Initial Post

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

This case serves as a cautionary reminder of the responsibility of data controllers to ensure that their employees comply with data protection law. It addressed the retailer as the data controller had contravened Section 2A(1) of the Data Protection Acts 1988 and 2003 (Data Protection Commission, 2020), which included data controller “shall not be further processed in a manner incompatible with that purpose or those purposes” (Government of Ireland, 2003).

The Information Commissioner's Office (ICO) has defined the role and responsibility in relation to personal data and compliance with the UK GDPR. The retailer had been defined as a data controller in this case, “The responsibility and liability of the controller for any processing of personal data carried out by the controller or on the controller’s behalf should be established.” according to Art. 24 GDPR (GDPR, N.D.). In the situation that a controller fails to meet its duties, the ICO and individuals may take action against them. In order to resolve a data protection violation, controllers in the UK must pay the data protection charge (ICO, N.D.). On the other hand, the employee who was taking and posting the photograph should define as a joint controller. Except for the employment privacy policy, he should “take primary responsibility for complying with UK GDPR” (ICO, N.D.). The role of the Social Media App “Snapchat” should be defined as a processor, who “does not have the same obligations as controllers under the UK GDPR and do not have to pay a data protection fee” (ICO, N.D.).

As an Information Security Manager of this retailer organisation should avoid employees using personal devices or having Mobile Device Management (MDM) on mobile devices for corporate usage. In this scenario, organisations should improve the education of their employees. Moreover, straighten their confidentiality and data protection policies for pursuing available remedies.

References:

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