

## e-Portfolio Activity – GDPR Case Studies

URL : <https://dataprotection.ie/en/pre-gdpr/case-studies>

**My Case Study:** Disclosure of Personal Data via a Social Media App.

- **What is the specific aspect of GDPR that your case study addresses?**

The complainants, who were friends, told they had individually submitted their CV and cover letter in person to a shop for employment. Complainants submitted their applications on the same day to the same shop employee. Later that day, the complainants discovered from a third party that a snapshot of both cover letters appeared on "Snapchat" with a message highlighting similarities. The complainants believed the retailer's employee to whom they submitted their CVs took and shared this photo on "Snapchat."

During our review of these allegations, we learned that the store employee to whom the complainants had delivered their CVs and cover letters had recently been fired. Contrary to the retailer's policy and the conditions of their employment contract, the employee took a snapshot of both cover letters and posted it to "Snapchat" The merchant told our investigators that the employee knew this was against their job contract and was going to depart. The business said it could have done nothing to prevent this catastrophe.

The processing of the complainants' personal data was incompatible with the purposes for which it had been provided to the retailer by the complainants.

The case should remind data controllers that, under data protection legislation, they are liable for their employees' behavior when processing personal data they manage. Data controllers are responsible whether an employee's acts were purposeful or inadvertent. Data controllers must guarantee that their workers comply with data protection legislation while handling personal data, whether it's the employee's first or final day on the job. This responsibility continues after an employee leaves a data controller if they can still access their personal data.

- **If this was your organization, what steps would you take as an Information Security Manager to mitigate the issue?**

Regardless of whether it is an employee's first or final day on the job, it is the data controller's/obligation employer's to ensure that they are complying with the law when processing any personal information. This obligation will exist even after an employee has left a data controller's employment, so long as the former employee has access to the personal data stored by the latter.