

Decision

Diary no

2020-06-22

DI-2020-2278

Your diary no

A026.530/2020

The police authority

Supervision of the Police Authority

charge register according to the Act on

load register

The Swedish Data Protection Authority's decision

The Swedish Data Protection Authority notes that the Swedish Police Agency has remedied it

technical errors which meant that register extracts were sent out

the load register during the period 19 November 2019 up to and including the 13

January 2020 have become incorrect. The Swedish Data Protection Authority therefore takes no action

further measures.

The case is closed.

Account of the supervisory matter

Purpose and scope of the review

On 20 January 2020, the Data Protection Authority received a notification from

The police authority on personal data incident, ref A026.530/2020. The incident

referred to extracts from the debit register to individuals as under

the period 19 November 2019 up to and including 13 January 2020 has included for

too few or too many tasks. Against the background of the information in the notification has

The Swedish Data Protection Authority has decided to review the Police Authority's

personal data processing in the debit register. The purpose of the supervisory matter

has been delimited to include control of the authority's handling of

Postal address: Box 8114, 104 20 Stockholm

Website: www.datainspektionen.se

E-mail: datainspektionen@datainspektionen.se

Telephone: 08-657 61 00

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personal data in the register extracts during the period for which the notification is made

the personal data incident refers to.

Implementation and method

During the review, the following has mainly emerged.

On 25 February 2020, the Norwegian Data Protection Authority asked a number of questions

The police authority for a written response.

The Police Authority's response shows that the load register during November

2019 was migrated to a new technical platform, which required changes in

the communication with the register extract system (RUT). The current one

the function underwent both unit tests, system tests and acceptance tests before

it was commissioned. The system is complex and a couple of flaws were discovered such as

caused inaccuracies in certain types of extracts from the debit register. Total

are 448 individuals who have requested information about themselves affected by

it occurred. The register extracts that have been sent to the persons concerned have

contained too little or too much information. Of the incorrect extracts referred to

Paragraph 407 such complete extracts as individuals may request in order to exercise

his right of inspection in the debit register and the remaining 41 incorrect extracts

referred to such limited extracts as individuals may request to exhibit

or hand over to employer. When the extent of the problem became known the registry extract service was temporarily stopped while waiting for the error to be fixed.

The police authority has since supplemented the coding and thinning logic in the system with what was missing after the migration to the new platform.

The police authority has stated that when a modernization or update of the technical platform becomes relevant again, the tests will be organized and designed so that similar errors will not occur again. The police authority further intends to investigate the possibilities of automatic tests to avoid errors in the future caused by the human factor.

Due to the incorrect register extracts, the Police Authority has taken a number of measures. The authority has, among other things, published a press release with general information about the incident as well as notified all individuals who received an incorrect statement. Furthermore, have correct extracts sent out to the persons concerned and the incorrect extracts has been requested to prevent these from being used. The police authority has further stated that they have followed up which extracts have been sent in and have made one

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careful investigation and risk assessment of the 41 incorrect extracts that can be used to apply for certain types of work.

Justification of decisions

The Swedish Data Protection Authority's assessment

Section 1 of the law (1998:620) on charge registers states that the Police Authority using automated processing must keep a load register.

The authority is responsible for the processing of personal data

in the registry. The Act contains provisions regarding the registration of persons who have been convicted or have received a waiver of prosecution for crimes and applies in addition the crime data act (2018:1877).

Section 2 of the Act on encumbrance registers states that the encumbrance register must be kept to provide information on such load data as is needed in law enforcement agencies' activities. The register may also be used in order to provide an individual with information that is of particular importance in his or her business. It can e.g. concern alarm installation companies or individual employers in the healthcare sector who need to receive information about persons to be employed in the business.

The investigation shows that the Police Authority has taken a number of measures in direct connection with the authority becoming aware of the current issue technical problem which meant that a number of incorrect register extracts out the load register sent during the period 19 November 2019 inclusive on January 13, 2020. Among other things, the register extract service was temporarily stopped in waiting for the problem to be fixed, correct excerpts and information was sent to the persons concerned and the Police Authority reported without delay the incident to the Data Inspectorate. It happened the personal data incident has not affected what information is available about persons in the charge register or how long the data is saved.

In summary, the Data Inspectorate states that the Police Authority has rectified the technical error which meant that register extracts were sent out the load register during the period 19 November 2019 up to and including the 13 January 2020 have become incorrect. The Swedish Data Protection Authority therefore takes no action further measures.

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This decision has been made by unit manager Charlotte Waller Dahlberg after presentation by the lawyer Linda Olander. At the final processing has also data advisor Agneta Runmarker and IT security specialists Johan Ma and Ulrika Sundling participated.

Charlotte Waller Dahlberg, 2020-06-22 (This is an electronic signature)

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