



IAPP Canada Symposium 2026

Privacy | AI governance | Cybersecurity law

Conference 4-5 May

Workshops 6 May

Training 6-7 May

TORONTO

#IAPPSymposium26

Designing for Privacy, Enhancing Trust

Office of the Privacy Commissioner of
Canada (OPC)

and

Canadian Marketing Association
(CMA)

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WELCOME AND INTRODUCTIONS



Michael Maguire, LLB
Executive Director,
Compliance Promotion & Engagement
Office of the Privacy
Commissioner of Canada



Sara Clodman
Chief Public Affairs and Governance Officer
Canadian Marketing Association

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AGENDA OUTLINE

- I. Welcome and Introductions
- II. Privacy Positive Design
- III. Legal Foundations and Recent Regulatory Guidance
- IV. CMA Guidelines and Examples
- V. Case Studies
- VI. Questions and Answers
- VII. Closing Remarks

Role of the OPC



Office of the
Privacy Commissioner
of Canada

Commissariat
à la protection de
la vie privée du Canada

- Oversees the enforcement of PIPEDA (private sector) and PA (public sector)
- Mandate is to protect and promote the privacy rights of Canadians, through:
 - Investigations (complaints and Commissioner-initiated)
 - Advice (public, private, and Parliament)
 - Outreach and Public Awareness
 - Guidance, Research and Reporting (including case summaries)
- Recent Transformation: *Forward Together: Maximizing Efficiency, Impact, and Innovation*

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CMA: The Voice of Marketing in Canada

- **Sets industry standards** through Canadian Marketing Code of Ethics and guidance library
- **Contributes to responsible public policy** through advocacy
- **Helps consumers understand** their rights and responsibilities through online Consumer Centre and resolving complaints
- **Manages Canada's Chartered Marketer designation** to signify marketing excellence and ethical standards

Marketing Builds Canada

Marketing drives growth.
It strengthens businesses.
It builds our economy.



\$131B

in GDP generated by
marketing in Canada
(2024)



Drives innovation
and competitiveness

4.6%

of Canada's
total economy



Strengthens
businesses and
communities

1 in 25

jobs is in a
marketing role



Helps Canada
compete and grow
on the world stage

Source: Signal49 Research (formerly **The Conference Board of Canada**), March 2026

Privacy Positive Design



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- Design that facilitates individuals' understanding of privacy practices and control over their personal information
- Privacy by Design: Building privacy in at the outset and throughout the design, development and implementation
- Not a zero-sum game: Privacy-positive design builds consumer trust!
- OPC Survey of Canadians:
 - **Nine out of 10 Canadians** at least somewhat concerned about privacy;
36% extremely concerned
 - **78%** have refused to provide an organization their personal information due to privacy concerns
 - **41%** have stopped doing business with a company that experienced a privacy breach.

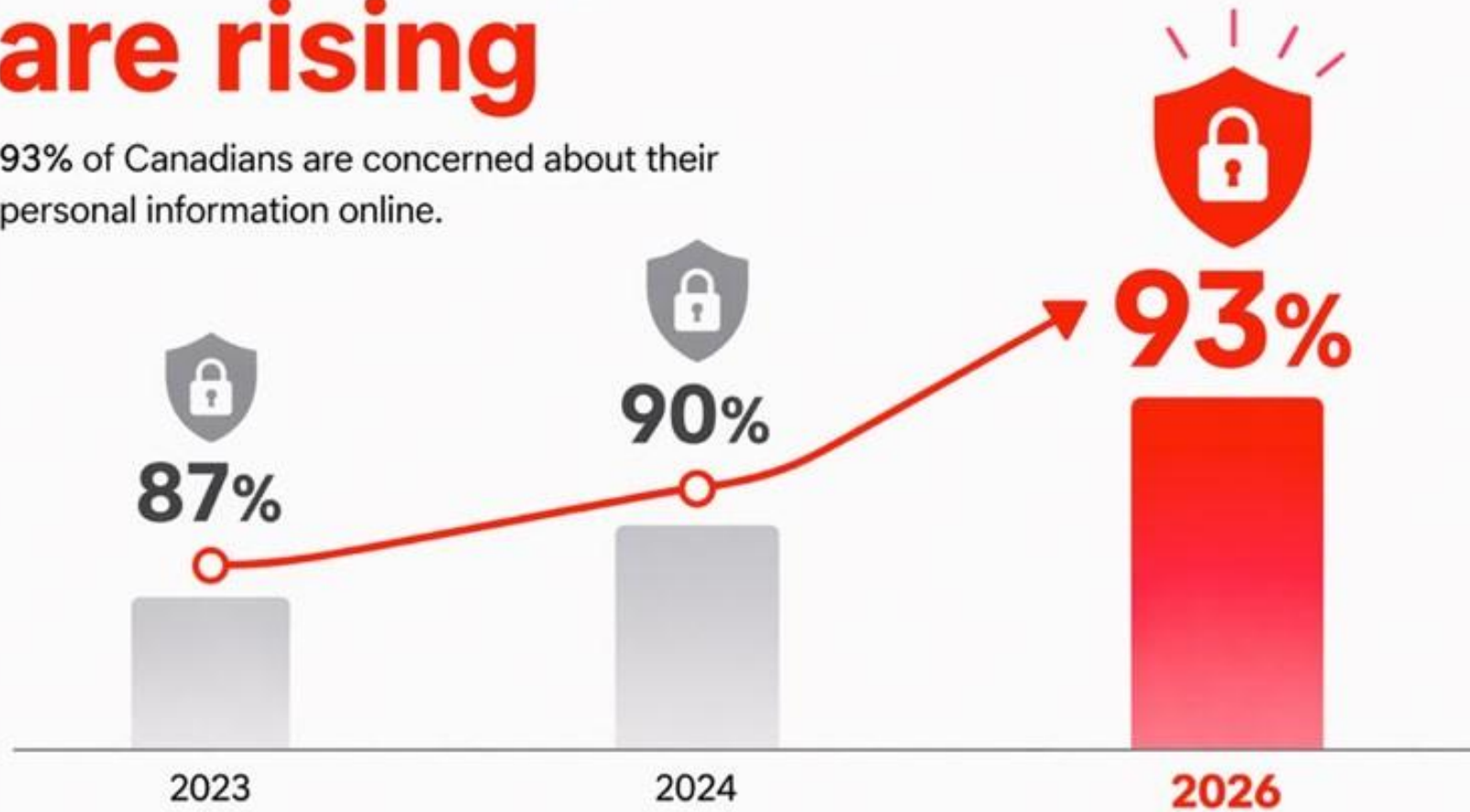
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How Marketers View Privacy

- Privacy and trust are critical to business success
- Consumers expect transparency, meaningful consent and clear value exchange
- Privacy done right enables customer loyalty and retention

Privacy expectations are rising

93% of Canadians are concerned about their personal information online.



63% are most concerned about misuse and bad actors – not marketing itself (6-10%)



Canadians are most worried about how data can be misused — not about relevant marketing or ads.

The real issue:
Trust and protection.



Canadians expect relevance

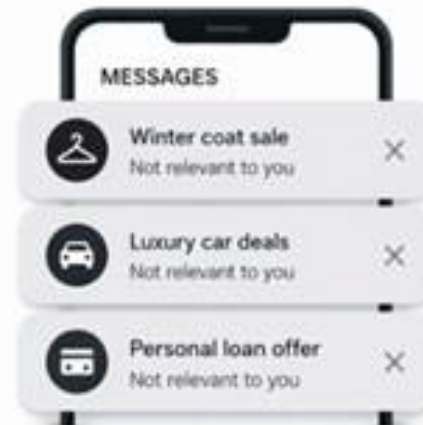
59%

prefer tailored ads



87%

bothered by irrelevant communications



Consequences of poor practices

Poor targeting doesn't just frustrate — it drives customers away.

58%

would switch brands
for ineligible offers



Wrong offer. Wrong timing.
Wrong brand.

59%

would switch brands
for irrelevant communications



Irrelevant message.
Lost customer.

Trust is shaped by:

What matters most to Canadians when it comes to how their data is handled.

48%

Choice in sharing information



Canadians want **control** and the ability to decide.

47%

Transparency on how data is used



Clear, easy-to-understand information builds confidence.

40%

Meeting legal requirements



Canadians expect companies to **follow the rules**.

PIPEDA Foundations for Privacy Positive Design

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Balancing the Needs of Business with the Fundamental Right to Privacy



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- **Section 3** - The purpose of this Part is to establish, in an era in which technology increasingly facilitates the circulation and exchange of information, rules to govern the collection, use and disclosure of personal information in a manner that recognizes the right of privacy of individuals with respect to their personal information and the need of organizations to collect, use or disclose personal information for purposes that a reasonable person would consider appropriate in the circumstances.

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Meaningful Consent and Openness



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- **Principle 4.3.2** - organizations must make a reasonable effort to advise individuals of **the purposes for which their personal information will be used**, and those purposes must be stated so that **the individual can reasonably understand how the information will be used or disclosed**
- **Section 6.1** - consent is valid only where it is reasonable to expect that the individual would understand the **nature, purpose and consequences** of the collection, use or disclosure to which they are consenting
- **Principle 4.8.1** - individuals shall be able to acquire information about an organization's policies and practices **without unreasonable effort**. This information shall be made available **in a form that is generally understandable**.

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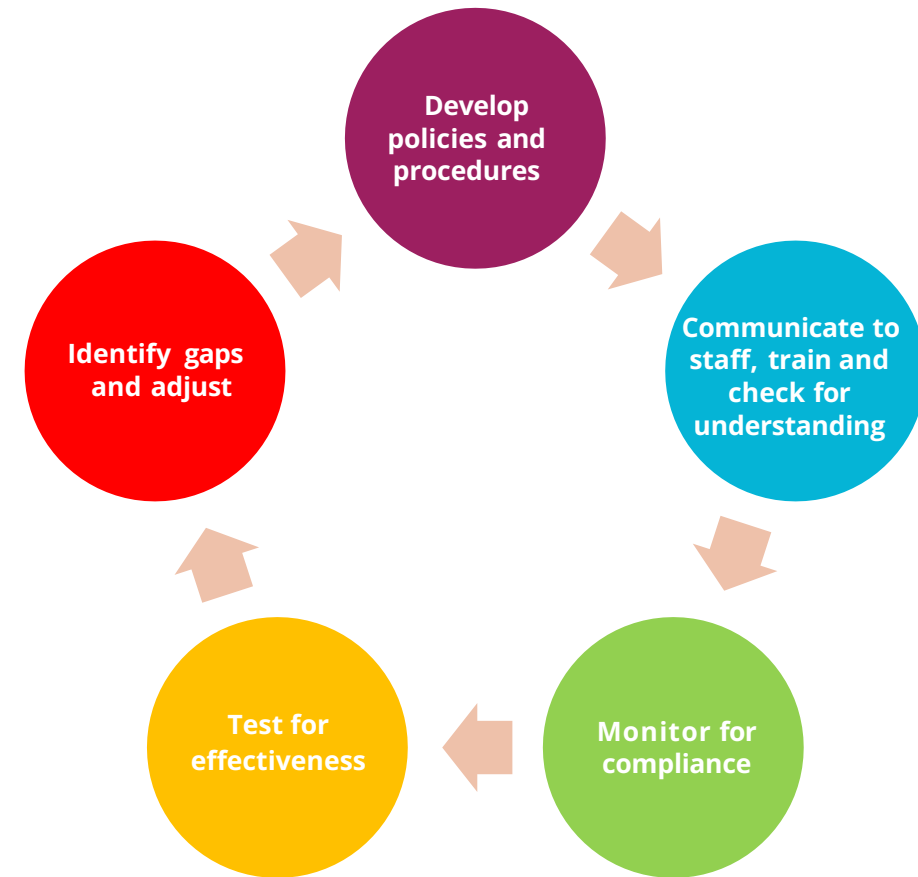
Accountability



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Principle 4.1.4 – requires policies and practices to **give effect to PIPEDA privacy principles.**



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Recent Regulatory Guidance



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GPEN/ICPEN Privacy Sweep 2024

- <https://www.priv.gc.ca/media/6299/opc-gpen-2024-eng.pdf>
- <https://www.icpen.org/sites/default/files/2024-07/Public%20Report%20ICPEN%20Dark%20Patterns%20Sweep.pdf>

FPT Resolution 2024

- https://www.priv.gc.ca/en/about-the-opc/what-we-do/provincial-and-territorial-collaboration/joint-resolutions-with-provinces-and-territories/res_241010_dd/

OPC & Competition Bureau 2026 article: Digital Design to Support Informed Consumer Choices

- <https://competition-bureau.canada.ca/en/how-we-foster-competition/collaboration-and-partnerships/digital-design-support-informed-consumer-choices>

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CMA Guidance and Examples

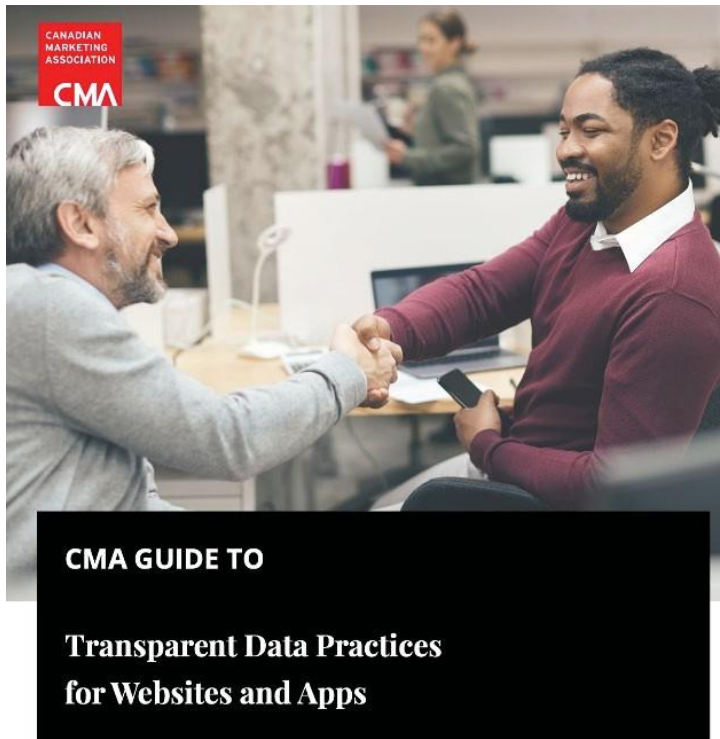
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Designing for Privacy Builds Trust

- Digital touchpoints are the primary interface with consumers.
- Design decisions directly impact trust
- Poor design creates:
 - Confusion
 - Higher abandonment rates
 - Regulatory risk
- Strong design enables:
 - Clarity
 - Control
 - Trust

CMA Guide to Transparent Data Practices for Websites and Apps



- Practical guidance for privacy-compliant website and app design
- Builds consumer trust while reducing legal and reputational risk
- Focus areas:
 - Clear and accessible privacy content
 - User choice and control
 - Optimized customer experience
 - Transparency and clear communication

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Building Digital Trust: 3 Core Principles

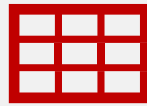
CANADIAN
MARKETING
ASSOCIATION

CMA



CLARITY

- Grade 8 reading level
- Plain language, not legal jargon



STRUCTURE & ACCESSIBILITY

- Easy navigation
- Findable across touchpoints
- Optimize for mobile experience



FINDABILITY

- Clear headings
- Use summaries, not dense text
- Optimize for mobile experience

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User Choice and Interface

- **Equal prominence:** All options have consistent visual weight
- **Easy consent options:** Easy to decline non-essential data collection
- **Accessibility:** Easy-to-find privacy settings
- **Levels of control:** Choose specific data uses, not all-or-nothing
- **Clear labels:** Users know what each choice means

Equal Prominence: Cookie Banner



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We and our partners process data for the following purposes:

Personalised advertising and content, advertising and content measurement, audience research and services development, Store and/or access information on a device

- ✓ **Consistent font sizes**
- ✓ **Equal visual weight**
- ✓ **Clear labelling**

Learn More Deny Agree

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Easy to Locate Privacy Policy

About	Get Involved	CMA Community
Our Story	Sponsorships	CMA Café
Contact CMA	Partnerships	Member Directory
Board of Directors	Member Digest	Media
Management Team	Join a Group	Marketing Job Bank
Financials	CMA Awards	
Privacy Policy	Accessibility	

- ✓ Footer placement
- ✓ Accessible from any page
- ✓ Consistent location



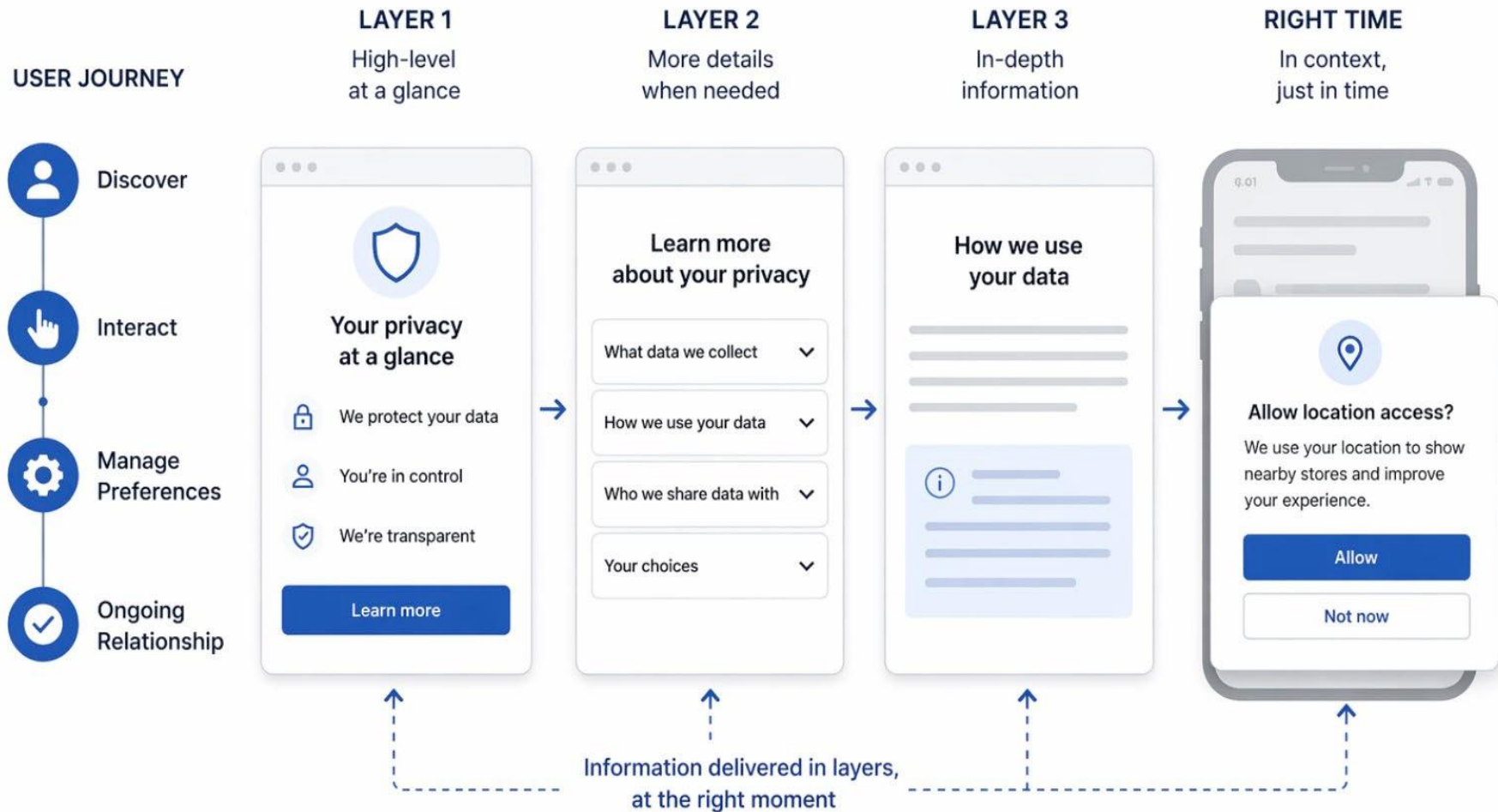
Layered, Tailored, and Shared Responsibility



Key strategies

- Layered information – summary + detailed options
- Contextual explanations – explain data use at collection point in plain language
- Accessibility – easy to find, consistent across touchpoints
- Clear disclosure
 - User rights (access, deletion)
 - Where data is stored and processed
 - How data is collected and used

CMA Layered Approach



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Optimize the Customer Experience



- **Data minimization** – collect only what's necessary
 - Reduces security risk, improves conversion
- **User-friendly onboarding** – short forms
 - Strengthens loyalty
- **User control** – minimal steps to account deletion, simple unsubscribe)
 - Builds trust

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Children and Youth

- Age-appropriate, easy-to-understand language
- Explain at the point of collection
- Data minimization
- Privacy-protective defaults
- Consent requirements:
 - Under 13 – parental consent required
 - Teens 13-15 – may provide consent for contact information. Other data requires parental consent
- Immediate deletion when consent is withdrawn

Case Studies

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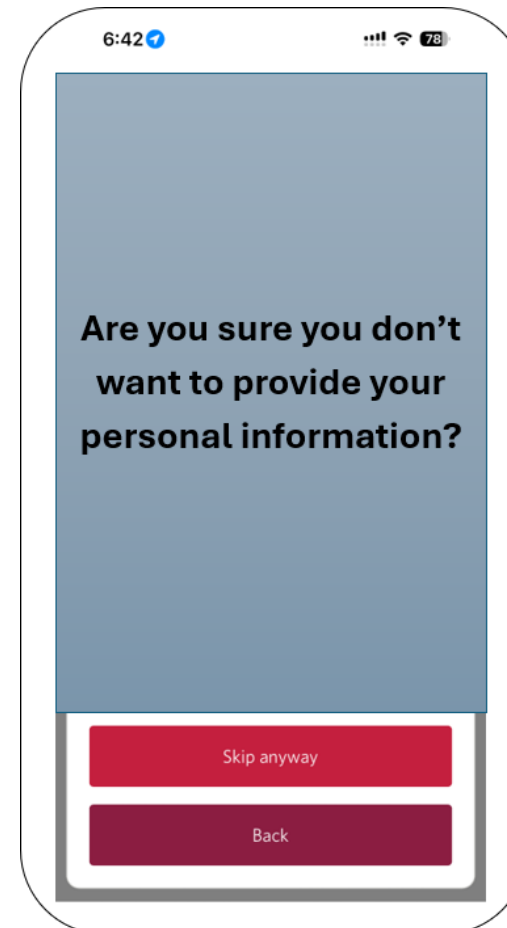
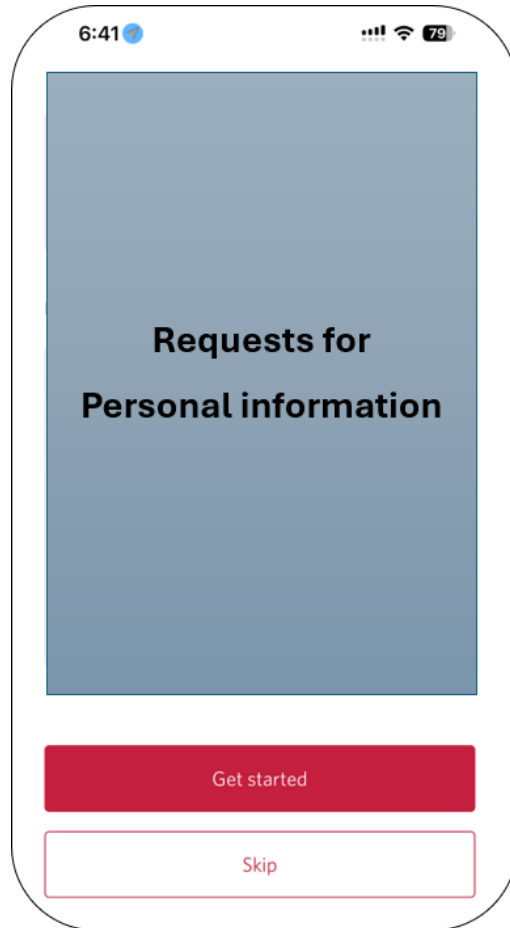


Case Study 1



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Case Study 2



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Get going fast

Change these at any time (scroll to see more). Select **Use Express settings** to:

Personalize your speech, typing, and inking input by sending contacts and calendar details, along with other associated input data to Microsoft. Let Microsoft use that info to improve the suggestion and recognition platforms.

Let Windows and apps request your location, including location history, turn on Find My Device, and use your advertising ID to personalize your experiences. Send Microsoft and trusted partners some location data to improve location services.

Help protect you from malicious web content and use page prediction to improve reading, speed up browsing, and make your overall experience better in Windows browsers. Your browsing data will be sent to Microsoft.

Automatically connect to suggested open hotspots and shared networks. Not all networks are secure.

Get updates from and send updates to PCs on the Internet. Send full error and diagnostic information to Microsoft.

Connect with friends. Let Skype use your contacts and verify your phone number. SMS charges may apply.

[Learn more](#)

[Customize settings](#)



Back

Use Express settings

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A privacy-positive design solution



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Get tailored experiences with diagnostic data

Choose your settings, then select 'Accept' to save them. Check the 'Learn more' link for information about these settings, how to change them, how Windows Defender SmartScreen works and the related data transfers and uses.



Yes

Let Microsoft offer you tailored experiences based on the diagnostic data you have chosen (either Basic or Full). Tailored experiences mean personalised tips, ads and recommendations to enhance Microsoft products and services for your needs.



No

The tips, ads and recommendations you see will be more generic and may be less relevant to you.

[Learn more](#)

[Accept](#)

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OPC Resource List



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- Guidelines for obtaining meaningful consent
https://www.priv.gc.ca/en/privacy-topics/collecting-personal-information/consent/gl_omc_201805/
- Getting Accountability Right with a Privacy Management Program
https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/the-personal-information-protection-and-electronic-documents-act-pipeda/pipeda-compliance-help/pipeda-compliance-and-training-tools/gl_acc_201204/
- Microsoft to obtain opt-in consent, enhance transparency for Windows 10 privacy settings
<https://www.priv.gc.ca/en/opc-actions-and-decisions/investigations/investigations-into-businesses/2018/pipeda-2018-004/>
- 2024-2025 Public Opinion Research on Privacy Issues
https://www.priv.gc.ca/en/opc-actions-and-decisions/research/explore-privacy-research/2025/por_ca_2024-25/

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Questions?

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How Did Things Go? (We Really Want To Know)

Did you enjoy this session? Is there any way we could make it better? Let us know by filling out a speaker evaluation.

1. Open the IAPP Events app.
2. Select **IAPP Symposium 2026**.
3. Tap "Schedule" on the bottom navigation bar.
4. Find this session. Click "Rate this Session" within the description.
5. Once you've answered all three questions, tap "Done".

Thank you!

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