

Reporting of data breaches

VERSION: 02 / 2022



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01 – WHAT IS A DATA BREACH?

WHAT IS A DATA BREACH?

GENERAL DEFINITION



A data breach is ...

... a breach of **security**, leading to a breach of the protection of personal data.



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WHAT IS A DATA BREACH?

LEGAL DEFINITION



General Data Protection Regulation Article 4 (12)*:

*A 'personal data breach' means a breach of security leading to the accidental or unlawful **destruction, loss, alteration, unauthorised disclosure** of, or **access to**, personal data transmitted, stored or otherwise processed;*

A **data breach** is therefore, for example ...

- ... an **availability breach**
 - e. g.: erasure, destruction, loss etc. of personal data
- ... and/or an **integrity breach**
 - e. g.: modification (unintentional or unlawful) of personal data
- ... and/or a **confidentiality breach**
 - e. g.: unauthorized disclosure, use, unauthorized access of/to personal data



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* identical in content with §3 Nr. 71 Telecommunications Act (TKG)

02 – EXAMPLES FOR DATA BREACHES

EXAMPLE FOR A DATA BREACH: BREACH OF AVAILABILITY



EXAMPLES:

- Data* has been deleted (unlawfully / unintentionally).
- Data* has been encrypted and can no longer be decrypted because, for example, the key has been irrevocably deleted.
- Data* was stored on a backup (e.g. on an external hard disk). Access to the backup is not possible anymore.
- An encrypted USB stick with data* was lost.

! Whether unintentional or unlawful, it does not depend on the circumstances of the data breach. A message and documentation is necessary in any case. !



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* personal data is meant

EXAMPLE FOR A DATA BREACH: BREACH OF INTEGRITY

EXAMPLES:

- Due to an incorrect authorization concept, the data was changed.
- A call center agent assigns the account number of customer A customer B due to a work error.
- Incorrect, falsified or adulterated data leads to incorrect bookings, incorrect deliveries or faulty products because they are assigned to the wrong person.
- Following a hacker attack on a Telekom customer center, the delivery address is changed promptly for an unusually high number of customers.
- A customer is blackmailed for telephone terror. Call forwarding from 100 other customers has actually been set up for the connection of the affected customer in the customer center.



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EXAMPLE FOR A DATA BREACH: BREACH OF CONFIDENTIALITY



EXAMPLES:

- Incorrect dispatch of invoices by e-mail, e.g. customer A receives invoice from customer B.
- Incorrect dispatch of order confirmations by e-mail, e.g. non-customer receives order confirmation intended for a customer.
- A service provider has inadvertently programmed a variable for the contract number in an advertising mail incorrectly, which means that it has not been individually adapted to the respective customer. Instead, the static contract numbers of two customers were used in all advertising mails.

! Whether unintentional or unlawful, it does not depend on the circumstances of the data breach. A message and documentation is necessary in any case. !

SPECIAL CASE

DT COMPANY ACTS AS A PROCESSOR

EXAMPLE OF A DATA BREACH

SPECIAL CASE: DT COMPANY ACTS AS A PROCESSOR

EXAMPLE OF SITUATION:

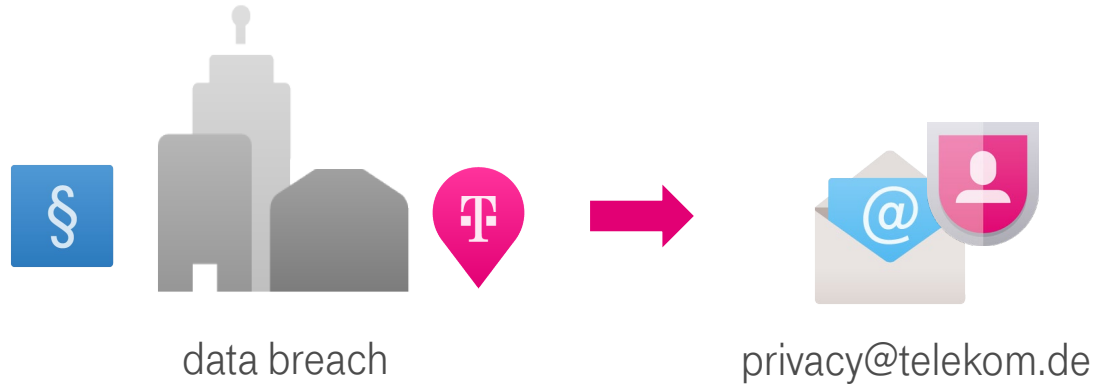
- Telekom Deutschland GmbH (TDG) processes customer's personal data on the basis of commissioned data processing (e.g. cloud services). A corresponding agreement was signed with the customers for this purpose. In this case, Telekom Deutschland GmbH is "processor" and the customer is the "controller" within the meaning of the GDPR.
- If a data breach occurs on the side of TDG (see slides 7 - 9), TDG is obliged to inform the customer ("controller") immediately.
- The information must be provided by the respective (business) department (contractual partner). Group Privacy has to be informed only for information purposes in this case.
- The customer checks the data breach and reports it to the relevant supervisory authorities if necessary. The TDG will support this if necessary.

! Whether unintentional or unlawful, it does not depend on the circumstances of the data breach. A message and documentation is necessary in any case. !



03 - HOW CAN DATA BREACHES BE REPORTED?

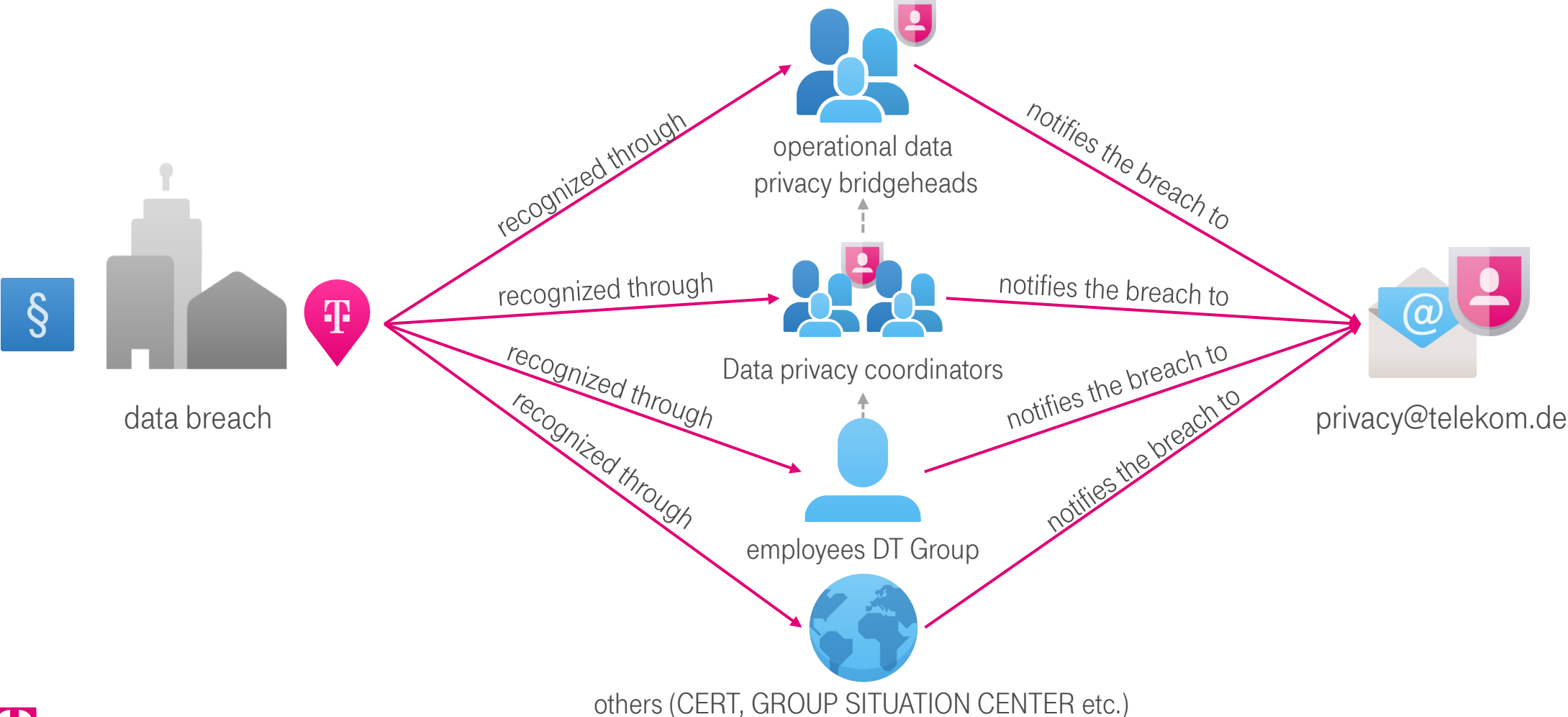
REPORTING PROCEDURE IN CASE OF DATA BREACHES



You can report [data breaches](#)
via the functional mailbox privacy@telekom.de.

WHAT DOES THE REPORTING PROCESS LOOK LIKE?

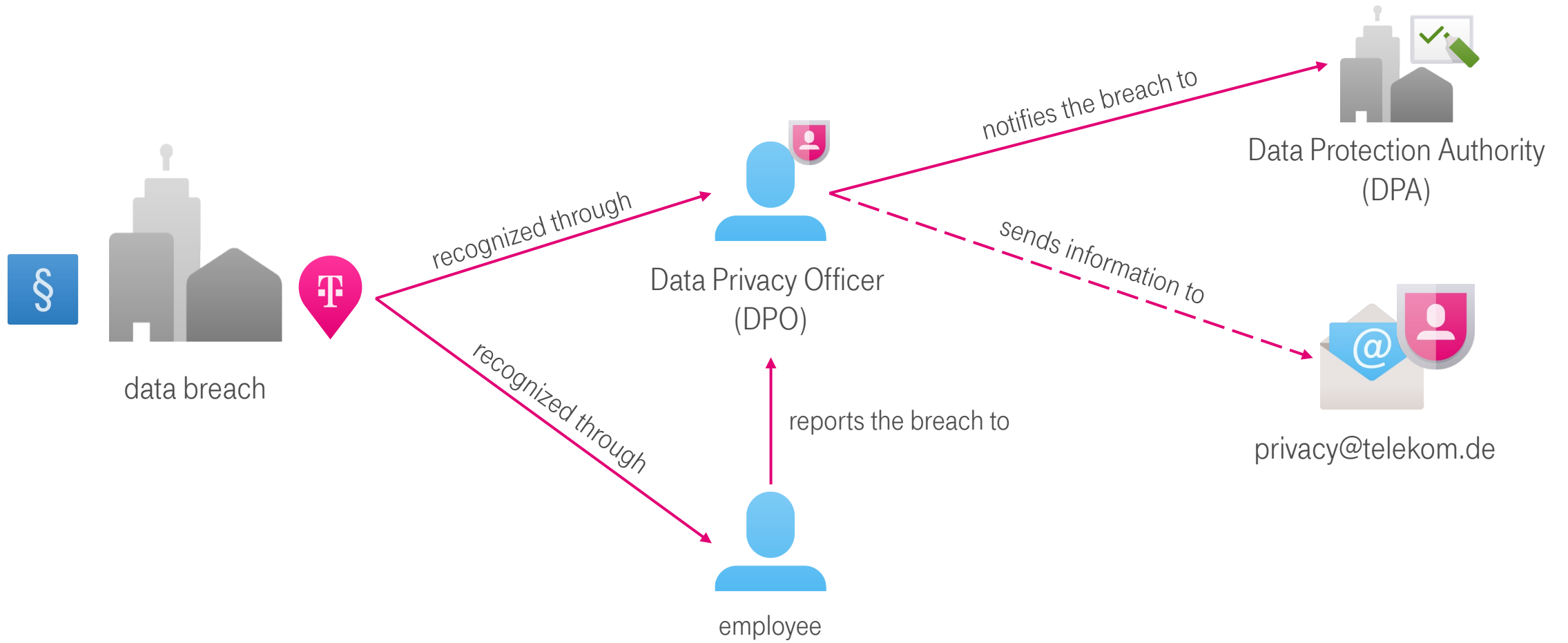
OVERVIEW – NATIONAL PROCESS GERMANY



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COMPANY OUTSIDE GERMANY

PROCESS FOR REPORTING DATA BREACHES



CONTENT OF THE REPORT TO PRIVACY@TELEKOM.DE: „PLEASE PROVIDE AS MANY DETAILS AS POSSIBLE!“



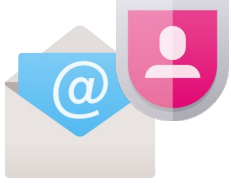
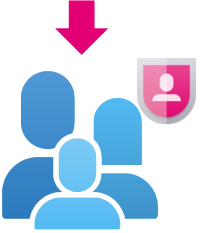
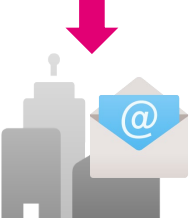
- Reporting DT company:
 - Name of the DT company and the entity concerned / contact person at management level / e-Mail / phone number ...
- Exact presentation of the facts of the case:
 - When / how / where / unintended or with purpose / affected persons...
- Storage medium:
 - Workstation / IT-system / mobile device / flash drive ...
- Which personal data is affected:
 - Contact information / access data / identification data / banking data / other personal data / special categories of personal data / telecommunications traffic data / location data...
- What technical precautions have been taken to secure the personal data:
 - Security concept / encryption processes...
- Were immediate measures taken to limit the damage / the risks for the data subjects affected?
Attention: The data protection incident / breach must be reported, but not which specific person is affected.



04 – WHAT HAPPENS AFTER A NOTIFICATION TO GROUP PRIVACY?

PROCEDURE FOR INCOMING DATA BREACH NOTIFICATIONS

REPORTING OF DATA BREACHES

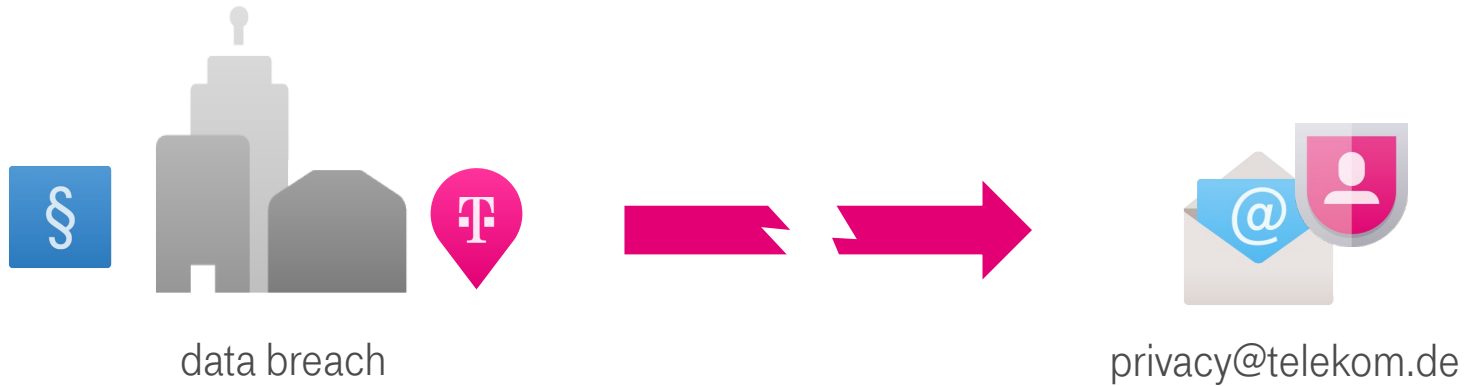
- (1)  After a report has been received by Group Privacy, experts will check your report immediately and initiate all further steps.
- (2)  The first step is to assess whether this is a data breach and to assess the extent of the (possible) damage. Subsequently, appropriate measures for prevention are discussed and initiated immediately.
- (3)  Then it is examined whether a notification to supervisory authorities and affected persons is mandatory and subsequently - if necessary - reported.

All data protection incidents must be documented for up to 5 years in accordance with § 169 Para. 3 Telecommunications Act / Article 33 (5) GDPR.

05 – WHAT HAPPENS IF DATA BREACHES ARE NOT REPORTED?

WHAT HAPPENS IF DATA BREACHES ARE NOT REPORTED?

REPORTING OF DATA BREACHES



- Openness and transparency are decisive for our customers' trust in our company and our products.
- The hiding of a data breach would cause much more damage to the company than the disclosure of the data breach.
- A data breach must be reported to the responsible data protection supervisory authority within 24 (telecommunications) / 72 hours (GDPR). A violation of the reporting obligation is an offence of a fine and can be punished with a high fine.



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LEGAL GROUNDS

Article 32 GDPR: Security of processing

Article 33 GDPR: Notification of a personal data breach to the supervisory authority

Article 34 GDPR : Communication of a personal data breach to the data subject

Article 4 (12) GDPR : personal data breach

§3 Nr. 71 TKG: Data and information security (only applies in Germany)

§169 TKG: Data and information security (only applies in Germany)

§24 und §31 BCRP: Duty to inform in case of infringements

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OUR MISSION



CREATE AN ENVIRONMENT OF TRUST

WITH OUR PRODUCTS AND SERVICES, WE AIM TO STRENGTHEN TRUST IN THE DEUTSCHE TELEKOM GROUP BRAND.



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**THANK YOU FOR YOUR
ATTENTION!**