

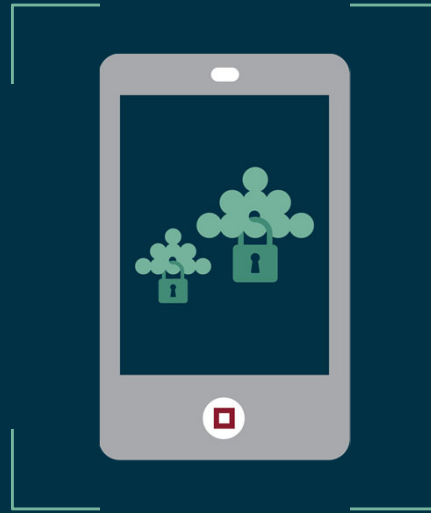
# In-House Lawyer Day 2018

## Managing risk, protecting reputation

20 November, Reading

22 November, London

29 November, Bristol





# Data breaches

Ashley Hurst, Charlie Wedin



## GDPR | Data breach notification

Is it really a "data breach"? Avoid that term if possible

Who is the data controller(s)? A question of fact not contract

**Article 33 (Regulators):** assess the risk to data subjects – consider preliminary notification

**Article 34 (Data subjects):** if "high risk" but what is the right thing to do?

Call / Standard form / letter Whichever the most appropriate

Insurance



## Oh See data incident

Oh See has purchased a licence to a piece of software called iKonekt – a smart procurement system to automate customer orders through its supply chain.

On Friday, 16 November at 4pm Oh See becomes aware of a **potential** intrusion into its systems following a data transfer alert from its cyber security software.

Initial forensic investigations indicate that the customer database on iKonekt (which is hosted on Amazon Web Services) **may** have been accessed from Oh See's IT system via compromised login credentials of a member of the Oh See IT team.

The iKonekt database contains 100,000 customer records, including names, email addresses, home addresses, hashed passwords and purchasing histories.

Indications are that there was an attempt to exfiltrate a large volume of data but it was unsuccessful.

It's Monday morning and Oh See wants to know whether it should notify the ICO and the 100,000 customers potentially affected.



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# Thank you



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