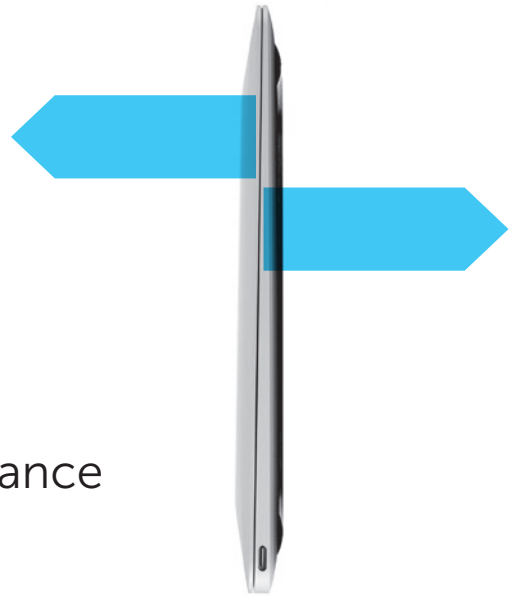


Pointing you in the right direction

Welcome Data Breach Guidance issued by the Irish Data Protection Commission



We welcome the Irish Data Protection Commission's ("DPC") guidance on GDPR breach notifications ("the Guidance") published on 12 August 2019. At a practical level, it is one of the key scenarios that clients struggle with and this Guidance is timely in that regard. A link to the Guidance can be found [here](#).

The updated Guidance pulls together a range of practical information from various sources, including the Article 29 Working Party (who's guidelines have been endorsed by the European Data Protection Board), as well as numerous links to other guidance released by the DPC. The Guidance will prove an effective tool for all controllers and processors when faced with a data breach scenario in recognising the steps to be taken to comply with data protection law. Notably, the Guidance states the default position for controllers is that all data breaches should be notified to the DPC, except for those where the controller has assessed the breach as unlikely to present any risk to data subjects and the controller can show why they reached this conclusion. The Guidance also outlines how the breach should be notified and when to notify a data subject of such a breach.

Understanding data breach obligations is an essential requirement for all organisations and individuals that process and store personal data. Given the repercussions (both monetary and from a reputational perspective) which can accompany a data breach, this Guidance serves as a timely reminder for organisations to ensure their policies and procedures are in place, in accordance with the DPC's Guidance, should such an event occur.

In addition to having documented policies and procedures, organisations should seek to ensure they effectively implement these policies and procedures, something we have seen many struggle with since the implementation of the GDPR.

Should you have any questions on the updated Guidance, or data protection generally, please contact:



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