

09/11/2019 | 09/2019

Health and social data: responsibility for companies and associations

Last summer, attentive citizens repeatedly pointed out files that were lying around in freely accessible areas or in unused buildings to the state data protection officer. The file finds ranged from a single box full of documents with health-related customer data to several dozen moving boxes containing documents with health and social data of a large number of affected persons. The state commissioner is currently preparing supervisory and fine proceedings to clarify and punish these blatant data protection violations. In one particularly serious case, she has already filed a criminal complaint with the public prosecutor. Dagmar Hartge:

I am shocked by the carelessness of some black sheep when dealing with social and health data. The potential damage to those affected is extremely high and could have been prevented by simple measures. Safely storing personal files and disposing of them in accordance with data protection regulations is not a great art.

Data security remains an ongoing task for companies and associations. It is not limited to electronic data processing, but also includes conventional paper files. In the course of digitization, this may have slipped a little out of sight. Companies and associations are obliged to keep files that are subject to a retention obligation safe. Destruction of documents that are no longer required in accordance with data protection regulations must ensure that their content cannot be reconstructed. If an external provider is commissioned to do this, a contract for order processing must be concluded. The responsibility for the data protection-compliant disposal of documents also continues after the business has been dissolved. Unauthorized third parties must never have access to the data. If a person responsible learns of the illegal disposal of files - for example through notification from employees or members - he must report this to the supervisory authority immediately.

Internal regulations and technical and organizational precautions can make compliance with these requirements much easier. Companies and associations should therefore develop concepts to strengthen data security in good time. If necessary, the state representative will be happy to advise you.

ID number 09/2019

Date 11.09.2019

Responsible: Sven Müller, Poststelle@LDA.Brandenburg.de

ID number 09/2019

Date 11.09.2019

Responsible: Sven Müller, Poststelle@LDA.Brandenburg.de