

Tutorial 8 – Data and Decisions – teaching notes

1. You are a Director of a new recruitment company, FindStaff, which is being formed from a merger of 2 smaller recruitment companies: ARecruit with 3 employees and BRecruit, with 30 employees. FindStaff will set up in new premises with new, merged IT systems and new in-house IT staff. Before the merger, ARecruit and BRecruit each had their own website and applicant database. BRecruit also had a business contact database and ran an online CV checking service.
 - a. What data that FindStaff is processing is personal data?
Applicant data, business contact data, CV data and employee data
 - b. What will you need to do to make sure you comply with UK data protection law?
 - Register with the ICO
 - Ensure that ARecruit and BRecruit contact all existing customers and business contacts asking if they want to continue as customers with the new company and if so to consent to the transfer of their personal data.
 - Check that only the personal data of those who have consented is kept
 - Ensure that all personal data is stored securely and encrypted
 - Put in place robust log-in and access procedures for managing personal data
 - Train all staff in data protection processes
 - Write privacy notices for each different type of customer and make them available
2. Which of these data items are protected by UK data protection law and why?
(from left to right of picture)
 - A. **BROCHURES** – NO, don't contain personal data
 - B. **STUDENT STATISTICS** – NO, even though they were generated from personal data, they don't identify anyone so not PD.
 - C. **POST IT NOTE** – NO, this sort of informal note is not covered.
 - D. **EMAIL** – NO, although this is about a person, they have died so it is not PD
 - E. **STUDENT DATABASE** – YES, very obviously PD and easy to access
 - F. **STAFF REVIEW FORMS** – YES, even though on paper and unstructured, they're going to be input to a computer system, so they still count.
 - G. **APPLICANT CVs** – YES even though on paper, they're ordered, indexed by date

3. Which of the below count as data breaches under the GDPR and why? What should the organisation's response be in each case?

So, which of the events described here do you think count as a personal data breach?

An office worker mistakenly alters the wrong person's records, and no backup is available.	<input type="button" value="Yes"/>	<input type="button" value="No"/>	YES – org improve backup system
A laptop containing personal data is accidentally left on a train.	<input type="button" value="Yes"/>	<input type="button" value="No"/>	YES – org laptop security & encryption
A thief reaches through an open window and steals some headphones from a desk.	<input type="button" value="Yes"/>	<input type="button" value="No"/>	NO
An online system that enables data subjects to view their personal data develops a fault and displays other people's data instead.	<input type="button" value="Yes"/>	<input type="button" value="No"/>	YES – SERIOUS stop access, if data changed contact ICO & tell customers
A criminal manages to gain access to a medical database containing confidential patient data.	<input type="button" value="Yes"/>	<input type="button" value="No"/>	YES – SERIOUS report to ICO and contact patients

4. Which of the following individuals are describing data protection problems? A-C not D



- A. When the phone company got hacked they didn't write to me for ages. Eventually they told me that thieves had got my bank details. I called the bank, but it was too late. The thieves had taken some money out of my account. I should get it back, though. I hope so.
YES. Report to ICO that company didn't tell you for a long time, it may be a breach
- B. Every time I open my email there are dozens of messages trying to sell me insurance or offering me ways to make money at home, and some really unsavoury ones too." I don't know where it all comes from, to be honest with you. I just wish it would stop.
Spam often comes from hacking or companies misusing or selling PD
- C. I was turned down for a car loan and I'm pretty sure it's because they're confusing me with my brother who has the same initials as me and uses the same bank. He had some financial difficulties about a year ago. Since then, I've had problems with my own credit rating.
Organisations can cause distress by holding inaccurate personal data. In this case an access request could be made to identify the problem
- D. This guy came to my flat. He said he was from the council and needed to check my plugs and wiring. He was really believable, but it turns out he was a thief. I can't believe I fell for it! He went from room to room just grabbing what he could when I wasn't looking.
No, this is theft