

Read the website at Data Protection Commission (2020)
CaseStudies|DataProtection Commission Available
from: <https://dataprotection.ie/en/pre-gdpr/case-studies>

There are several case studies published during years 2014 – 2018 concerning GDPR related issues and breaches. Considering the case study you have chosen answer the following questions:

- What is the specific aspect of GDPR that your case study addresses?
- How was it resolved?
- If this was your organisation what steps would you take as an Information Security Manager to mitigate the issue?

Case Study: Sheldon Investments Limited (trading as River Medical)

The critical aspect of GDPR focuses on unsolicited marketing emails without consent in the Sheldon Investments Limited case study (Data Protection Commission, N.D.).

The complainant contacted the Data Protection Commission, explaining the opt-out of marketing emails in the first instance. However, on two occasions, this occurred when notice had already been confirmed on removing personal data on mailing lists. The company accepted responsibility suggesting human error on both occasions resulting in a guilty plea under prosecution, and were ordered to pay a fine which would go to charitable causes.

Numerous articles of legal requirements were breached, and recitals were ignored in this case. Article 6 of the lawfulness of processing, Article 7 of conditions for consent, Article 21 right to object and Article 95 relationship with EU directive all had shortcomings in compliance. To mitigate this, there are several solutions available for the company. Offer a clear privacy policy, whether that be in person or on the website, to meet the needs of Article 13. Article 95 relationship with the Eu directive requires operators to obtain informed data subject's consent before setting any cookies except strictly necessary cookies (Intersoft Consulting, N.D.).

The company should have an exemplary implementation of GDPR with a security policy, so regular professional development and staff training would be helpful to

eliminate human error. Furthermore, this supports Articles 7 and 13 as there is no clear cookie disclaimer form on the company site (River Medical, 2022). Cookie protection could also be included in Article 32. The testing and maintaining security controls with up-to-date web application management practices would also support Articles 5.1f and 24.

Data Protection Commission. (N.D.). Case Studies. Available: <https://dataprotection.ie/en/pre-gdpr/case-studies> [Accessed 22 January 2022].

Intersoft Consulting. (N.D.). GDPR. Available: <https://gdpr-info.eu/> [Accessed 22 January 2022].

River Medical. (2022). River Medical. Available: <https://www.rivermedical.ie/> [Accessed 22 January 2022].