

Compliance & Risk

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Irish DPC imposes €17m fine in Meta/Facebook inquiry

On 15 March 2022, the Irish Data Protection Commission ('DPC') announced a decision imposing a fine of €17m on Meta Platforms Ireland Limited (formerly Facebook Ireland Limited).

The decision followed an inquiry by the DPC into a series of twelve data breach notifications it received in the six month period between 7 June 2018 and 4 December 2018. The inquiry examined the extent to which Meta Platforms complied with the requirements of the General Data Protection Regulation (GDPR)

Articles 5(1)(f), 5(2), 24(1) and 32(1) in relation to the processing of personal data relevant to the twelve breach notifications.

As a result of its investigation, the regulator found that Meta Platforms infringed Articles 5(2) and 24(1) of the GDPR, provisions which allow for penalties of up to 4 per cent of a company's annual revenue in the case of breach. The regulator reported that Meta Platforms "failed to have in place appropriate technical and organisational measures which would enable it to readily demonstrate the security

measures that it implemented in practice to protect EU users' data", in the context of the twelve personal data breaches.

Given that the processing under examination constituted "cross-border" processing, the DPC's decision was subject, for the first time, to the co-decision-making process outlined in Article 60 GDPR, and all of the other European supervisory authorities were engaged as co-decision-makers.

Although objections to the DPC's draft decision were

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Pensions regulator probes P&O Ferries pension scheme debt

P&O Ferries and its owner, which came under intense criticism for the decision to fire 800 UK-based crew without notice in March 2022, is now under investigation by UK's Pensions Regulator. The Regulator has opened an enquiry driven by concerns that P&O Ferries has failed to pay a £146m debt owed to its 20,000-member group pension scheme.

The ferry company, which

has lost £100m a year over the past two years, terminated the contracts of the 800 employees in order to save costs by employing cheaper agency personnel. The Insolvency Service has confirmed that it has initiated both formal criminal and civil investigations into the redundancies.

P&O said that its business was no longer "viable" with its current staffing structures.

The group pension scheme has an overall deficit of £1.25bn, with P&O owing the lion's share.

According to a High Court ruling in 2015, the ferry operator had not made any voluntary contributions to the scheme since its acquisition in 2006 by logistics giant DP World. Since 2016, P&O is said to have paid more than

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