Privacy and cybersecurity are no longer IT issues, they are board issues

September 10, 2025

This article is part of BLG's 12-part series: ***12 Strategic Priorities for Privacy, Cybersecurity, and AI Risk Management .*** *The series provides a roadmap for Canadian organizations to build stronger governance frameworks and lead with confidence.*

Privacy and cybersecurity now rank among the top enterprise risks facing Canadian organizations. Yet in too many boardrooms, these issues remain siloed – treated as technical problems rather than strategic ones. Boards that fail to lead on privacy and cyber risk may face serious consequences: reputational damage, regulatory investigations, investor criticism, and operational disruption.

Why it matters

Regulators are raising expectations for board involvement in cyber and privacy oversight. Insurers are increasingly asking about governance structures, response protocols, and board education. Institutional investors are scrutinizing how data risks are managed as part of ESG strategies.

Cybersecurity incidents and privacy breaches are not hypothetical. They are frequent, high-impact, and difficult to contain without a prepared, aligned leadership team.

What management and boards must prioritize

1. Board-level engagement and accountability

Boards should designate a committee or lead director to oversee cyber and privacy risk. Cyber should be a standing agenda item with regular briefings from management and external advisors.

2. Enterprise-wide governance structures

Privacy and cybersecurity oversight should not reside solely with IT. Boards must ensure there is cross-functional governance involving legal, compliance, HR, risk, and communications.

3. Scenario planning and simulations

Boards should participate in, or be briefed on, cyber incident simulations that involve the executive team and external advisors. These exercises reveal gaps in response readiness and sharpen decision-making.

4. Transparency and disclosure practices

As disclosure expectations rise, boards must review public communications related to cyber incidents, ESG reports, and investor materials. Misstatements or omissions can trigger legal and reputational risk.

5. Board education and external expertise

Board members must keep pace with evolving threats and regulatory standards. Periodic education and external benchmarking can help boards fulfill their oversight responsibilities.

Final thoughts

Boards that lead on cybersecurity and privacy governance strengthen organizational resilience, reduce risk exposure, and enhance trust. This is no longer optional: it has become a fundamental part of responsible corporate stewardship.

By

Hélène Deschamps Marquis

Expertise

Cybersecurity, Privacy & Data Protection, Artificial Intelligence (AI)

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

blg.com

BLG Offices

Calgary

Centennial Place, East Tower
520 3rd Avenue S.W.
Calgary, AB, Canada
T2P 0R3

T 403.232.9500
F 403.266.1395

Ottawa

World Exchange Plaza
100 Queen Street
Ottawa, ON, Canada
K1P 1J9

T 613.237.5160
F 613.230.8842

Vancouver

1200 Waterfront Centre
200 Burrard Street
Vancouver, BC, Canada
V7X 1T2

T 604.687.5744
F 604.687.1415

Montréal

1000 De La Gauchetière Street West
Suite 900
Montréal, QC, Canada
H3B 5H4

T 514.954.2555
F 514.879.9015

Toronto

Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada
M5H 4E3

T 416.367.6000
F 416.367.6749

The information contained herein is of a general nature and is not intended to constitute legal advice, a complete statement of the law, or an opinion on any subject. No one should act upon it or refrain from acting without a thorough examination of the law after the facts of a specific situation are considered. You are urged to consult your legal adviser in cases of specific questions or concerns. BLG does not warrant or guarantee the accuracy, currency or completeness of this publication. No part of this publication may be reproduced without prior written permission of Borden Ladner Gervais LLP. If this publication was sent to you by BLG and you do not wish to receive further publications from BLG, you may ask to remove your contact information from our mailing lists by emailing unsubscribe@blg.com or manage your subscription preferences at blg.com/MyPreferences. If you feel you have received this message in error please contact communications@blg.com. BLG's privacy policy for publications may be found at blg.com/en/privacy.

© 2025 Borden Ladner Gervais LLP. Borden Ladner Gervais LLP is an Ontario Limited Liability Partnership.