



DATA PRIVACY

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Highlights

| DON HARRIS

Eight HR Data Breaches in January in the USA

After a slowing last month, the pace of HR data breaches picked up in January, with eight breaches reported: Pentagon Federal Credit Union (a hacked laptop, exposing personal and banking information of an undisclosed number of up to a million active-duty military personnel and others connected to the Pentagon); South Carolina Budget and Control Board (5,600 state workers in jeopardy of ID theft when an employee of the Board's Employee Insurance Program opened an e-mail attachment containing malware); Ember Corporation (data of 50 current and former employees of the Boston-based company exposed when a package shipped via FedEx by Ceridian, its payroll provider, arrived in a manner than suggesting tampering in transit); KBR (an undisclosed number of employees of the Houston-based firm impacted by the theft of a laptop); Omaha Public Schools (more than 4,300 current and former employees impacted by a computer attack on the Omaha School Employees Retirement System website); New Mexico National Guard (650 Guardsmen placed in jeopardy by the theft of a computer from the National Guard's Santa Fe headquarters); Seabury & Smith (an undisclosed number of ITT workers impacted when sensitive personal information was exposed on the Internet due to a programming error by the company's Marsh U.S. Consumer subsidiary); and the Washington State Employment Security Division (as many as 1,000 employees potentially victimized by a man, recently arrested, who stole HR paperwork last year from a car parked on the state Capitol campus).

German Regulators Challenge Google Over Analytics Program

German web companies could face hefty fines for using Google Analytics, its online metrics service, after data protection officials broke off talks with the U.S. internet giant this week and

threatened to pursue a precedent-setting court case. Johannes Casper, the Hamburg Data Protection Commissioner who brought the company's Street View practices to light, had been negotiating with Google since November 2009 over its collection and processing of IP addresses, including their transfer to the United States. Also in January, the data protection authority for Rhineland-Palatinate issued a press release underscoring its position that Google Analytics is an illegal program. German companies with websites that use Google Analytics are likely to be the immediate target of enforcement actions.

Google Mounts Legal Challenge to Spain's Privacy Laws

Faced with 90 court orders obtained by the Spanish data protection authority on behalf of citizens seeking the removal of defamatory links from search engine results, Google filed papers in a Madrid court challenging the orders. The case centers on a principle of Spanish law known as "the right to be forgotten," which the European Commission is considering adopting on a pan-European basis in its new data protection framework. Google contends that it has no responsibility to censor the Internet.

UK Organisations Failing to Instill Confidence in Data Protection

The overwhelming majority of UK citizens do not trust companies to keep their personal data safe, according to the ICO Annual Track 2010 survey of 1,226 people on the importance of data protection, released to coincide with European Data Protection Day. 96% of respondents do not trust organisations to keep their personal details secure, and 60% fear that they have lost control of the way their data is collected and processed. A second survey, of 400 private sector and 400 public sector organisations, found that only 54% of respondents knew that the ICO is responsible for enforcing the Data Protection Act, down 15% from 2007.

European Commission Reaches Adequacy Determination for Israel

The European Commission published its decision, reached in October 2010, that Israel provides an adequate level of protection for personal information. The decision follows a recommendation to this effect by the Article 29 Working Party. It allows for simplified personal data transfers between EU countries and Israel. Israel is one of only a handful of countries to have obtained adequacy status. 🌐

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