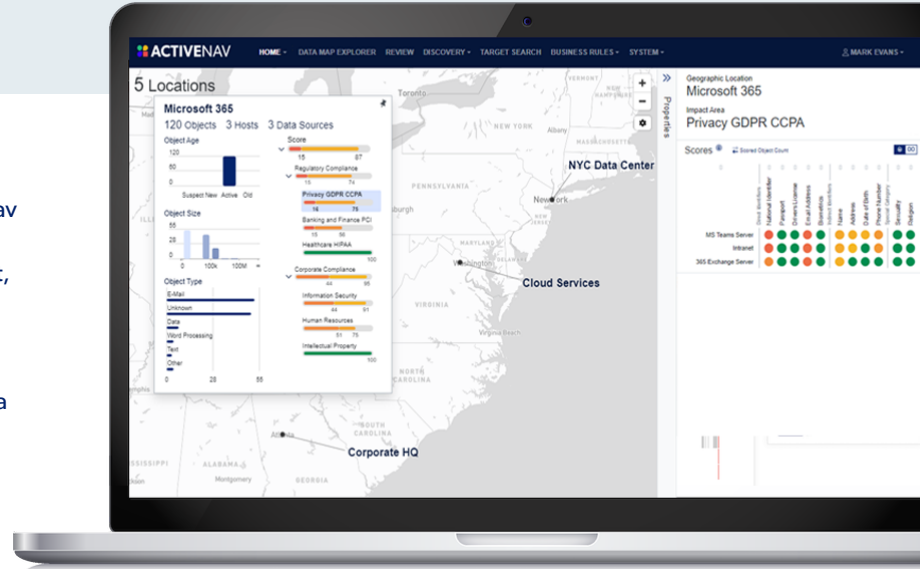
Data Scoring and Classification

With the data inventory accurately populated by the discovery process, scoring and classification processes generate unique metrics that provide the insight necessary for a sustainable compliance program. Scoring identifies aggregations of regulated data elements (such as national identifiers) and particularly shows where related data elements appear together either in a specific document or in containers, such as folder or even entire servers. In this way, scoring provides the intelligence the compliance process needs to prioritize scarce resources based upon the degree of hazard. In turn, classification creates labels to describe information type, for example, a contract or even data with no value to the business. Taken together scoring and classification turn the data inventory into actionable intelligence, the intelligence necessary to enable inappropriately retained data to be efficiently disposed of to meet minimization requirements, reduce subject access request surface area or simply to reduce data cost of ownership.

Monitoring

All organizations inevitably have to address the accumulation of poorly controlled and over-retained regulated data. However, compliance requires the establishment of a robust monitoring routine which maintains the inventory in an ever-green condition, identifies changes in data usage and provides evidence of the effectiveness of data policies.

ActiveNav Cloud allows monitoring routines to be established to achieve this, allowing more volatile data sources to be watched closely and costs to be saved in lower-risk areas. Scoring trends highlight new data use patterns as they emerge and resources to be assigned to areas where compliance is potentially compromised. Further, with monitoring in place, privacy and compliance teams are provided an evergreen data map for unstructured data sources to complement and enhance application data maps maintained in third-party privacy management platforms.

Visualization and Reporting

Privacy compliance requires that organizations address all of their data wherever it lies. ActiveNav Cloud's high performance discovery and scoring rapidly generates enormous volumes of compliance-critical intelligence which are made actionable with a range of reporting, exploration and visualization tools. Scored dashboards highlight the largest collections of regulated data by ownership, geography or repository and data hotspots provide a fast track to drill into and understand regulated, and potentially non-compliant data, in context. Finally, comprehensive sampling and review workflows provide information owners with the facts they need to enact minimization and other data policies.

Critically, all reporting is provided in a single pane of glass which covers all connected repositories and data sources and places all dark data intelligence at the fingertips of the information owner or data analysts or compliance, risk and governance teams.

ActiveNav Capabilities and Privacy Compliance

Requirement		Product Capability
CCPA	**GDPR**	
Consumer right to specific pieces of personal information (100a,100d, 110c5, 130a, 130a2)	Definitions (Article 4) and processing of special categories of personal data (Article 9)	Identify exactly where regulated personal data is stored, especially that leaked from controlled applications or combined and generated by other business processes. Highlight areas where aggregations of identifiers create additional risk.
Disclosure of personal information collected (110b, c)	Right of access by the data subject (Article 15)	Disclosure is only possible if the nature, location and ownership of all controlled data is known. High performance discovery across dark data stores such as file shares, SharePoint, e-mail servers or chat collaboration.
Transparency of privacy practices (135a, 130a3B, 130a4BC, 130a1, 130a5A)	Controller must have accurate records of the processing activities (Article 30) including those of third-party vendors (Articles 26 and 28)	Controlled and regulated data routinely leaks into dark data sources through a wide range of processes and user practices. Discovery and monitoring provides timely identification of where that data is located and where is appears while visualization and reporting provides the context necessary to understand why it is there in the first place.
Deletion of personal information (105c)	Right to rectification and right to erasure (Articles 16 and 17)	Once discovered, data deletion needs to be deleted efficiently and defensibly, especially if that data is in a difficult to access dark data source. Visualization and review workflows allow data to be drilled into and its context clearly understood so it can be quickly and defensibly disposed of. Target search provides fulfilment of specific data subject access requests as part of a wider management workflow.
Information security*		It is not possible to secure data that is not fully understood. Dark data sources evolve and change continually, and organizations grow and business practices evolve. Low cost, high performance, data discovery builds and maintains an accurate inventory of all dark data sources and provides the insights and intelligence to understand how security and privacy policies are performing and practices in the real world. Scoring and single pane of glass visualization rolls this intelligence up and provides the insights necessary for a sustainable privacy and governance program
Creation and maintenance of a data inventory*		
Information governance and management		

About Us

We're data experts, and our North Star is Zero Dark Data. We believe that all organizations should be aiming for a state of Zero Dark Data so that they can act as good stewards of that data to minimize their cyber risk surface area, protect the interests of their customers, their staff and their other stakeholders. We've been working continuously with unstructured data in the wild for well over a decade and we think the market deserves data discovery products that just work. As a result we are trusted by leading companies and government agencies to help them understand and control their data assets to drive regulatory compliance, reduce the cost of data ownership and improve data quality.

Aside from our fascination with Dark Data, we're engineers, designers, runners, gardeners, chefs, photographers, bikers, parents, skiers, cosplayers, hikers, gamers, travelers, mountain climbers, friends, race car drivers, readers, volunteers, and car enthusiasts. We value loyalty, accountability, and communication and care deeply about creating a sustainable future, supporting charitable causes as proud members of Pledge 1%.

Request Demo

→ 15 Years of Experience
→ 6 Continents and 28 Countries
→ 15+ Billion Files Discovered
→ 30K+ hrs Customer Deployments
→ 300+ Customers and Counting

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