

Inquiry into Tusla Child and Family Agency

(IN-19-10-1)

Date of Decision: 7 April 2020

This inquiry was commenced in respect of three personal data breaches notified by Tusla to the DPC. All three personal data breaches occurred in circumstances where Tusla failed to redact personal data when providing documents to third parties. The first personal data breach occurred when Tusla unintentionally provided the father of two children in care with their foster carer's address. The second breach occurred when Tusla unintentionally provided an individual who was accused of child sexual abuse with the address of the child who made the complaint and with her mother's telephone number. The third breach occurred when Tusla unintentionally provided the grandmother of a child in care with the address and contact details of the child's foster parents and the location of the child's school.

- The decision found that Tusla infringed Article 32(1) of the GDPR by failing to implement appropriate organisational measures to ensure a level of security appropriate to the risk presented by its processing of personal data in respect of its sharing of documents with third parties.
- The decision also found that Tusla infringed Article 33(1) of the GDPR by failing to notify the DPC of the third breach without undue delay.

The corrective powers exercised

- The decision imposed an administrative fine of €75,000 on Tusla for its infringements of Article 32(1) and Article 33(1).
- The decision ordered Tusla to bring its processing operations into compliance with Article 32(1) of the GDPR by implementing appropriate organisational measures to ensure a level of security appropriate to the risk.
- The decision issued Tusla with reprimands in respect of the infringements of Articles 32(1) and 33(1) of the GDPR.