

Coordinated enforcement by 22 regulators on public sector use of cloud services

The European supervisory authorities and the European Data Protection Supervisor have launched an investigation into the use of cloud-based services by the public sector. This marks the start of the first coordinated enforcement action by the European Data Protection Board (EDPB).

Source: ©mediaphotos; one

The enforcement action implements the EDPB's October 2020 decision to establish a coordinated enforcement framework (CEF). Together with the establishment of a Support Pool of Experts (PES), the CEF is a key action of the EDPB as part of its 2021-2023 strategy. Both initiatives promote enforcement and cooperation between supervisors.

The COVID-19 pandemic has accelerated the digital transformation within the public sector. As a result, many public sector bodies are increasingly relying on cloud-based services. In this context, one of the challenges is to use ICT products and services that comply with EU data protection rules. The use of non-compliant ICT products and services by the public sector risks undermining the protection of personal data. Through coordinated guidelines and actions, the European supervisory authorities aim to promote best practices regarding GDPR compliance and ensure adequate protection of personal data. In total, over 75 public bodies in the EEA are addressed, including EU institutions covering a wide spectrum of the public sector (e.g. health, finance, tax, education, central buyers or providers of IT services). Building on the joint preparatory work of all participating supervisors, the CEF will be implemented at national level in one or more of the following ways: gathering information to determine whether a formal investigation is warranted; Starting a formal control or following up on ongoing formal controls. In particular, regulators will examine the challenges faced by public bodies in complying with the GDPR when using cloud-based services, including the process and safeguards implemented when purchasing cloud services, challenges related to international data transfers and regulatory provisions the relationship between controller and processor.

The results will be analyzed in a coordinated manner and the supervisory authorities will decide on possible further national supervisory and enforcement measures. In addition, the results are aggregated, allowing for a deeper insight into the topic and enabling targeted follow-up at EU level. The EDPB will publish a report on the outcome of this analysis before the end of 2022. The Federal Commissioner for Data Protection and Freedom of Information supports the joint approach of the European supervisory authorities and is taking part in the measure within the scope of his responsibilities and will contact selected public

bodies.

Here is the EDPB's joint press release:

EDPB press release: Launch of coordinated enforcement on use of cloud by public sector

contact finder

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public bodies

The term public body not only includes the traditional administrative authorities, but also courts, parliaments and public foundations. This also includes social insurance, such as health insurance.

company

Private companies are mostly supervised by state authorities, but there are some exceptions. Private organizations such as clubs and associations also fall into this category.

Press, radio, church

Special responsibilities apply in these areas. Churches and public broadcasters have e.g. B. via their own data protection officers. The federal and state supervisory authorities are not responsible for other organizations either.