



## GUIDANCE ON REQUIRED AND RECOMMENDED WEBSITE PRIVACY STATEMENTS

### WHY WEBSITE PRIVACY STATEMENTS ARE IMPORTANT

More and more consumers are paying attention to online privacy and security issues in today's environment – and they should. Today's wired world provides opportunities to better secure data, but it also often increases the risk of misuse of data.

At Penn, we use websites to inform the world about exciting new academic, research and health care developments for example. We use websites to perform research, take applications, sell or provide products and services and for a host of other reasons. Because of rising concerns about privacy, however, it is appropriate for us to consider the expectations of website users, and the nature of information collected, and post a website privacy statement where appropriate. A website privacy statement informs the visitor about what information is collected *on the site*,<sup>1</sup> how it will be used, to whom it will be disclosed and other privacy-related issues.

Posting a website privacy statement is a sign to the visiting population that you understand privacy concerns and have built your website with them in mind. It shows that you value open communication about privacy and are willing to articulate and stand by your privacy practices. This type of statement can help make visitors to your site more comfortable about purchasing products for example, or signing up to participate in a research protocol.

We have developed a [template website privacy statement](#) as a guide to departments wishing to post a website privacy statement.

### WHEN AND WHERE TO POST

In some cases, posting a privacy statement is required for compliance; in others it is not required but is nevertheless a good idea.

**Required on Certain E-Commerce Sites.** Websites that accept credit card payments must post a privacy statement. Such sites must include in the statement a description of the intended uses and disclosures of the contact and credit card information and, where applicable, authorization for periodic payments for subscription transactions.

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<sup>1</sup> Note that the term “website privacy statement” refers to a statement posted on a website that addresses privacy elements regarding the information collected on that website. It does not ordinarily refer to other information practices that may occur, separate and apart from website collection, by the posting entity.

### **Recommended:**

Whether required or not, posting website privacy statements is often a good idea, particularly on certain types of websites. At Penn, we are strongly encouraging their use in instances where a website is collecting personal information, such as:

- web-based surveys: especially if it involves the collection of sensitive information, a privacy statement may very well make end users more comfortable with participating in the survey.
- web-based research: similar to web-based surveys, instances where individuals understand that there are controls in place to protect the information they are submitting online may encourage their willingness to participate.

In these and other cases, it is important to consider the expectations and interests of visitors to your website, your ability to clearly state your practices, and that you can implement controls to ensure adherence to what is stated online.

### **Placement of Policies.**

Placement of website privacy policies is also largely unregulated by law or similar mandates. In many cases, they are found via a link at the bottom of a website home page. A good practice is to link to a privacy statement close to the area where personal information is collected online. For example, a site may not primarily involve e-commerce, but may have a single page where credit card information is collected; in such an instance a good practice would be to link the privacy statement to the page where the credit card data is collected.

## **VITAL CONSIDERATIONS BEFORE YOU POST**

Before posting a website privacy statement, it is critical to note and observe the following:

- Whatever is stated in a website privacy statement MUST be true.** Failure to comply with a posted statement can create liability for the University. If you can't be confident in what you propose to say online, you should not say it at all.
- The templates are just that. They are most useful in setting out the areas that should be covered in a website privacy statement -- those areas are reflected in the first column. **Choose the language and style that are correct for your area.**

## **RESOURCES**

If you have questions on whether, where or what to post regarding website privacy statements, please contact the Office of Audit, Compliance and Privacy at [privacy@pobox.upenn.edu](mailto:privacy@pobox.upenn.edu), or 215-573-4492, or call University Communications at 215-898-8721. For e-commerce sites, you may also contact the Office of the Treasurer at 215-898-9844.