California Privacy Solutions

Building a Defensible California Privacy Program

EXPERTS WITH IMPACT™

FTI CONSULTING


ONE WILSHIRE

The Challenge

California's revised California Consumer Privacy Act (CCPA) regulations, effective January 1, 2026, have transformed privacy compliance from a disclosure exercise into a documented, audit-grade governance program requirement. Organizations that sell or share personal information, process sensitive personal information, or use automated decision-making technology now face formal risk assessment obligations, mandatory annual cybersecurity audits, and enhanced consumer rights requirements.

For most organizations, the hardest part is not understanding any single requirement — it is the fact that these obligations touch legal, privacy, security, IT, data science, marketing and procurement simultaneously, and none of them can be satisfied with a one-time project. Data must be mapped before it can be assessed. Risk assessments must be sustained on a three-year cycle, with 45-day updates for material changes. Cybersecurity controls must hold up to an independent auditor's evidentiary standard, year after year. And long-standing marketing and AdTech practices — consent banners, tracking pixels, opt-out signals — must now operate correctly across every property, not just look compliant on paper. FTI Technology's Information Governance, Privacy & Security team helps organizations move from scattered, point-in-time compliance efforts to a single, sustainable program that can withstand regulatory scrutiny.

Key Dates

January 1, 2026

Revised CCPA regulations take effect

January 1, 2027

Article 9 cybersecurity audit period begins

April 1, 2028

First cybersecurity audit certifications and risk assessment submissions due to the CPPA (covering 2026–2027 activity)

Ongoing

Risk assessments refreshed every 3 years; material changes updated within 45 days; cybersecurity certifications filed annually thereafter

Our Services

FTI Technology delivers an integrated set of services that map directly to the CCPA's new requirements — built so that the work done for one obligation strengthens the others, rather than duplicating effort across separate workstreams.

Enterprise Data Mapping

Every other CCPA obligation depends on knowing what personal information an organization holds, where it is stored and how it moves. FTI's four-phase methodology — Identify, Pilot, Interview, Report — brings legal, privacy, IT, security and business stakeholders together to scope the effort, validate the approach on a limited set of assets, execute the inventory across the systems and processing activities in prioritized batches, and deliver outputs that are evaluated against regulatory requirements and organizational risk criteria. The result is a documented, defensible data map of personal information and the business's information systems that anchors risk assessments, cybersecurity audits and ADMT governance alike.

Risk Assessments (Article 10)

Article 10 requires formal, documented risk assessments before a business initiates any of six categories of high-risk processing — selling or sharing personal information, processing sensitive personal information, automated decision-making for significant decisions, profiling in employment or education contexts, profiling based on sensitive locations, or training automated decision-making or biometric systems. FTI helps organizations complete (or where possible leverage the work of data mapping) the in-scope inventory across all six categories, stand up a cross-functional steering committee, implement a single standardized assessment template routed through workflow tooling, close retention-documentation gaps, and build the recurring cadence — three-year refresh, 45-day material-change updates, and annual certification — that regulators expect to see sustained over time, not assembled after the fact.

Cybersecurity Audits (Article 9)

Article 9 is the first mandatory cybersecurity audit regulation under the CCPA, requiring businesses above $100 million in annual revenue to demonstrate — to an independent, qualified assessor — that their programs satisfy 18 specific control domains, with a named executive certifying the result under penalty of perjury. FTI offers two paths: a Gap Assessment & Remediation Advisory engagement that benchmarks the program against all 18 domains, cross-maps existing NIST CSF 2.0 alignment, and delivers a §7123(e)-structured report and remediation roadmap; and an Article 9 Audit of Record engagement, in which FTI serves as the independent qualified assessor conducting the formal audit under SSAE 18 / AU-C 530 standards. Independence is assessed and documented before either engagement begins, so organizations always know which path applies to them.

Automated Decision-Making Technology (ADMT) Governance

Where automated decision-making technology is used to make significant decisions about consumers — in lending, housing, education, employment or healthcare — or to train the systems that make those decisions, the CCPA now requires documented risk assessments, defined consumer rights processes and clear governance ownership. FTI helps organizations inventory ADMT and profiling use cases that often sit outside the privacy team's line of sight, assign executive accountability, and build the risk assessment and disclosure processes needed to operate these systems compliantly.

AdTech & Consent Management Compliance

Symmetry-of-choice, Global Privacy Control and third-party contracting requirements mean that consent and tracking technology deployed years ago is frequently misconfigured relative to today's standard — gaps that have drawn numerous CPPA enforcement actions against major companies. FTI's data privacy and AdTech specialists conduct technical and process assessments across an organization's digital properties, modernize the marketing technology stack — tag management, consent and preference management platforms and supporting web services — and implement the backend changes needed to honor opt-out and "do not sell" requests consistently across every owned and agency-managed domain. Recurring website audits and third-party technology scans keep the environment compliant as tracking technologies and vendor relationships change.

Contract Review

Under § 1798.140 data-use restrictions define how businesses, service providers, and contractors must handle personal information. The law outlines strict purpose limitations, requires specific contractual bounds to prevent unauthorized "sales", and restricts how sensitive personal information can be used. FTI's multidisciplinary team of privacy and contract experts provide advanced contract technology to locate contracts, surface privacy relevant terms and generate structured data to support compliance, remediation and ongoing governance.

CASE STUDY

Remedying a CPPA Enforcement Action

A global manufacturer, facing a CPPA enforcement action over its website opt-out and consent practices, engaged FTI Technology to bring more than 60 authenticated and unauthenticated websites into compliance under a firm regulatory deadline.

FTI facilitated structured working sessions across 20+ business units and 18 external agency partners, rebuilt the client's tag management and consent management platforms, and stood up a content delivery network for consistent, cross-domain consent enforcement.

Result: the client met its regulatory deadline, avoided significant fines and litigation exposure, and now operates a compliance-ready environment supported by ongoing FTI audits.


CORPORATE

Why FTI Technology

FTI Technology provides a wide range of services to help reduce our clients' regulatory, operational and reputational risk. From short, project-based engagements to ongoing managed services, our California privacy services are tailored to each organization's needs. FTI's team of data privacy experts have a strong track record of collaborating across legal, IT, compliance and lines of business on policy development and implementation. We're also skilled with the practical application of data protection and information security, managing an operational environment, implementing information governance practices, and applying change management in complex regulatory circumstances.

Privacy Expertise

Our independent assessment professionals work within a global Information Governance, Privacy & Security Team that is adept at designing and building regulatory requirements across North America, EMEA, and Asia. We have field experience building solutions around diverse privacy regulations including GDPR, ePrivacy, EU member state regulations, California Consumer Privacy Act of 2018 (CCPA), HIPAA, HiTECH, GLBA, 23 NYCRR 500, PIPEDA and more.

Audit-Grade Methodology

FTI's assessments are structured to satisfy the same §7123(e) reporting standard that Article 9 auditors apply, built by leaders who have conducted regulatory audits on behalf of Chief Audit Officers at major enterprises.

Independence by Design

FTI offers both advisory and audit-of-record services, with independence under §7122 assessed and documented before any statement of work is signed — a distinction most firms have not thought through.

Built On What You Already Have

Where organizations have existing NIST CSF 2.0 alignment, prior data mapping work or established privacy frameworks, FTI's cross-mapping approach documents that work as sufficient evidence wherever it meets the applicable standard, rather than starting from zero.

Deep GRC and AdTech Technology Experience

FTI's teams have hands-on implementation experience with LogicGate, OneTrust, RSA Archer and related GRC platforms, and with the tag management, consent management and marketing technology stacks that sit at the center of AdTech compliance.

Programs, Not Projects

From train-the-trainer models that build internal audit capability to recurring risk assessment and audit cycles, FTI structures every engagement to be sustained year over year as the regulation requires.

A Track Record Under Real Regulatory Pressure

FTI has guided organizations through active CPPA enforcement actions under firm deadlines, not just theoretical compliance planning.

Michael Spadea
Senior Managing Director
+1 (415) 905 0254
michael.spadea@fticonsulting.com

Steve Stein
Senior Managing Director
+1 (312) 952 3110
steven.stein@fticonsulting.com

Chris Zohlen
Managing Director
+1 (415) 307 4956
chris.zohlen@fticonsulting.com

John Goff
Managing Director
+1 (404) 460 6267
john.goff@fticonsulting.com

Scott Margolis
Managing Director
+1 (303) 885 7728
scott.margolis@fticonsulting.com

Dera Nevin
Managing Director
+1 (240) 935 3403
dera.nevin@fticonsulting.com

Chase D'Agostino
Managing Director
+1 (914) 804 4352
chase.dagostino@fticonsulting.com

555 12th Street NW, Suite 700
Washington, D.C. 20004
+1.202.312.9100
NYSE: FCN

EXPERTS WITH IMPACT™

FTI Consulting is the leading global expert firm for organisations facing crisis and transformation.

FTI Consulting is an independent global business advisory firm dedicated to helping organisations manage change, mitigate risk and resolve disputes: financial, legal, operational, political & regulatory, reputational and transactional. FTI Consulting professionals, located in all major business centres throughout the world, work closely with clients to anticipate, illuminate and overcome complex business challenges and opportunities.

FTI CONSULTING™

00000008102026