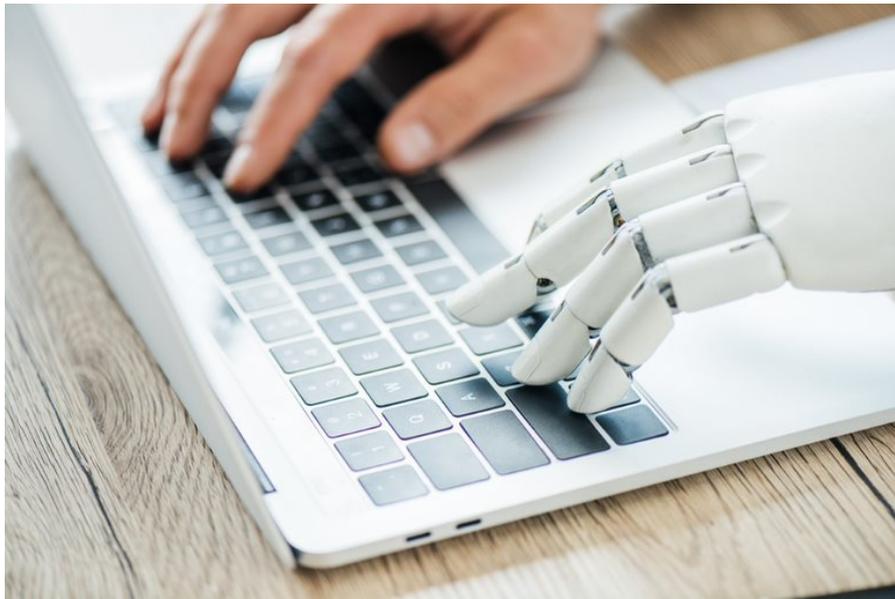


DATA MATTERS

APEX HR MONTHLY NEWSLETTER



**This month,
we're looking at:**

- EXAMPLES OF DATA BREACHES
- POSSIBLE SANCTIONS FOR BREACHES
- WHAT TO DO IF THERE HAS BEEN A BREACH

Data Breaches

Data breaches can happen in a range of different ways. They can be a complete accident by any employee just trying to do their job, or alternatively, they can sometimes be slightly more sinister. There have been plenty of examples of big corporations who simply decide to ignore the rules that are in place, particularly when it comes to marketing. Most recently, EE have been fined £100,000 for sending over 2.5 million direct marketing messages to its customers, without consent.

Breaches of data protection regulations can have huge consequences for businesses, for example, smaller businesses can be damaged by some hefty fines. Larger businesses that can afford to pay these fines can also be hurt by ICO sanctions, as more often than not, their relationship that they have with their customers can be damaged, and the element of trust that was their before can be completely broken. Data really does matter, and it needs to be protected.



Examples of Data Breaches

HERE ARE EXAMPLES OF BOTH CORPORATE DATA BREACHES AND INDIVIDUAL LAPSES THAT HAVE RESULTED IN A BREACH

1)

After a huge breach of data, Dixons Carphone were hit with a £500,000 fine. Personal details such as names, addresses, email addresses, postcodes and failed credit checks were revealed. The data of 14 million people was let slip. The ICO also discovered that the payment details of 5.6 million cards were compromised. Another part of the group, Carphone Warehouse, were also fined £400,000 in 2015 for a similar breach.

Dixons Carphone had vulnerable data security arrangements and therefore such a fine was necessary. This particular breach increased the risk of fraud dramatically for so many people, and was therefore deemed as an extremely serious breach.

2)

On the other hand, personal fines can also be handed out. An example of this is the former GP Practice Manager, Shamim Sadiq, who was sending personal data to her own email account without any authorisation. She was subsequently investigated by the ICO and fined £120, plus costs of £364 and a victim surcharge of £30, altogether costing £514 for her to pay personally. She did admit to unlawfully accessing personal data, and was suspended for an unrelated matter and dismissed a month later. She was prosecuted under the 1998 data protection act, rather than the 2018 General Data Protection Regulation.

Possible Sanctions for Data Breaches, and what to do if there has been a Breach

THESE ARE SOME OF THE KEY SANCTIONS THAT ARE IN PLACE

- Under GDPR, the ICO is authorised to fine any company up to 4% of their annual global turnover.
- Data processing can be permanently or temporarily banned.
- Data transfers to third countries can be suspended.
- The ICO are also able to instruct you to rectify, restrict, or erase data if they see fit.

It is worth noting that the giant, multi-million pound fines have been given out to some of the biggest companies across the globe who have systematically committed data breaches. For smaller companies, fines are the ICO's last resort, but that should not be underestimated.

WHAT TO DO IF THERE HAS BEEN A BREACH

If there has been a data breach in your organisation, the first thing you need to do is establish exactly what happened. Once you have worked this out, head over to the ICO website and complete a self-assessment. If it becomes clear that there has been a breach that needs to be disclosed, complete the "report a breach" section on the ICO website. The ICO helpline staff are there to support you.

TOP TIP OF THE MONTH

ALWAYS MAKE SURE THAT YOUR PHONE AND COMPUTER ARE PASSWORD PROTECTED TO KEEP YOUR DATA SAFE.

If you have any queries or questions, or need any support with the data in your organisation, or any HR needs, do not hesitate to contact us on 01752 825697 or info@apexhr.co.uk, we are always happy to have a conversation! Thank you for reading, the Apex team.