RemoteHeR · Module 6 · Decision game

MODULE 6 DECISION GAME

Thirty days

A subject access request arrives on a Monday. Nine days later, something that might be a breach. The clock runs while you decide what to do and in which order.



DRAFT – partner review
Drafted from the curriculum. The build lead reviews it before release.

Before you start

You are the HR administrator at Tinted Glass Services, a company of about sixty people with staff working remotely in several European countries. There is a data protection lead, Dana, who works two days a week. You are not a lawyer, and nobody expects you to be.

Miriam Clarke, a customer support specialist who works from home four days a week, recently had a difficult exchange with her manager about her desk and monitor. On Monday morning she emails you.

Nothing here is graded and nothing is recorded except that you opened it. Every choice has a consequence, and then the next decision comes. The clock is real: an access request has to be answered within one month of receipt, and a notifiable breach has to reach the supervisory authority within 72 hours of the organisation becoming aware of it (GDPR, Articles 12 and 33). Play it once as you would actually act. Then play it again and take a different route.

Decision 1 · Day 1, Monday 09:12: the email

Miriam writes: "After last week I'd like to see everything the company has written or stored about me. Please send it to me. Thanks, Miriam."

She does not mention the GDPR or use the words "subject access request". Your inbox has 43 other unread messages.

Choice	What happens	Verdict
A. Log today's date as the date of receipt, acknowledge her email, and forward it to Dana through the	Dana replies at 11:40: "Thanks, logged. Deadline is one month from today. Can you start listing where her data might be?" Miriam gets a two-line acknowledgement that	good

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data protection process	names the date and says who is handling it. You have done the two things that matter most on day 1: recognised the request for what it is, and put it where the clock is managed. The words she used did not matter. The substance did.	
B. Reply asking her to fill in the official request form first, and wait for it	Miriam replies on Thursday, irritated: she does not see why she needs a form to ask a simple question. The form arrives the following Monday. Meanwhile the clock started when her email arrived, not when the form did. You have lost a week of a one-month deadline and some of her trust. Asking for clarification can be legitimate. Making a form a condition before you start is not.	bad
C. Leave it until her manager is back next week, since it is probably about the desk dispute	Her manager returns on day 8. He says it is "an HR matter" and forwards it back to you. You have now used a quarter of the time and nobody has started. Why she is asking is not your question. What she is asking for is. A request does not wait for the person it concerns to be in the office.	bad

Decision 2 · Day 3: where do you look?

Dana asks you to identify the systems that may hold Miriam's personal data. You have the HR system open. Her personnel file is there: contract, telework agreement, payslips, the sickness certificate she sent last spring.

Choice	What happens	Verdict
A. List every place her data may be: HR system, recruitment records, time-management system, email, the chat tool, the IT ticket about her monitor	Your list has eleven entries. Two surprise you: the IT ticket where her manager described her as "difficult", and a spreadsheet of home-office equipment requests kept by the office manager. An access request is a process across systems, not a single file. The list is also the first time anyone at the company has seen all of this in one place, which is useful for the compliance note you will write later.	good
B. Send Dana the personnel file and	Dana asks: "What about email and the chat tool? And the	bad

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say that is everything	monitor ticket she mentions?" You go back and start again. The HR folder is rarely the complete answer. If Dana had not asked, Miriam would have received a partial reply and, very likely, a second request.	
C. Ask Miriam which systems she thinks her data is in	Miriam replies that she has no idea how the company stores things, which is fair. The organisation finds its own systems. Asking the person to do it shifts the work to the one person who cannot do it, and it costs you two more days.	mixed

Decision 3 · Day 6: the manager's emails

The search finds an email thread between Miriam's manager and the office manager about her equipment request. One message also discusses another employee's sick leave in some detail.

Her manager calls you: "Leave my emails out. They're internal, and she'll just use them against me."

Choice	What happens	Verdict
A. Tell him the emails are in scope, and send the thread to Dana flagged: Miriam's data to disclose, the other employee's information to review for redaction	He is not pleased. Dana thanks you for the flag and marks the paragraph about the colleague's sick leave for redaction. Two principles held at once: Miriam's own personal data is not withheld because it is uncomfortable, and somebody else's health information is not disclosed because it happens to sit in the same thread. Review before you respond.	good
B. Leave the emails out, as he asked	The response will now be incomplete, and you know it. If Miriam later learns of the thread, the company has a much bigger problem than an awkward email. "Internal" is not a reason to withhold someone's own personal data. A manager's preference is not the process.	bad
C. Include the whole thread exactly as it is, to be safe	Being open with Miriam was the right instinct. But the thread contains another employee's health information, and sending it unreviewed would itself be a disclosure that should not happen.	mixed

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	You noticed it just before forwarding and sent it to Dana instead. Next time, flag it first.	

Decision 4 · Day 9, 16:40: the wrong address

Your colleague Jonas has been compiling the export. At 16:40 he messages you: "Oops. I think I sent the zip folder to miriam.clarke at a similar-looking external address instead of her work one. It had the review copy in it. The one with everything, before redactions."

The folder includes the unredacted thread with another employee's sick-leave details. Dana does not work on Tuesdays. It is Tuesday.

Choice	What happens	Verdict
A. Report it now through the breach process: message Dana and the deputy contact, note the time you learned of it, and ask IT to recall or block what it can	Dana's deputy replies at 17:05 and opens an incident. IT cannot recall the email but blocks the address. Dana phones you at 18:20, on her day off, and thanks you for not waiting. The 72-hour clock for notifying the supervisory authority runs from when the organisation becomes aware, which may be today (GDPR, Article 33). Your job was not to decide whether this is notifiable. It was to make sure the people who decide knew within minutes, not days.	good
B. First find out exactly what was in the folder and who received it, then report once you have the full picture	You spend Wednesday reconstructing the folder. By Thursday afternoon you have a complete picture and send it to Dana. Dana reads it and goes quiet. Most of the 72 hours has gone. A suspected breach is escalated when it is suspected. The responsible function gathers the facts with you, not after you.	bad
C. Ask Jonas to email the address politely asking them to delete it, and keep it between the two of you	Jonas sends the email. Nobody replies. Nothing is logged, and Dana does not know. This is the route that turns an accident into a failure. Containment matters, but it happens through the process, and it never replaces reporting.	bad

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Decision 5 · Day 10: what Dana needs from you

Dana asks you for a short written account of the incident by noon.

Choice	What happens	Verdict
A. Write the facts: what was sent, when, to which address, by whose mistake, what data and whose, what has been done so far, and what you do not know yet	Dana uses your note almost word for word in the incident record. Her decision on notification, and on whether to inform the colleague whose data was included, takes an hour instead of a day. Facts, times, unknowns. No guesses about harm, no legal conclusions. That is what makes a note useful to the person who has to decide.	good
B. Write your view on whether it needs reporting to the authority, and why it probably does not	Dana thanks you and asks for the facts separately. Your legal view was not wrong in every respect, but it is not your call, and it mixed what you know with what you think. Know the edge of your competence. State facts and unknowns; leave the assessment to the person responsible for it.	mixed
C. Tell her you will write it once IT has finished its investigation	IT finishes on Friday. Dana makes her decision with a partial picture assembled from three people's messages. Waiting for completeness is the same mistake as on day 9, made again.	bad

Decision 6 · Day 12: the reply

The external address replies: "I opened this by mistake. It seems to be about someone at your company. I've deleted it."

Dana now hears about the incident for the first time, from Jonas, in the kitchen.

Choice	What happens	Verdict
A. Go straight to Dana, tell her everything including your part in the delay, and give her the times	Dana opens an incident and records when the organisation became aware, and why that is earlier than today. It is an uncomfortable conversation, and the right one. Late reporting is a problem. Hidden late reporting is a much	mixed

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	bigger one.	
B. Since it has been deleted, treat the matter as closed	Three weeks later the colleague whose sick leave was in the folder hears about it informally and asks HR what happened. Nobody has a record. A reassuring email from a stranger does not close an incident. The organisation decides that, on a record.	bad

Decision 7 · Day 26: it will not be ready

With redactions, the review has taken longer than anyone expected. Dana estimates another two weeks.

Choice	What happens	Verdict
A. Ask Dana to decide on an extension today, so Miriam is told the reason before the month is up	Dana writes to Miriam that afternoon: what has been done, why more time is needed, and the new date. An extension is possible in some cases, but the person must be told within the first month (GDPR, Article 12). Raising it on day 26 is late but legal. Raising it on day 31 is not.	good
B. Send whatever is ready on day 30, reviewed or not	The batch includes two documents nobody has redacted. Speed does not replace review. Now there is a second incident to report.	bad
C. Say nothing and send it when it is finished	Day 30 passes without a word to Miriam. She contacts the supervisory authority. The deadline belongs to the organisation. Missing it silently is the one outcome that has no defence.	bad

Decision 8 · Day 30: what goes in the reply?

Dana asks you to assemble the final response for her to approve.

Choice	What happens	Verdict
A. A copy of Miriam's personal data from all the systems on your list, third-party information redacted as Dana decided, and the information	Dana approves it with one change. It goes out on day 30. Complete in scope, reviewed before disclosure, and accompanied by the information the person is entitled to.	good

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about the processing that Dana says must go with it	And approved by the person responsible, not by you alone.	
B. Her personnel file and a summary letter	A summary is not a copy of her data, and the file is not everything. Expect a follow-up request, and possibly a complaint.	bad
C. Everything you found, with a note apologising for the earlier mix-up	The apology is decent. But "everything you found" includes material that was never reviewed, and the apology belongs in Dana's communication about the incident, not in the access reply.	mixed

Ending · Day 30: on time, in order

Miriam's reply went out on time, complete and reviewed. The breach was reported within hours, and the people who had to decide decided with facts. Nobody did anything heroic. You recognised, routed, searched, reviewed and escalated, in that order, and kept a record.

Ending · Day 30: done, with dents

The reply went out, and the incident is on record. But days were lost, some decisions were made by the wrong person, and part of the work was done twice. Look back at where the order slipped. That is where the risk was, not in any single choice.

Ending · Day 30: the clock won

The deadline was missed or the reply was incomplete, and the breach reached the right people late, or not at all. None of the choices looked reckless at the time. Each one waited for something, or kept something quiet. Under a legal deadline, the wrong order is the failure.

Debrief

Five things this month turned on.

Recognise the request by its substance. No legal phrase is needed. The clock starts when the request arrives.

Route it at once. The deadline belongs to the organisation. Your first job is to put the request where it is managed.

Search everywhere, review before you send. Her own data is not withheld because it is awkward. Other

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people's data is not disclosed because it is nearby.

A suspected breach is reported when it is suspected. Not when every fact is known. Containment happens through the process, never instead of it.

Know the edge of your competence. Give the decision-maker facts, times and unknowns. Leave the legal assessment to the person responsible for it.

My decision log

What I chose on my first play, and what happened

What I changed on a second play, and why

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