

Systematic implementation of compliance and governance as a security measure in today's global business framework: A case study of QuickDine food delivery service

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Abstract

The QuickDine compliance and governance plan outlines the framework for ensuring legal, ethical, and secure operations within the organization. QuickDine faces critical challenges regarding customer privacy, intellectual property protection, and adherence to cyber laws as a food delivery service. This compliance and governance plan aimed at addressing these concerns systematically.

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1. Introduction

1.1. Rationale for Developing a Compliance Plan

As a technology-based business, developing a robust compliance plan is essential for several reasons, these reasons include:

- **Legal Obligations:** QuickDine must adhere to local, national, and international laws and regulations related to data privacy, intellectual property, and cyber laws. Non-compliance can result in legal penalties and reputational damage (CSO, 2023).
- **Customer Trust:** QuickDine's success depends on customer trust. Demonstrating compliance ensures that users feel secure when using our platform, knowing their data and rights are protected (Legalzoom, n.d.).
- **Risk Mitigation:** By identifying and addressing potential risks, QuickDine can prevent security breaches, data leaks, and other adverse events (Medaglia & Serbanati, 2010).
- **Ethical Responsibility:** As stewards of customers' data, QuickDine has an ethical duty to safeguard their information and respect their privacy.

1.1.1. QuickDine's compliance plan aims to achieve the following goals:

- **Privacy Protection:** Safeguard customer data, including personally identifiable information (PII), payment details, and browsing history.
- **Intellectual Property Preservation:** Protect QuickDine's copyrighted software, patented technology, and other proprietary assets.
- **Adherence to Cyberlaws:** Comply with relevant cyber laws, including cybersecurity-related laws, data breach notifications, and electronic transactions.

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1.2. Privacy Issues of Customers

One of the leading compliance and governance issues that QuickDine faces is the privacy of its customers. Privacy means customers should be able to control their data, deciding how, when, and by whom it is collected, used, stored and shared. Personal data includes things like names, addresses, phone numbers, emails, payment details, order history, preferences, location, and feedback (Medaglia & Serbanati, 2010).

1.2.1. QuickDine collects and uses the personal data of its customers for various purposes including to:

- Provide and improve its services, such as processing orders, payments, and deliveries and offering personalized recommendations and promotions.
- Communicate and interact with its customers by sending notifications, confirmations, surveys, and newsletters and responding to inquiries, complaints, and requests.
- Analyze and understand its customers, such as measuring customer satisfaction, behavior, and trends and conducting market research and business intelligence.
- Comply with legal and regulatory obligations, such as verifying identity, preventing fraud, and cooperating with law enforcement.

1.2.2. QuickDine stores and protects the personal data of its customers using various methods, such as:

- Encrypting the data while it is being sent and when it is stored using secure methods like SSL/TLS and AES.
- Limiting data access to only authorized people and third parties by using security measures like passwords.
- Following rules for how long to keep and when to delete data based on its type, use, and legal requirements. This means keeping data as long as needed and deleting it when requested or when it is no longer needed.

1.3. Privacy Laws and Regulations

QuickDine respects and upholds the privacy rights and expectations of its customers and complies with the relevant privacy laws and regulations applicable to its operations, these include:

- The General Data Protection Regulation (GDPR): GDPR is an European Union (EU) law that controls how personal data of people in the EU is handled, even by organizations outside the EU that offer goods or services to EU residents. It gives individuals rights over their data, like accessing, correcting, deleting, limiting use, moving, and objecting to data processing. It also requires organizations to inform, get consent, and allow withdrawal of consent. Organizations must also follow rules like designing data protection into their processes, assessing data protection impacts, appointing data protection officers, reporting data breaches, and adhering to principles like legality, fairness, transparency, purpose limitation, data minimization, accuracy, storage limitation, integrity, and confidentiality (CSO, 2023).
- The California Consumer Privacy Act (CCPA): CCPA is a California law that controls how residents' data is handled in California or by businesses operating there. It gives residents rights over their data, like knowing, accessing, deleting, and opting out of the sale of their data, and ensures they are not discriminated against. The CCPA also requires businesses to provide notice, be transparent, offer choices, use reasonable security measures, respond to requests, and follow principles of accountability, purpose, and value (CSO, 2023).

1.3.1. Compliance Policies and Practices

To comply with these laws and regulations, QuickDine follows the following privacy policies and practices:

- QuickDine provides clear and comprehensive privacy notices to its customers, explaining what data it collects, why it collects it, how it uses it, how it stores it, how it protects it, how it shares it, and what rights and choices the customers have over their data. The privacy notices are available on the website and the app and are updated regularly to reflect any changes or updates.
- QuickDine obtains the consent of its customers before collecting and using their data unless there is another lawful basis for doing so, such as contractual necessity, legitimate interest, or legal obligation. The consent is obtained through clear and affirmative actions, such as clicking a button, checking a box, or filling out a form. The consent is also specific, informed, and revocable, meaning that the customers can withdraw their consent at any time and that their data will not be used for purposes other than those they agreed to.
- QuickDine respects customer requests to manage their data, such as accessing, correcting, deleting, limiting, moving, or objecting to its processing. These requests are handled promptly and without unnecessary delay or cost unless there is a valid reason to refuse or limit them, like legal requirements, public interest, or technical

issues. The requests are handled through the website, the app, or the customer service channels and are verified for authenticity and identity.

- QuickDine makes sure that the third parties it shares customer data with, like restaurants, contractors, payment processors, marketing agencies, or cloud providers, follow the same privacy laws and have strong data protection measures by entering into data processing agreements with them, specifying each party's roles, responsibilities, and obligations and the terms and conditions of the data sharing.
- QuickDine monitors and audits its privacy policies and practices regularly to ensure they are effective, up-to-date, and compliant with the relevant privacy laws and regulations. QuickDine trains and educates its staff and partners on the importance and implementation of privacy compliance and governance and fosters a culture of privacy awareness and respect within the Organization.

1.4. Protection of Intellectual Property

Another issue QuickDine faces is protecting its intellectual property. This includes creations with commercial value, like inventions, designs, symbols, names, and artistic works. Intellectual property falls into four main types: patents, trademarks, copyrights, and trade secrets. QuickDine owns various forms of intellectual property, these include:

- **Patents:** QuickDine has developed and patented some innovative software solutions that enable its online food ordering and delivery services, such as its algorithm for matching customers with the best restaurants and contractors, its system for optimizing the routes and schedules of the deliveries, and its platform for integrating and managing the payments and transactions. These give QuickDine the exclusive right to use, make, sell, or license these inventions for about 20 years, and prevent others from copying, using, or exploiting its inventions without its permission.
- **Trademarks:** QuickDine has registered and protected its logo, brand name, slogan, and domain name as trademarks, which are distinctive signs that identify and distinguish its products and services from those of its competitors. These trademarks help QuickDine build and maintain its reputation, recognition, and goodwill among its customers and partners. They also prevent others from confusing, misleading, or deceiving the public by using similar or identical signs for their products and services without authorization.
- **Copyrights:** QuickDine has created and owned some original and creative works that are expressed in a tangible form, such as its website, app, graphics, menus, reviews, newsletters, and marketing materials. These items are protected by copyright laws. This means QuickDine has the exclusive right to reproduce, share, display, perform, or change its work for a long time, usually the author's life plus 70 years, and can stop others from using or changing its work without permission.
- **Trade secrets:** QuickDine has acquired and maintained some valuable and confidential information, like customer data, business plans, strategies, contracts, prices, and recipes, that gives it an edge over competitors. This information is protected by trade secrets, which are kept private and not shared with the public. QuickDine makes sure to keep this information secret, and as long as it stays hidden and useful, these trade secrets can last forever (USPTO, n.d.).

1.4.1. Threats and Risks Intellectual Property

QuickDine faces various threats and risks to its intellectual property, such as:

- **Infringement:** This is the unauthorized use or exploitation of QuickDine's intellectual property by others, such as copying, selling, or importing its patented software, using or registering its trademarks, reproducing or distributing its copyrighted works, or disclosing or acquiring its trade secrets (Trademarkfactory, n.d.). Infringement can cause QuickDine to lose its market share, revenue, reputation, and competitive edge and incur legal costs and damages (Trademarkfactory, n.d.).
- **Theft:** This is the unauthorized access or acquisition of QuickDine's intellectual property by others, such as hacking, phishing, or stealing its software, data, or devices. Theft can result in QuickDine losing its control, ownership, and exclusivity over its intellectual property and exposing its confidential and sensitive information to unauthorized parties.
- **Misuse:** This is the unauthorized or improper use or handling of QuickDine's intellectual property by its staff, partners, or customers, such as violating the terms and conditions, licenses, or agreements or neglecting the security measures and safeguards. Misuse can lead to QuickDine compromising the quality, reliability, and integrity of its intellectual property and exposing its intellectual property to potential infringement, theft, or loss (Trademarkfactory, n.d.).

1.4.2. Strategies and Actions

To protect its intellectual property, QuickDine adopts the following strategies and actions:

- **Registration:** QuickDine registers and records its intellectual property with the right authorities, like the U.S. Copyright Office, the U.S. Patent and Trademark Office (USPTO), and the Internet Corporation for Assigned Names and Numbers (ICANN). This registration gives QuickDine legal recognition, proof, and protection for its intellectual property, allowing it to take action against anyone who infringes, steals, or misuses it (USPTO, n.d.).
- **Licensing:** QuickDine licenses and grants its intellectual property to its partners, contractors, or customers under specific terms and conditions, such as the scope, duration, and fee of the license and the obligations and restrictions of the licensee. Licensing allows QuickDine to generate revenue, expand its market, and collaborate with others while retaining its ownership and control over its intellectual property and ensuring its proper and lawful use by the licensees (Legalzoom, n.d.).
- **Encryption:** QuickDine encrypts its intellectual property, especially its software and data, using secure protocols and algorithms, such as SSL/TLS and AES. Encryption prevents unauthorized parties from accessing, reading, or modifying QuickDine's intellectual property and ensures its confidentiality, integrity, and authenticity (Medaglia & Serbanati, 2010).
- **Monitoring:** QuickDine monitors and tracks its intellectual property using various methods and tools, such as analytics, audits, alerts, and reports. This helps QuickDine to spot and stop any infringement, theft, or misuse of its intellectual property and to take appropriate actions, such as issuing warnings, notices, or cease and desist letters, or initiating legal actions, such as lawsuits, injunctions, or damages (Medaglia & Serbanati, 2010).

1.5. Cyber Laws Applicable to QuickDine

QuickDine has to also deal with the problem of following cyber laws that apply to its operations. These are rules about using the Internet, computers, software, and data. Cyber laws cover various aspects and issues related to the digital domain, such as cybercrime, cybersecurity, cyberprivacy, cyberethics, and cyberspace (Conklin et al., 2018).

QuickDine operates in the digital domain and is subject to various cyber laws that affect its operations, such as:

- **The Computer Fraud and Abuse Act (CFAA):** CFAA is a federal law that makes it illegal to access a computer, system, or network without permission or to go beyond what you are allowed to do. It also bans sending programs, codes, or commands that cause damage or harm. The CFAA applies to QuickDine's computers, systems, and networks, as well as to its partners, contractors, and customers, and prohibits hacking, phishing, or malware activities that may compromise or harm them (CSO, 2023).
- **The Electronic Communications Privacy Act (ECPA):** ECPA is a federal law that protects the privacy and security of electronic communications like texts, emails, and calls, that are transmitted, stored, or intercepted by a computer, system, or network. The ECPA applies to QuickDine's electronic communications, as well as to those of its partners, contractors, and customers, and requires QuickDine to obtain the consent of the parties involved or a court order before accessing, disclosing, or intercepting their communications unless there is an exception, such as emergency, consent, or legal obligation (CSO, 2023).
- **The Digital Millennium Copyright Act (DMCA):** DMCA is a federal law that helps protect intellectual property online, based on international agreements like the World Intellectual Property Organization (WIPO) treaties. The DMCA applies to QuickDine's intellectual property, as well as to those of its partners, contractors, and customers, and provides QuickDine with various rights and remedies, such as the right to prevent the circumvention of technological measures that protect its intellectual property, the right to request the removal of infringing materials from online platforms or services, and the right to claim statutory damages for infringement (CSO, 2023).

1.5.1. Compliance Policies and Practices

To comply with these laws and regulations, QuickDine follows the following policies and practices

- QuickDine implements and maintains adequate cybersecurity measures and safeguards, such as firewalls, antivirus, backups, and updates, to protect its computers, systems, and networks, as well as those of its partners, contractors, and customers, from unauthorized access, damage, or harm (Conklin et al., 2018). QuickDine also educates and trains its staff and partners on the importance and implementation of cybersecurity and fosters a culture of cybersecurity awareness and responsibility within the Organization.
- QuickDine respects and upholds the privacy and security of its electronic communications and those of its partners, contractors, and customers. It obtains their consent or a court order before accessing, disclosing, or

intercepting their communications unless there is an exception. QuickDine also encrypts its communications using secure protocols and algorithms, such as SSL/TLS and AES, to prevent unauthorized parties from accessing, reading, or modifying them.

- QuickDine enforces and defends its intellectual property rights in the digital domain, and prevents the circumvention, infringement, or misuse of its intellectual property, or that of its partners, contractors, or customers, by others. QuickDine also monitors and reports any violations of its intellectual property rights and takes appropriate actions, such as issuing warnings, notices, cease and desist letters, or initiating legal actions, such as lawsuits, injunctions, or damages.
- QuickDine also complies with other relevant cyber laws that apply to its operations including the Fair Credit Reporting Act (FCRA), CAN-SPAM Act, Federal Trade Commission Act (FTCA) and the Children's Online Privacy Protection Act (COPPA).

1.6. Ethical Issues and Social Responsibility

QuickDine also deals with ethical and social responsibility issues in its operations. Ethical issues involve the moral challenges that come with using technology like the computers, software, and Internet (Saylor Academy, 2012). Social responsibility means that QuickDine must act in a way that helps the society and the environment, as well as its stakeholders, such as its customers, partners, staff, and shareholders (Fischer, 2004). Thus, QuickDine operates in a way that considers and addresses the ethical issues and social responsibility that affect its operations, such as:

- The impact of its services on the environment: QuickDine recognizes that its services have an environmental impact, such as the emission of greenhouse gases, the consumption of energy and resources, and the generation of waste and pollution. QuickDine strives to reduce and mitigate its environmental impact by adopting and promoting sustainable and eco-friendly practices, such as using electric or hybrid vehicles, optimizing the delivery routes and distances, reducing packaging materials and food waste, and supporting local and organic food sources.
- The impact of its services on the health and well-being of its customers and contractors: QuickDine acknowledges that its services have an influence on the health and well-being of its customers and contractors, such as the quality and safety of the food, the nutrition and dietary preferences of the customers, and the working conditions and compensation of the contractors. QuickDine endeavors to enhance and protect the health and well-being of its customers and contractors by implementing and ensuring high standards of food hygiene and quality, offering and recommending healthy and diverse food options, respecting and accommodating the unique needs and requests of the customers, and providing fair and flexible work opportunities and benefits for the contractors.
- The impact of its services on society and the economy: QuickDine appreciates that its services affect the society and the economy, such as the social and cultural diversity of the customers and the restaurants, the competition and cooperation with other businesses and organizations, and the contribution and responsibility to the community and the public interest. QuickDine aspires to enrich and support society and the economy by embracing and celebrating the diversity and inclusion of its customers and restaurants, collaborating and partnering with other businesses and organizations to create value and innovation, and donating and volunteering to the community and public causes.

1.6.1. Adherence to Ethical Principles and Values

QuickDine follows and adheres to the ethical principles and values that guide its decisions and actions, such as:

- **Honesty:** QuickDine is truthful and transparent in its communications and interactions with its customers, partners, staff, and shareholders and does not deceive, mislead, or manipulate them for its benefit or advantage.
- **Respect:** QuickDine is respectful and courteous in its dealings and relations with its customers, partners, staff, and shareholders and does not discriminate, harass, or offend them based on their race, gender, age, religion, disability, or any other factor.
- **Fairness:** QuickDine is fair and impartial in its policies and practices with its customers, partners, staff, and shareholders and does not favor, exploit, or harm them based on their status, position, or relationship.
- **Responsibility:** QuickDine is responsible and accountable for its actions and outcomes with its customers, partners, staff, and shareholders and does not evade, deny, or shift the blame for its mistakes, failures, or problems.
- **Excellence:** QuickDine is excellent and professional in its performance and quality with its customers, partners, staff, and shareholders and does not compromise, neglect, or lower its standards, expectations, or goals.

1.6.2. Participation in Ethical and Social Initiatives

QuickDine undertakes and participates in various initiatives and activities that demonstrate and fulfill its ethical and social responsibility, such as:

- QuickDine supports and sponsors various environmental and social causes and organizations, such as the World Wildlife Fund (WWF), the United Nations Children's Fund (UNICEF), and the Red Cross, by donating a percentage of its profits, providing free or discounted food and delivery services, and organizing fundraising and awareness campaigns.
- QuickDine encourages and rewards its customers and contractors for adopting and practicing sustainable and eco-friendly behaviors, such as using reusable or biodegradable containers, bags, and utensils, choosing plant-based or organic food options, and reducing their carbon footprint, by offering them incentives, discounts, or rewards, such as coupons, points, or badges.
- QuickDine engages and empowers its staff and shareholders to contribute and participate in its ethical and social responsibility by providing them with training, education, and feedback, involving them in decision-making and problem-solving, and recognizing and appreciating their efforts and achievements.

1.7. Risk Management and Quality Assurance

QuickDine also deals with risk management and quality assurance issues that affect its operations. Risk management involves recognizing, weighing, reducing, and keeping track of the risks and uncertainties like market competition, customer satisfaction, legal liability, and operational efficiency (Conklin et al., 2018). Quality assurance ensures, maintains, and improves the quality and reliability of QuickDine's products and services, such as food hygiene and quality, delivery speed and accuracy, and customer service and support (Conklin et al., 2018). QuickDine operates in a way that considers and addresses the risk management and quality assurance that affect its operations by using various methods and tools, such as:

- SWOT analysis: This is a method used to analyze the strengths, weaknesses, opportunities, and threats of QuickDine, both internally and externally, and helps QuickDine to identify and evaluate its competitive position, advantages, and disadvantages and to develop and implement its strategies and actions accordingly.
- PESTLE analysis: This is a method that analyzes the political, economic, social, technological, legal, and environmental factors that influence QuickDine's operations and helps QuickDine to identify and anticipate the trends, changes, and challenges that may affect its performance, growth, and sustainability, and to adapt and respond to them accordingly (Business-to-you, 2016).
- Risk matrix: This tool measures and prioritizes the risks that QuickDine faces based on their likelihood and impact and helps QuickDine decide and allocate its resources and efforts to mitigate and monitor the risks and prepare and execute its contingency and recovery plans.
- Balanced scorecard: This tool evaluates and monitors the performance and quality of QuickDine based on four perspectives: financial, customer, internal, and learning and growth. It helps QuickDine to set and reach its goals, and make sure its vision, mission, and values are in sync and balanced.

QuickDine also uses other relevant methods and tools that assist its risk management and quality assurance, such as Porter's five forces analysis, the SMART criteria, the PDCA cycle, and the Six Sigma methodology.

Recommendations

- QuickDine should follow and adhere to the relevant laws, regulations, standards, and ethical practices that apply to its operations and implement and enforce the appropriate policies, procedures, and controls to ensure compliance and governance.
- QuickDine should regularly check and review its compliance and governance policies to make sure they work well, are current, and follow the rules. This helps find and fix any mistakes or weaknesses.
- QuickDine should also train its staff and educate its partners on why compliance and governance are important and how to follow them. It should encourage a culture where everyone understands and respects these rules.

1.8. Suggestions for Implementing and Evaluating the Plan

- QuickDine should assign and allocate the roles, responsibilities, and resources for implementing and evaluating the plan, such as the management, the staff, the partners, the contractors, and the customers, and communicate and coordinate with them effectively and efficiently.
- QuickDine should establish and follow a timeline and a budget for implementing and evaluating the plan and set and measure the milestones and indicators for assessing the progress and results of the plan.

- QuickDine should review and update the plan periodically, make any necessary adjustments or improvements based on the feedback, data, and best practices, and keep up with the changing and evolving compliance and governance issues and requirements

2. Conclusion

This plan has identified and addressed the leading compliance and governance issues that QuickDine faces and has proposed solutions and recommendations to mitigate them. The plan has covered the following areas:

- Privacy issues of customers: QuickDine respects and upholds the privacy rights and expectations of its customers and complies with privacy laws like the GDPR and CCPA by following precise and comprehensive privacy policies and practices and by implementing adequate data protection measures and safeguards.
- Protection of intellectual property: QuickDine protects and defends its patents, trademarks, copyrights, and trade secrets, and prevents the circumvention, infringement, theft, or misuse of its intellectual property, or that of its partners, contractors, or customers, by registering and licensing its intellectual property, and by encrypting and monitoring its intellectual property.
- Cyber laws that apply to the Organization: QuickDine complies with the relevant cyber laws that affect its operations, such as the CFAA, the ECPA, and the DMCA, by implementing and maintaining adequate cybersecurity measures and safeguards, by respecting and upholding the privacy and security of its electronic communications, and by enforcing and defending its intellectual property rights in the digital domain.
- Ethical issues and social responsibility: QuickDine considers and addresses the ethical issues and social responsibility that affect its operations, such as the impact of its services on the environment, health, and society, and the ethical principles and values that guide its decisions and actions, by adopting and promoting sustainable and eco-friendly practices, by enhancing and protecting the health and well-being of its customers and contractors, by enriching and supporting the society and the economy, and by undertaking and participating in various initiatives and activities that demonstrate and fulfill its ethical and social responsibility.
- Risk management and quality assurance: QuickDine deals with risk management and quality assurance by using different tools like SWOT analysis, PESTLE analysis, risk matrices, and the balanced scorecard. These methods help QuickDine find, evaluate, and handle risks, and ensure that its products and services stay high-quality and reliable

Compliance with ethical standards

Disclosure of conflict of interest

No Conflict of interest to be disclosed.

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