

P r e s s e release

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Contact data collection as a corona containment measure - Berliner

Data protection officer provides sample forms

The Berlin Commissioner for Data Protection and Freedom of Information instructs Berliner

Traders point out that when collecting contact data from customers

Customers to track Corona contacts, data protection must always be maintained.

Running lists on which the contact details of the guests are open to third parties are available

inadmissible. As an aid, the supervisory authority for data protection on its

Website sample forms available.

The SARS-CoV-2 Infection Protection Ordinance, which regulates the SARS-CoV-2

Containment Measures Ordinance replaces catering establishments, establishments of the

Hairdressing trades and many other places in Berlin, information on contact tracing

to collect from guests or customers.

In practice, they are restaurant guests or customers of other commercial establishments

when entering the store, they are often asked to sign their names and their

Enter address data in ongoing lists, on which you also have the contact details of third parties

can see. This procedure is not permitted. When collecting data, the

Those responsible strictly ensure that customers do not have any insight into the

receive personal data of other guests. To ensure this, each

Enter the person on a separate sheet. The completed forms may

also do not lie around openly, but must be safe for the period of storage

remain protected from access by third parties. It is recommended, for example, a lockable box

set up, in which the completed forms are thrown. This box should be daily

be emptied in order to keep the forms sorted by days without additional effort and

to be destroyed in a timely manner.

In order to implement the measure in compliance with data protection regulations, guests must also comply with

Article 13 of the General Data Protection Regulation sufficient about the processing of their data

and their rights are informed. This may take the form of a brief privacy statement

carried out, which are either posted in a clearly visible manner in the entrance area or as a

information sheet is handed out individually. From this declaration, in particular,

show who is responsible for the data processing and to which ones

Legal basis it is based on, for what purpose and for how long the data is collected

who can access it and what rights those affected have.

The completed forms must be kept safe and after the retention period has expired

be securely destroyed on a daily basis, for example using a document shredder. It is not enough that

tearing up forms by hand. It is essential that those responsible bear in mind that the

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collected data exclusively for the purpose of contact tracing in the case of

known infections are processed and, if necessary, to the responsible health authority

may be transmitted. Use of the data for other purposes, such as

Advertising would be illegal and can be punished with fines.

Maja Smolczyk:

“As with digital contact tracing using a warning app, measures that

are used to manually track possible chains of infection, trust a
important requirement. If you have to worry that your data is not in good hands,
more prone to misrepresentation. I am aware that dealing with so
large amount of customer data is not part of the core business of restaurants or hairdressers
heard and the legal requirements therefore some uncertainties both in the
cause those responsible as well as those affected. For support we have
Sample forms are available on our official website. I recommend Berliners
those responsible to use them or to orientate themselves on their content."

The following sample forms are available at <https://www.datenschutz-berlin.de/infothek-und-service/themen-a-bis-z/corona-pandemic.html> ready for download:

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Sample contact tracing form and

Data protection declaration for contact tracing by companies