

Student: Austin

Within the article, it is highlighted that AA Ireland Limited violated the GDPR. The complainant had implicitly expressed that he did not give consent to receive any advertising messages. However, despite his insistence, he did receive advertising messages, violating his consent (Data Protection Commission, 2020). As a result of this violation, AA Ireland Limited was taken to court, where they pleaded guilty to violation of the GDPR (Data Protection Commission, 2020). This violation combined with a previous warning they had received, resulted in their sentence being Section 1(1) of the Probation of Offenders Act (Data Protection Commission, 2020).

However, AA Ireland Limited claims that it was a basic human error that caused the issue. As a result, then the first step to resolve the issue should have been to make sure that the chance for human error is minimized as much as possible. As stated by ICO.ORG, human error is one of the most common causes of data violations (2020). As well, human error does not absolve the businesses of responsibility. To counter this problem constant training needs to be provided to all employees along with easy access to inquiries about GDPR policies.

Furthermore, a type of check should have been put into the marketing messaging service. Within the messaging service, default consent should not be checked (ICO.org, 2020). The employee should have to manually check it to better protect against accidental confirmations. Lastly, there should be a data protection officer present within the company. The staff should be able to contact him regarding GDPR compliance questions (hipaaguide, 2020). The officer should also constantly monitor the company and assist with inquiries regarding GDPR policies.

References:

Data Protection Commission (2020) CaseStudies|DataProtection Commission
Available from: <https://dataprotection.ie/en/pre-gdpr/case-studies> [Accessed 19 January 2022].

ICO (2020) Guide to the General Data Protection Regulation (GDPR). Available from: <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/> [Accessed 19 January 2022].

The HIPPA Guide. (2020) GDPR For Dummies.Avaliable from:
<https://www.hipaaguide.net/gdpr-for-dummies/> [Accessed 20 January 2022].

Thanks, Austin, for your comprehensive post highlighting the difficulties companies face concerning the compliance of GDPR.

It is interesting to see that another company suggests their failure for compliance is due to human error. Whilst human error may have been at fault, it is crucial to recognise that staff training can be helpful to support this process, and at every level, staff have a firm understanding of the company's responsibilities towards GDPR. The basic principles of GDPR and internal communications with stakeholders and staff could be transparent and understandable (IT Governance, 2022). Strategies could be developing a clear privacy policy where operators or representatives of the company clearly communicate why their data is being collected and what purpose and raising the standard for consent. Through designing policy, customers opt-out rather than opt-in, as we have seen in this case of the customer refusing permission and asking for the right to be forgotten. Ensuring the systems in place can track customer data in that they need to delete future requests efficiently. A solution that could support further,

would be implementing a CRM (Customer Relationship Management) system (Scott, N.D.). The technology can streamline the GDPR process so that this third party service provider can adhere to any new laws or regulations, making compliance smoother. Whilst the third party solution can be helpful as it may offer a more efficient service, the hirer is still the controller in this situation. It is the responsibility of all decision makers to understand that GDPR applies to everyone to ensure accountability. Companies such as the AA Ireland should regularly monitor, risk assess and audit their compliance.

It Governance. (2022). How do you get GDPR compliant? Available: <https://www.itgovernance.co.uk/gdpr-compliance-checklist> [Accessed 31 January 2022].

Scott, S. (N.D.). 10 Steps Contact Centres Should Take to Prepare for GDPR. Available: <https://www.vonage.co.uk/resources/articles/10-steps-contact-centres-should-take-to-prepare-for-gdpr/> [Accessed 31 January 2022].