Unit 10 – Collaboration 3 - Summary Post

Virgin Media Ireland Limited had undergone an investigation by the Data Protection Commission (DPC) after receiving a compliant from an individual. The individual claimed to receive unsolicited marketing calls more than once despite having opted-out from the organisations marketing campaign. Virgin Media Ireland Limited was found guilty of breaching the General Data Protection Regulation (GDPR). The company pleaded human error and was consequently fined. It was also found that this was not the first complaint received by the DPC (DPC, 2017) which contributed to the case.

Virgin Media Ireland Limited was in breach of the following articles (Intersoft Consulting, N.D.) according to the GDPR, Article 6 - Lawfulness of processing, Article 7 - Conditions for consent and Article 21 - Right to Object.

The mitigation actions and recommendations that will be applicable to Virgin Media Ireland Limited are as follows:

* Foolproof policies must exist and be updated regularly as regulations are amended.
* The appointment of a regulation/security officer is recommended as mentioned by Mundy (2022) to assist with the compliancy of the above-mentioned policies. This can be an experienced individual familiar with implementing GDPR policies and processes across the organisation.
* Mandatory GDPR specific training for all staff in the organisation should be performed. A record of this should be kept as well.
* Design changes to the call routing platform to implement call screening across the organisation is also recommended. This should work in tandem with the opt-out process from potential customers as suggested by Chan (2022). Once opt-out options are triggered, call routing databases should be updated to include this information.
* Any evidence of consent must be recorded and kept as well for future use as recommended by the Information Commissioners Office (ICO, 2020).

References

Chan, Y. (2022) ’Collaborative Learning Discussion 3’. Peer response submitted to University of Essex Online for [NISM\_PCOM7E November 2021] Initial Post by Zihaad Khan. Available from: https://www.my-course.co.uk/mod/hsuforum/discuss.php?d=293059 [Accessed 06 February 2022].

DPC (2017) Data Protection Commission Case Studies, Pre GDPR – 2017. Available from:https://www.dataprotection.ie/en/pre-gdpr/case-studies#201712 [Accessed 06 February 2022].

ICO (2020) Guide to the General Data Protection Regulation (GDPR). Available from: https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/consent/ [Accessed 06 February 2022].

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