

Case Study: Inappropriate Use of Surveys

How exactly this happened and why it was used:

In most cases, there are five typical reasons of why it happened (Presthus. Ed al, 2021):

1. Unlawful processing of personal information: lack of legal basis of processing and lack of consent, especially regarding surveillance.
2. Disclosure of personal information: third parties acquired access to personal information without a legal basis or consent and publication of personal information on a company's website
3. Failure to act on subject rights: failed to delete personal information upon subjects' request (subjects had not been informed about data processing)
4. Failure to secure personal information: lack of organizational and technological measures, such as access management, securing containers and hacking prevention
5. Insufficient cooperation with supervising authorities: company did not comply with measures imposed by the Data Protection Authority and refused to comply with the obligation to appoint a data protection officer

The personal data leakage always happens in the medical industry. One example is Jintel Health (renamed DeepThink Health) — Medical Intelligence as a Service. It has leaked the patients' information, from different surveys and investigation documents:

- “1. Medical observations about anonymous cancer patients, including tumor size, cancer type, survival months, gender and age group
2. Cancer treatment information, like drug lists and treatment types
3. Medical personnel data, including names, physical addresses, and phone numbers” (WizCase, 2022).

The leakage violates the ethical (personal data, GDPR), legal (inappropriate store of data, GDPR) and professional code of conduct (HIPAA).

References:

1. Presthus, W. and Sønslie, K. (2021). An analysis of violations and sanctions following the GDPR. *International Journal of Information Systems and Project Management*, [online] 9(1), pp.38–53. Available at: <https://www.sciencesphere.org/ijispm/archive/ijispm-090102.pdf> [Accessed 14 Feb. 2022].
2. WizCase. (2019). WizCase. [online] Available at: <https://www.wizcase.com/blog/medical-breaches-research/>.