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Still information deficits in contact recording in Corona times - data protection officer calls for transparency

In numerous industries, companies and institutions have to collect information with personal data of customers and guests in these weeks. The state data protection officer calls for transparency when handling the data. Professor Dieter Kugelmann, state officer for data protection and freedom of information in Rhineland-Palatinate (LfDI), explains: "In addition to data protection-compliant recording, the General Data Protection Regulation unequivocally stipulates that guests and customers in many restaurants and other establishments there are still shortcomings in this regard: either the purpose for which data is collected is not communicated at all, or important information is missing - such as the name of the person responsible for the establishment to be contacted. Questions or complaints. It is precisely because hundreds of thousands of new data are being collected in these weeks that transparent handling is particularly important. The largest data collection campaign in the history of the Federal Republic - carried out by thousands of individual companies - is currently taking place in Germany. It only meets with acceptance if clarity and transparency are a priority. Anyone who goes to a restaurant, a pub, to the hairdresser or to the theater must know why their name is being recorded." According to the requirements of the General Data Protection Regulation (Art. 13 DS-GVO), those responsible in a restaurant must provide information about the following: About the name and contact details of the person responsible and, if applicable, a data protection officer, about the purpose and legal basis of data processing, about (possible) recipients of the data, about the duration of storage, about the rights of data subjects and the right to complain to a supervisory authority, as well as about the consequences if the contact details are not given. This information can be laid out on tables where it is easy to see or posted in the entrance area. Information can also be provided on the contact form, which customers use to register. A copy should also be available for the guest or customer to request. On Wednesday, June 10, 2020, the ninth Corona Control Ordinance will come into effect in Rhineland-Palatinate (9. CoBeLVO) in force. From a data protection point of view, nothing fundamental changes compared to the 8th CoBeLVO. In many industries there is still an obligation to collect contact data. As a rule, surname, first name, address and telephone number must therefore be collected; the retention period for the data is one month. Thereafter, the data must always be deleted unless other statutory retention periods apply. The responsible health authority can, if necessary, request information about the contact details from the companies. Processing the data for other purposes is not permitted. The LfDI has put together a leaflet to inform those

responsible in the companies who have to collect the data. In addition, the LfDI has summarized information on Corona and data protection on its website, including the question: What must be observed under data protection law when collecting contact data? There is also sample information in this section.

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