



GDPR Compliance: Initial Post

Course: MSc Computer Science

Module: Network and Information Security Management

Assignment: ePortfolio

Date: Saturday 30th October 2021

Student ID: 126853

Post:

Compliance with a Subject Access Request & Disclosure of personal data/capture of images using CCTV

Within this case study, we learn of a complaint received by the Irish Data Protection Commission (2017) relating to the unlawful disclosure of CCTV images/audio of an engineer performing work on a clients property ('Toll Plaza') to their employer. In particular, the case study refers to the inadequate signage/privacy notices available onsite and the inability to use the 'legitimate interests' clause two months after the original incident (Irish Data Protection Commission, 2017).

To prevent future incidents such as this from occurring within the 'Toll Plaza' business, I would ensure the following steps are taken (Based upon the General Data Protection Regulations/Data Protection Act 2018):

- Ensure that a comprehensive list of data processing activities and basis for processing is compiled and available to the regulator(s) upon request per Article 5(2) of the Data Protection Act 2018 (Information Commissioners Office, n.d.a).


- Implement an adequate retention policy, ensuring CCTV images and audio are regularly deleted once enforcement activities have been completed.

- Not share information (CCTV images and audio) directly to complainants; instead, provide them to 'competent authorities' discharging statutory law functions (Information Commissioners Office, n.d.b).

The regulator comments on using the overuse and unjustified use of the 'legitimate interests' clause of the 1988-2003 Data Protection Act, stating that individual data controllers must supply evidence of this legitimate interest when requested (Irish Data Protection Commission, 2017). I would consider this statement to remain valid in the current legislation.

Unfortunately, this case study does not detail how this case was resolved, but presumably, sanctions were brought against the 'Toll Plaza' through fines or remediation actions.

Screenshot:



Kieron Holmes

Initial Post
23 days ago

1 reply
Last 19 days ago

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References:

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Information Commissioners Office. (n.d.) Sharing personal data with law enforcement authorities. Available from: <https://ico.org.uk/for-organisations/data-sharing-information-hub/sharing-personal-data-with-law-enforcement-authorities/> [Accessed 6th October 2021].

Irish Data Protection Commission. (2017) Compliance with a Subject Access Request & Disclosure of personal data/capture of images using CCTV. Available from: <https://www.data-protection.ie/en/pre-gdpr/case-studies#201707> [Accessed 6th October 2021].

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