

In the Eye of the Storm

Navigating Privacy Incidents with Clarity and Control

Sukhjit Gill | 12 May 2026



Stages

01 Prepare

02 Respond

03 Look back



If you fail to plan
you plan to fail

Benjamin Franklin, John Wooden, Alan Lakein?

Prepare: Laying strong foundations

Prepare: Laying strong foundations

The Whos, Whats, Whens and Hows



What is a privacy breach?



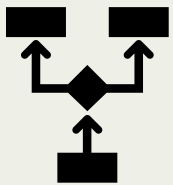
Who are the key decision makers?



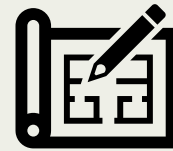
What do we do when we have one?



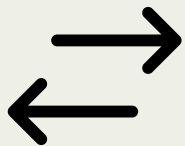
Who needs to be notified, and when?



Who needs to be involved?



How do we notify?



How do we communicate with key stakeholders?

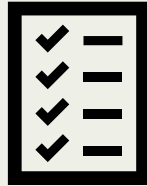


Who can we go to for help?

Prepare: Laying strong foundations

Core documents & communication pathways

Develop Clear Policies & Guidance



What has actually happened, based on what we know right now?

What personal information is involved and how sensitive is it?

Who might realistically access or misuse it?

Could this likely cause harm (including emotional harm)?

Have we stopped the harm?

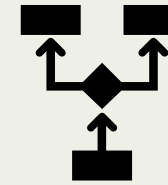
Who/which teams need to be engaged?

Who do we need to notify?

Who makes the notification decision?

Keep backup/hard copies of this somewhere in case your systems are not accessible

Establish escalation pathways & communication channels



Use existing crisis management channels (e.g. Teams channel)

Ensure decision makers are clear on their role and authority

Clarify decision making authority – check that it is aligned with internal policy and risk appetite

Ensure decisions are clearly documented and can be actioned (e.g. website banner)

Ensure delegations are in place, and delegates know what to do

Prepare: Laying strong foundations

Tools & Guidance

Office of the Privacy Commissioner Website

- [Breach management guidance](#) – what to do, not just what the law says
- [NotifyUs tool](#) – supports real-time decision-making when facts are incomplete
- [“How long is 72 hours?” guidance](#) – removes fear and false precision around timelines

The OPC isn't expecting perfection or full certainty. It expects **sound judgement, timely escalation, and disciplined decision-making**, even when information is still emerging.



Prepare: Laying strong foundations

Simulations



- Regular drills and simulations help ensure escalation pathways function as designed under real conditions.
- Simulations often identify “missing” stakeholders ahead of actual incidents
- The effectiveness of checklists can be effectively tested without the pressure of a real-life scenario
- Bridging documented risk policies with “live” decision-making improves response effectiveness during crises
- Use these sessions to determine who requires notification (some may be less obvious)
- Delegates should also be included (where practical) in simulation exercises.

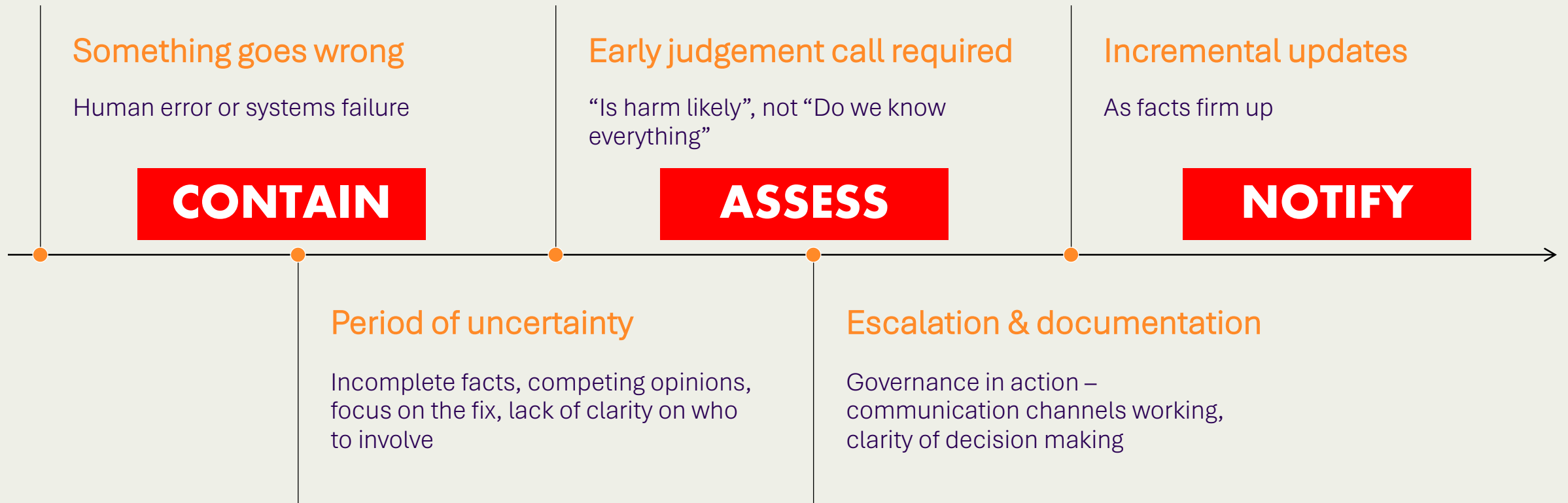


Respond: The First 72 Hours

Information Classification: General/Internal

Respond: The first 72 hours

The Real World Pathway



Respond: The first 72 hours

Key Decision Points

- What **actually happened**, based on what we know right now?
- What **personal information** is involved and **how sensitive** is it?
- Who might **realistically access or misuse** it?
- Could this **likely cause harm**, even emotional harm?
- Have we **stopped the harm**?

Governance & escalation

- Who has authority to decide **“this is notifiable”**?
- Who/which teams do we need to notify or **escalate** this to? When do we notify **the Board**?
- Are decisions being **recorded with reasoning**, not hindsight?
- Do we need to bring in **external support**?

Communication & Notification

- **Who** should we notify? **How** should we notify? **What** should we say in our notifications?

Early Decision Making

Identifying key decisions early stabilises incident response and guides effective action.

Prioritising Actions

Focusing on the most impactful actions ensures efficient use of resources and faster resolution.

Organisational Focus

Clear priorities align the organisation to respond cohesively and effectively to incidents.

Respond: The first 72 hours

Confident Internal & External Communication

- Be explicit about **what is known**, **what is assumed**, and **what is still unknown**
- Notify with **partial information**, then **update as you learn more**
- Avoid both:
 - **Over-reaction** (“notify everyone before thinking”), and
 - **Paralysis** (“wait until the investigation is finished”)

Risks of Overreaction: Overreacting leads to unnecessary disruption and can escalate problems beyond their actual impact.

Dangers of Paralysis: Paralysis in decision-making can worsen risks by delaying essential responses and actions.

Transparent Communication

Open and honest communication builds trust and credibility within and outside the organisation.

Consistent Messaging

Maintaining consistent messages ensures clarity and reduces misunderstandings among stakeholders.

Iterative Communication

Communicate iteratively – don’t wait too long to communicate, and **don’t communicate what you don’t yet know.**

Respond: The first 72 hours

Timely & transparent Board engagement



Prompt Board Communication

Timely updates ensure the board stays well-informed for effective decision-making and resource allocation.

Clear and Factual Updates

Providing accurate and straightforward information builds trust and supports informed oversight by the board.

Maintaining Board Trust

Consistent transparency and engagement foster trust and active involvement from board members.

Look back: Strengthening Resilience

Look back: Strengthening Resilience

Strengthening Organisational Posture Post-Incident

Reinforce | What went well

Improve | What could we have done better

Communicate | Tie up loose ends and build trust





Key takeaways:
What can I do?

Key takeaways: What can I do?

Turn learnings into action



The background features a series of vertical bars of varying heights and colors, transitioning from light yellow to red to pink. A large, solid pink circle is positioned in the upper right corner.

Questions?

Thank you

And a special thanks to Vaheeni & Allan