

## Chapter XII

# Technology–Related Privacy Concerns: An Emerging Challenge

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### **ABSTRACT**

*While Internet-based technologies have the potential to empower users immensely, individuals are becoming increasingly aware of the ways in which those technologies can be employed to monitor their computer-based interactions. In the past, much attention has focused on the impact of technology-related privacy concerns from a transactional perspective. However, privacy concerns regarding communication monitoring are now emerging as a significant issue with the potential to negatively impact both productivity and morale within the computer-mediated work environment. This chapter outlines the evolution of technology-related privacy concerns. The lack of definitional consensus and the resulting conceptual and operational confusion that surrounds the privacy construct is described. Furthermore, the significant deficit of rigorous academic studies on this topic is highlighted. The current state of privacy legislation in Europe is addressed and some of the key challenges that face researchers who may wish to conduct research on this phenomenon are outlined.*

### **INTRODUCTION**

Privacy has been a contentious issue throughout the ages as individuals have sought to protect their personal information from misuse by oth-

ers. The advent of the Internet and the increasing proliferation of technologies into our daily lives has only managed to heighten these concerns. The importance of individuals' privacy concerns is widely acknowledged in the literature. For exam-

ple, in the social science literature researchers (e.g. Konvitz, 1966; Powers, 1996; Froomkin, 2000; Rule, 2004; Cassidy and Chae, 2006) describe it as a dynamic issue that has the potential to impact attitudes, perceptions, and even the environment and future technology developments (Crompton, 2001). However, despite growing interest in the topic, empirical research on technology-related privacy concerns from an information systems perspective remains at an embryonic stage and the limited number of studies on the construct that do exist tend to be limited in size and nature (Gefen and Straub, 2000; Cockcroft and Heales, 2005). Compounding the problem is the fact that some of these studies are beset by conflicting conceptualisations of the construct, as well as a lack of agreement regarding the factors that predict the perceptions, attitudes and behaviours of the individuals themselves. Consequently, it is difficult for privacy researchers within the information systems field to compare and contrast the results of previous studies in their efforts to progress understanding in this area.

In general, the limited studies that do exist within the field of information systems tend to focus on the technology-related privacy issues that exist in the online marketplace and the fact that consumers are becoming increasingly aware of the ways in which online vendors can collect and use potentially sensitive information regarding them and their actions without their express permission. From a vendor perspective the ability to collate such data allows them to provide customers with specifically customised information thus conferring the benefits of a personalised shopping experience. From a consumer perspective however, the price of this personalised shopping experience may outweigh any customisation benefits, particularly when vendors have been known to sell information on consumers to third parties without their knowledge or consent. More recently however, researchers within the information systems discipline are moving beyond the context of

the marketplace and are focusing their efforts towards the privacy concerns emerging within the organisational framework. Researchers such as Nord *et al.*, (2006) note how the increasing proliferation of technologies into working environments has resulted in numerous situations whereby the right to invade the privacy of the employee is being taken for granted by management. As a result, information systems researchers have begun to focus attention on the factors that influence technology-related privacy concerns in that specific context and the behavioural outcomes of such concerns.

The aim of this chapter therefore is to thoroughly describe the factors that influence technology-related privacy concerns and the emerging challenges that face the issue, particularly within the computer-mediated work environment. The current state of privacy legislation within Europe will be addressed and compared with the privacy laws and legal codes practiced in the US. Before doing so however, it is important to first discuss the conceptual confusion that surrounds the privacy construct itself as well as identifying the changing pattern and shifts of privacy concerns over the years.

## **THE PRIVACY CONSTRUCT**

Privacy is a complex construct that has received attention from researchers within a broad spectrum of disciplines including ethics (Platt, 1995), economics (Rust *et al.*, 2002), marketing (Graeff and Harmon, 2002), management (Robey, 1979) as well as from the legal discipline even as far back as 1860 (e.g. Warren and Brandeis). However, despite such interest, the construct remains beset by conceptual and operational confusion. For example, Tavani (1999) remarks that privacy is neither clearly understood nor clearly defined while Introna (1996) comments that for every definition of privacy, it is also possible to find a counterexample in the literature.

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