

Supervision of TDC A / S

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Decision

Private companies

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Summary

In August 2020, the Danish Data Protection Agency completed a planned written inspection at TDC A / S. The audit focused on the company's compliance with the rules on disclosure obligations when using control measures towards employees. The audit also focused on whether TDC A / S 'observance of the duty to provide information complied with the regulation's basic principle of transparency, which, among other things, implies that the data controller must provide employees with easily accessible and prior information about the control measures applied.

On the basis of the audit carried out, the Danish Data Protection Agency has had occasion to express criticism of TDC A / S 'processing of personal data.

The Danish Data Protection Agency's concluding statement states, among other things, that TDC A / S 'compliance with the duty to provide information has in one case been deficient, including in that the company has not provided employees with sufficiently clear information about the purpose of processing the information.

In addition, it appears that TDC A / S 'observance of the duty to provide information to employees in connection with the use of control measures has taken place in a sufficiently transparent and easily accessible form.

You can read the Danish Data Protection Agency's guide on data protection in connection with employment relationships [here](#).

You can read the Danish Data Protection Agency's guide on data subjects' rights [here](#).

Decision

1. Written supervision of TDC A / S 'processing of personal data

TDC A / S was among the companies that the Danish Data Protection Agency in the autumn of 2019 had chosen to supervise in accordance with the Data Protection Ordinance [1] and the Data Protection Act [2].

The Danish Data Protection Agency's audit was a written audit that focused on TDC A / S 'compliance with the duty to provide information in connection with control measures towards employees, cf. Articles 13 and 14 of the Regulation. to the principle of

transparency in Article 5 (1) of the Regulation. 1, letter a, which according to the Authority's assessment i.a. implies that the data controller must provide employees with easily accessible - prior - information about the control measures used.

By letter dated 9 September 2019, the Danish Data Protection Agency notified the Authority of TDC A / S and in this connection requested the company for an opinion.

TDC has then by letter dated 7 October 2019 issued a statement for use in the case.

Following the audit of TDC A / S, the Danish Data Protection Agency finds reason to conclude:

That TDC A / S 'compliance with the duty to provide information pursuant to Articles 13 and 14 of the Regulation has in one case been deficient, including in that the company has not provided the employees with sufficiently clear information about the purpose of the processing of the information.

The Danish Data Protection Agency then finds grounds for criticizing the fact that TDC A / S 'processing of personal data has not taken place in accordance with Article 13 of the Data Protection Ordinance. S 'processing of personal data has not taken place in accordance with the basic principle of transparency in Article 5 (1) of the Regulation. 1, letter a.

Below is a more detailed review of the information that has emerged in connection with the written inspection and a justification for the Danish Data Protection Agency's decision.

2. TDC A / S 'use of control measures towards employees

TDC A / S has initially stated that the company on 11 June 2019 implemented a legal split, whereby the majority of the company's employees were separated into two subsidiaries named Nuuday A / S and TDC NetCo A / S.

TDC A / S has stated to the Danish Data Protection Agency that the company, including the above-mentioned subsidiaries, makes use of the following control measures towards employees:

GPS monitoring in technician cars

Telephone recordings

TV surveillance

Access control

Fraud Monitoring (Fraud)

Monitoring the use of e-mail, IT installations and terminals

Whistleblowersystem

It appears from the material submitted by TDC A / S in connection with the written supervision that the above-mentioned subsidiaries are independent data controllers for the processing of personal data that takes place in connection with the use of control measures against employees employed by these companies, and that TDC A / S acts as data processor for the subsidiaries in connection with the subsidiaries' payroll and personnel administration.

As it appears that GPS monitoring in technician cars only affects employees who are employed by the subsidiary TDC NetCo A / S, the Danish Data Protection Agency assumes that TDC NetCo A / S is data responsible for the processing of personal data that takes place in connection with the use of GPS in technician cars as a control measure.

In addition, the Danish Data Protection Agency assumes that the subsidiary Nuuday A / S is data responsible for the processing of personal data that takes place in connection with the use of telephone recordings as a control measure, as this control measure only affects employees employed by Nuuday A / S. .

It is noted that with this decision, the Danish Data Protection Agency has only taken a position on the processing of personal data for which TDC A / S is data responsible. The Danish Data Protection Agency has thus not taken a position on the processing of personal data that takes place in connection with the use of GPS in technician cars and telephone recordings as control measures.

TDC A / S has stated that 522 employees are affected by the control measures that the company uses, including TV monitoring, access control, monitoring of fraud and monitoring of the use of e-mail, IT installations and terminals.

With regard to access control and the whistleblower system, TDC A / S has stated that these measures - in an employment context - have not been perceived as a control measure, as the main purpose of these is not control of employees.

As TDC A / S in connection with the written supervision has stated access control as part of the control measures that the company makes use of towards employees and taking into account that TDC A / S has mentioned access control on the company's intranet under the item "control in the current employment conditions ", the Danish Data Protection Agency assumes that access control can be used for control purposes against the company's employees, even if this is not the main purpose. The Danish Data Protection Agency has also emphasized that it appears from TDC A / S 'intranet that information collected in connection with access control can be shared with HR.

TDC has also stated the whistleblower system as a control measure that the company makes use of towards employees. In this connection, the Danish Data Protection Agency must note that the possibility of making reports via such a system, in the

Authority's assessment, does not in principle have the character of a control measure covered by this supervision.

The Danish Data Protection Agency has hereby, among other things, emphasized that any control will be outsourced to employees or other external parties who have the opportunity to make reports via the whistleblower system. In addition, the Data Inspectorate's immediate perception is that it will be the subsequent investigation that takes place on the basis of a report that could constitute a control measure covered by this supervision, as such an investigation may typically consist of one or more of the other control measures. , which TDC A / S has stated in connection with this inspection, including, for example, control of various logging or TV surveillance, etc. Thus, with this supervision, the Danish Data Protection Agency has not taken a position on TDC A / S 'observance of the duty to provide information in connection with the processing of personal data as part of the authority's whistleblower system.

3. Procedures, etc. in relation to the fulfillment of the duty to provide information and prior information on control measures

TDC A / S has generally stated that all the company's employees are informed about the use of control measures in connection with the employment, including in the employment agreement and an appendix to this, which describes how the employees' personal data is processed in connection with the company's payroll and personnel administration. The appendix regarding the processing of personal data is supplemented by a "personal data page" on TDC A / S 'intranet, which describes in more detail how the company processes the employees' information.

In this connection, TDC A / S has sent a copy of a written down workflow that is used when hiring new employees. It appears i.a. of which the responsible employee must hand over the relevant employment agreement and the accompanying appendix on the processing of personal data to the new employee.

In continuation of this, TDC A / S has stated that the company has prepared paradigms for all employment agreements and the appendix thereto. The content of the paradigms for the employment contracts varies depending on whether it is a collective agreement or a contract employment. The content of the annex concerning the processing of personal data is the same, regardless of whether the employment relates to collective bargaining or contract employment.

TDC A / S has sent a copy of the five different paradigms for employment agreements and a copy of the appendix to the employment agreements regarding the processing of personal data in connection with the company's payroll and personnel administration. In addition, TDC A / S has sent a copy of the supplementary texts on the company's intranet, which relate to the processing of personal data in connection with the company's use of control measures. The employment agreements, the

accompanying appendix and the supplementary texts on TDC A / S 'intranet are reviewed below in section 4.

TDC A / S has also stated that the company has written down business procedures / procedures, which must ensure compliance with e.g. the duty to provide information to the company's employees in connection with television surveillance, fraud monitoring and the whistleblower system.

The Danish Data Protection Agency has no comments on the content of the written business procedures / procedures regarding TDC A / S 'compliance with the duty of disclosure to the company's employees in connection with the use of television surveillance, fraud monitoring and the whistleblower system.

4. Review of TDC's employment agreements and associated appendices, etc.

TDC A / S has stated [3] that the company makes use of a number of control measures - which can be used for both safety and control purposes - towards the company's employees, including e.g. measures where the main purpose, according to the information, is not control of employees. The Danish Data Protection Agency can not rule out that these are used for control purposes in relation to the company's employees, which is why this is the basis for the review of the submitted employment agreements and associated appendices, etc.

In general, TDC A / S has stated [4] that the company's employees are informed about the use of control measures via employment agreements and an appendix to the employment agreements that describes how the employees' personal data is processed in connection with the company's payroll and personnel administration. The appendix regarding the processing of personal data is supplemented by a "personal data page" on TDC A / S 'intranet, which describes in more detail. how the company processes employee information.

Following a review of the submitted examples of employment agreements, the Danish Data Protection Agency's assessment is that the agreements do not contain specific information about TDC A / S 'use of control measures towards employees. In the employment agreements, the employees are informed that they are subject to the company's IT security policy and applicable security regulations. As far as the IT security policy is concerned, employees are referred to the personnel policy "Think before you type". In continuation of this, it appears that it can have employment consequences if the employees do not comply with the safety regulations. Finally, employees are referred to the accompanying appendices on the processing of personal data in connection with TDC A / S 'payroll and personnel administration.

It is noted in relation to the employment agreements that the Danish Data Protection Agency is aware that the agreements

contain information on the use of telephone recordings and GPS monitoring as control measures, but that the Authority - as mentioned [5] - has not taken a position on this, as TDC A / S is reportedly not data responsible for the use of these controls. As the annex on the processing of personal data - in the Authority's assessment - is of a more general nature and does not contain specific information about the individual control measures, the contents of the annex are reviewed as an immediate extension thereof. Subsequently, the supplementary texts are reviewed on TDC A / S 'intranet, which contains more specific information about the individual control measures.

The appendix on the processing of personal data states that TDC A / S is data responsible for the personal data that is processed in connection with the employee's employment with the company. In continuation of this, contact information has been inserted on the company's data protection adviser.

Regarding the purpose of the processing of personal data, it appears in general that the information processed in accordance with the employment agreement is processed for use in payroll and personnel administration and fulfillment of the rights and obligations that follow from the employment relationship between TDC A / S and the employee.

In addition, the appendix contains a general description of the legal basis for TDC A / S 'processing of personal data in connection with the company's payroll and personnel administration, just as the appendix contains general information about categories of personal data processed about employees, categories of recipients of the information in question. the information has been collected and when the individual information is deleted.

In this connection, the employee is referred to a specific place on the intranet, where he or she can find a standardized overview of the personal data that is processed as part of payroll and personnel administration. The standardized overview contains an indication of the legal basis and the specific purpose for the processing of the individual information. In cases where TDC A / S uses the balance of interests rule in Article 6 (1) of the Regulation. 1, letter f, as a legal basis, TDC A / S has stated the legitimate interests that the company pursues. In addition, the overview contains information on how the individual information has been collected and how long the information is stored. TDC A / S has sent a copy of the standardized overview to the Danish Data Protection Agency.

The annex also contains information on the transfer of information to third countries. It appears i.a. in this connection, that TDC A / S uses a specific data processor in a third country for the storage of personal data, and that the transfer of information has been notified and approved by the Danish Data Protection Agency in accordance with the EU Commission's standard

provisions for transfer to third countries.

In this connection, the Danish Data Protection Agency should note that the use of the EU Commission's standard provisions as a basis for transfer, cf. Article 46 (1) of the Regulation. 2, letter c, does not require a specific approval from a supervisory authority, nor does the regulation require that transfers to third countries must be notified to the supervisory authority. The Danish Data Protection Agency must therefore recommend that TDC A / S update the appendix so that it does not appear that the transfer of information has been notified to and approved by the Danish Data Protection Agency.

Regarding the use of control measures, it appears from the appendix that TDC A / S, for security, fraud, operational, educational and / or production reasons, carries out TV monitoring and monitoring of employees' behavior on and in the company's IT systems, buildings, cars, tools, etc. In addition, it appears that the employee at a specific place on the personal data page on the intranet can find a more detailed description of the types of monitoring that TDC A / S carries out, just as TDC A / S 'collective agreements and personnel policies also contain rules on monitoring of employees.

Finally, the appendix contains information about the right to request access to and correction or deletion of personal data or restriction of processing or to object to processing as well as the right to data portability, just as the appendix contains information about the possibility of complaining about TDC A / S 'processing of personal data to the Danish Data Protection Agency.

TDC A / S has stated that the appendix regarding the processing of personal data is supplemented by a "personal data page" on TDC A / S 'intranet, which describes in more detail how the company processes the employees' information in connection with the individual control measures.

On the personal data page on the intranet, there is a point which relates to "control of the employees' behavior in the current employment relationship". Here it appears i.a. generally about the use of control measures, that it is a fundamental part of the employer's management right to be able to introduce control measures, but that the implementation of control measures is subject to a number of specific objectivity requirements. In this connection, a link has been inserted to the agreement on control measures entered into between the National Organization in Denmark and the Danish Employers' Association, which TDC A / S is obliged to comply with in relation to employees covered by the agreement with Dansk Metal.

The employee can then click on the individual control measures that TDC A / S uses to read more about these. The information that employees can access on the intranet about individual control measures is reviewed below under sections

4.1.-4.5.

4.1. Information on TV surveillance

In connection with the audit, TDC A / S has sent a copy of the information on television surveillance that can be accessed on the personal data page on the intranet under the item "control of employees' behavior in the current employment relationship". On the intranet page regarding TV surveillance as a control measure, a link has initially been inserted to a procedure to be followed in connection with the use of television surveillance. Here, the employee can read about the prerequisites for implementing TV surveillance as a control measure, just as the employees can read about what happens if a breach of established policies, guidelines, etc. is found. via television surveillance, including any employment consequences this may entail. TDC A / S has sent a copy of this procedure to the Danish Data Protection Agency.

In continuation of this, it appears i.a. of the intranet site that the purpose of television surveillance is to secure against burglary, theft or vandalism, and that surveillance is also done for the sake of the safety of staff. Employees are also informed about the legal basis for the processing of personal data as part of television surveillance.

In addition, it appears that even though the TV surveillance is not established to monitor employees, this could occur as a side effect. Information collected from television surveillance could thus be used in a personnel case concerning reprimand, warning, dismissal or expulsion if breaches of the employment relationship were to be identified in connection with the surveillance.

It also appears that TDC A / S monitors shops, receptions, all entrance doors and parking spaces, and that employees have the opportunity to receive a list of the exact places where TV surveillance has been set up by writing to a specific e-mail. . TDC A / S has sent a copy of the list in question to the Danish Data Protection Agency.

In addition, it appears that only the employees who have the task of monitoring access to TDC's premises have access to the information, and that the information can be passed on to public authorities, including the police, and to lawyers for crime-solving purposes, just as the information will be able to be shared with HR.

In conclusion, it appears that the information is deleted after 30 days, and that employees can apply for insight into TV records by following a specific procedure to which a link has been inserted. TDC A / S sent a copy of this procedure to the Danish Data Protection Agency.

It follows from section 3 b of the Television Surveillance Act [6] that the provision in Article 14 of the Data Protection Regulation

applies regardless of any signage pursuant to sections 3 and 3 a of the Act. comply with the requirements of Article 14 of the Data Protection Regulation.

After a review of the submitted material, including the appendix on the processing of personal data in connection with payroll and personnel administration, the standardized overview of personal data processed about employees, the supplementary texts on the intranet regarding TV surveillance, it is the Data Inspectorate's assessment that TDC A / S's notification of the processing of personal data in connection with the use of television surveillance of control measures meets the requirements of Article 14 of the Regulation.

4.2. Access control information

In connection with the audit, TDC A / S has sent a copy of the information on access control that can be accessed on the personal data page on the intranet under the item "control of employees' behavior in the current employment relationship".

On the intranet page regarding access control as a control measure, it is initially stated that all employees in connection with employment will be given an ID card that gives access to the places where there is a need for work.

Regarding the purpose of access control, it appears that ID cards - in addition to having a key function - also have the function of being able to trace who has been in an area if, for example, a fire occurs, theft, vandalism or similar. In addition, the card ensures unambiguous identification of the employees who are employed by TDC and reside at the company's locations. In continuation of this, the employees are given information about the legal basis for the processing of personal data in connection with access control.

In addition, it appears that only the employees who have the task of monitoring access to TDC's premises have access to the information, and that the information can be passed on to public authorities, including the police, and to lawyers for crime-solving purposes, just as the information will be able to be shared with HR.

Finally, it appears when the information is deleted and that employees can apply for insight into information regarding the ID card by following a specific procedure to which a link has been inserted. TDC A / S sent a copy of this procedure to the Danish Data Protection Agency.

In the opinion of the Danish Data Protection Agency, as the personal data is collected from the employee himself when he uses his access card, the Authority's assessment is that notification of the processing of personal data in connection with access control must comply with the requirements of Article 13 of the Data Protection Regulation.

After a review of the submitted material, including the appendix on the processing of personal data in connection with payroll and personnel administration, the standardized overview of personal data processed about employees, as well as the supplementary texts on the intranet regarding access control, it is the Data Inspectorate's assessment that employees do not information is provided on the purpose of the processing of that information. The Danish Data Protection Agency emphasizes that, in the Authority's view, it is not sufficiently clear from either the appendix on the processing of personal data in connection with payroll and personnel administration or the supplementary texts on the intranet that the information in question can also be used for control purposes.

The Danish Data Protection Agency thus finds that TDC A / S 'notification of the processing of personal data in connection with access control does not meet the requirements of Article 13 (1) of the Data Protection Regulation. In view of the fact that, in the opinion of the Danish Data Protection Agency, the purpose of control has not been sufficiently clear to employees, the Authority also finds that TDC A / S 'processing of personal data has not complied with the basic principle of transparency in Article 5 (1) of the Regulation. 1, letter a. In this connection, the Danish Data Protection Agency must also emphasize that it is the Authority's assessment that the principle of transparency i.a. implies that the data controller must provide employees with easily accessible - prior - information about the control measures used, including in particular about the control purpose.

4.3. Information on fraud monitoring

In connection with the audit, TDC A / S has sent a copy of the information on fraud monitoring (Fraud) that can be accessed on the personal data page on the intranet under the item "control of employees' behavior in the current employment relationship". On the intranet page regarding monitoring of fraud as a control measure, it initially appears that Fraud is the department in TDC A / S that works to limit the company's losses to e.g. internal and external fraud, and which aims to insure the company against unnecessary losses.

Furthermore, it appears, among other things, that Fraud monitors and processes abnormal traffic at home and abroad by random checks, and that this in relation to employees means that Fraud reviews the use of vouchers, sales, credits, payments, discounts, etc. to see if anything abnormal is occurring. In addition, it will be possible to report to Fraud from the employee's manager or others.

In continuation of this, it appears that HR will be contacted if there is a concrete reasoned suspicion of fraud that necessitates a closer investigation of the employee's circumstances. In addition, employees are provided with information on the legal basis

for the processing of personal data in connection with fraud monitoring.

Regarding the storage of the information, it appears that Fraud stores information about employees who are suspected of fraud as long as the investigation is ongoing and until the case has been processed. Information that has been used in the assessment of whether there are grounds for employment law sanctions against the employee is stored in the personnel case and deleted in accordance with the rules that apply to this. In this connection, a link has been inserted to a specific intranet page, where the employee can read more about these deletion deadlines. TDC A / S has sent a copy of this intranet page to the Danish Data Protection Agency.

In the opinion of the Data Inspectorate, as the personal data is collected when the employee uses TDC A / S 'IT installations and / or terminals, the Authority's assessment is that the information is collected from the employee himself, which is why notification of processing of personal data in connection with fraud monitoring must live up to to the requirements of Article 13 of the Data Protection Regulation.

After a review of the submitted material, including the appendix on the processing of personal data in connection with payroll and personnel administration, the standardized overview of personal data processed about employees. as well as the supplementary texts on the intranet regarding fraud monitoring, it is the Data Inspectorate's assessment that TDC A / S 'notification of the processing of personal data in connection with the use of fraud monitoring as a control measure meets the requirements of Article 13 of the Regulation.

4.4. Information on monitoring the use of e-mail, IT installations and terminals

In connection with the audit, TDC A / S has sent a copy of the information on monitoring the use of e-mail, IT installations and terminals that can be accessed on the personal data page on the intranet under the item "control of employees' behavior in the current employment relationship".

On the intranet page regarding monitoring the use of e-mail, IT installations and terminals as a control measure, a link has been inserted to a personnel policy "Think before you type", which describes in more detail how employees may use IT installations and terminals. In addition, the employee is informed about the legal basis for the processing of personal data in connection with monitoring the use of e-mail, IT installations and terminals.

The personnel policy "Think before you type" states regarding the use of monitoring the use of e-mail, IT installations and terminals as a control measure, that TDC A / S registers all IT use on and to and from the group network and the subsidiaries'

networks, including use of the internet and emails.

Regarding the purpose of the processing of this information, it appears that TDC A / S registers this information for operational and safety reasons and to assess the need for preventive and protective measures. However, the registration can also be used in the investigation of reasonable suspicion of abuse.

If misuse of the PC workplace is found in violation of TDC A / S 'safety principles, the immediate manager will be informed, after which the manager will follow up on the matter. If there is reasonable suspicion of gross or repeated abuse, the employee's use of the Internet, data storage, emails and text messages sent from a telephone where TDC A / S pays the subscription may be subject to review after authorization by a manager. The same applies to employees 'data stored on TDC A / S' IT installations and terminals, including personal drives and mailboxes.

In the opinion of the Danish Data Protection Agency, when personal information is collected when the employee uses the Internet, e-mail, IT installations and terminals, it is the Authority's assessment that the information is collected from the employee himself, which is why notification of processing personal data in connection with monitoring mail, IT installations and terminals must comply with the requirements of Article 13 of the Data Protection Regulation.

After a review of the submitted material, including the appendix on the processing of personal data in connection with payroll and personnel administration, the standardized overview of personal data processed about employees, the supplementary texts on the intranet and the personnel policy, it is the Data Inspectorate's assessment that TDC A / S's notification of the processing of personal data in connection with the use of monitoring the use of e-mail, IT installations and terminals as a control measure meets the requirements of Article 13 of the Regulation.

4.5. Application of exemption provisions to the duty to provide information

In connection with the written inspection, the Danish Data Protection Agency has asked whether TDC A / S has in some cases assessed that an exception can be made from the duty to provide information in connection with the use of control measures towards employees.

In this connection, TDC A / S has stated that the company informs the employees in advance about the use of control measures in connection with the employment. However, there may be cases in the specific application of the control measures where, in the company's assessment, it may be necessary to make use of the exemption provisions in the Data Protection Act, section 22, subsection. 2, nos. 4 and 7. As an example of this, TDC A / S 'has stated that there may be situations in connection

with specific TV surveillance and reports via the whistleblower system, where a crime is suspected and where the purpose will be wasted. , unless the employee is first informed of the investigation subsequently.

The Danish Data Protection Agency has no comments on this.

4.6. Observance of the duty to provide information in a transparent and easily accessible form

It follows from Article 12 (1) of the Data Protection Regulation 1, that the data controller must give any notification in accordance with i.a. Articles 13 and 14 on processing to the data subject in a concise, transparent, easy-to-understand and easily accessible form and in a clear and simple language.

TDC A / S has generally stated [7] that the company's employees are informed about the use of control measures via employment agreements and an appendix to the employment agreements, which describes how the employees' personal data is processed in connection with the company's payroll and personnel administration. The appendix regarding the processing of personal data is supplemented by a "personal data page" on TDC A / S 'intranet, which describes in more detail how the company processes the employees' information.

As mentioned above [8], the Danish Data Protection Agency's assessment is that the employment agreements themselves do not contain specific information about TDC A / S 'use of control measures towards employees. Employees are only informed that they are subject to the company's IT security policy and applicable security regulations. As far as the IT security policy is concerned, employees are referred to the personnel policy "Think before you type". Finally, employees are referred to the accompanying appendices on the processing of personal data in connection with TDC A / S 'payroll and personnel administration. Thus, the employees are not made aware in the employment agreements themselves that TDC A / S makes use of control measures.

The appendix on the processing of personal data, which is attached as an appendix to the employment agreements, contains a section in which the employees are made aware of TDC A / S 'use of control measures. It thus appears from the appendix that TDC A / S, for security, fraud, operational, educational and / or production reasons, carries out TV surveillance and monitoring of employees' behavior on and in the company's IT systems, buildings, cars, tools mv In addition, it appears that the employee at a specific place on the personal data page on the intranet can find a more detailed description of the types of monitoring that TDC A / S carries out, just as TDC A / S 'collective agreements and personnel policies also contain rules on monitoring of employees.

In connection with this supervision, the Danish Data Protection Agency has assessed whether the information provided by TDC A / S to employees in accordance with Articles 13 and 14 of the Regulation meets the requirements of Article 12 (1) of the Regulation. 1, including whether the information is provided to employees in a sufficiently transparent and easily accessible form.

Following a review of the case, the Danish Data Protection Agency finds that TDC A / S 'observance of the duty to provide information to employees in connection with the use of control measures has taken place within the framework of Article 12 (1) of the Regulation. 1. The Danish Data Protection Agency has emphasized that, in the Authority's opinion, it is sufficiently clear from the appendix on the processing of personal data that TDC A / S makes use of control measures towards employees, and that the employees are referred to a specific place on the company's intranet. they can read more about the individual control measures.

5. Conclusion

Following the audit of TDC A / S, the Danish Data Protection Agency finds reason to conclude:

That TDC A / S 'compliance with the duty to provide information pursuant to Articles 13 and 14 of the Regulation has in one case been deficient, including in that the company has not provided the employees with sufficiently clear information about the purpose of the processing of the information.

The Danish Data Protection Agency then finds grounds for criticizing the fact that TDC A / S 'processing of personal data has not taken place in accordance with Article 13 of the Data Protection Ordinance. S 'processing of personal data has not taken place in accordance with the basic principle of transparency in Article 5 (1) of the Regulation. 1, letter a.

[1] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to

on the processing of personal data and on the free movement of such data and on the repeal of Directive 95/46 / EC (General Data Protection Regulation).

[2] Act No. 502 of 23 May 2018 on supplementary provisions to the Regulation on the protection of individuals with regard to the processing of personal data and on the free movement of such data (the Data Protection Act).

[3] See Section 2 of the Decision

[4] See section 3 of the Decision

[5] See Section 2 of the Decision

[6] Statutory Order no. 1190 of 11 October 2007 on television surveillance with subsequent amendments

[7] See section 3 of the Decision

[8] See section 4 of the Decision