

Examination of selected security areas: Codan Forsikring A / S

Date: 15-01-2021

Decision

Public authorities

Based on Codan Forsikring A / S 'answer to the submitted questions, the Data Inspectorate's overall assessment is that Codan's general maturity in the area of security is an expression of a level that suits the risks that the organization's processing activities pose to the data subjects' rights and freedoms.

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Summary

As part of the Danish Data Protection Agency's work to strengthen the data and risk-based approach to guidance and control, the Authority completed a number of questionnaire surveys in December 2020. The surveys were intended to shed light on the general maturity of selected security areas at seven public authorities and seven private companies. The questionnaires included i.a. issues for handling backup and breaches of personal data security as well as preparation of information security policies, contingency plans and documentation.

The Danish Data Protection Agency can state that the handling of backup in particular is an area that has the attention of the data controllers. In several cases, however, the Danish Data Protection Agency has assessed that the data controllers may have a greater focus on the establishment of contingency plans and contingency plans.

On 10 July 2020, the Danish Data Protection Agency sent a questionnaire to Codan Forsikring A / S, hereinafter Codan. The purpose of the Data Inspectorate's purpose of conducting the written questionnaire survey was in particular to make an assessment of Codan's maturity in the area of data protection with a special focus on handling breaches of personal data security and compliance with information security requirements, including handling documentation, backup and contingency plans.

The Danish Data Protection Agency has also, on the basis of Codan's response, made an overall assessment of the measures that Codan has assessed as appropriate to address the risks that the organization's processing activities pose to the data subjects.

1. The Danish Data Protection Agency's assessment

1.1. Established security measures

Article 32 (1) of the Data Protection Regulation [1] 1, states, inter alia, that the data controller, taking into account the current technical level, the implementation costs and the nature, scope, coherence and purpose of the treatment in question, as well as the risks of varying probability and seriousness for natural persons' rights and freedoms, implement appropriate technical and organizational measures to ensure a level of safety appropriate to these risks.

Based on Codan's answers to the submitted questions, the Danish Data Protection Agency's overall assessment is that Codan's general maturity in the area of security is an expression of a level that matches the risks that the organization's processing activities pose to the data subjects' rights and freedoms.

In this connection, the Danish Data Protection Agency's assessment is that Codan's responses regarding information security policies, handling of security breaches and backups in particular indicate that the organization has actively addressed any risks to data subjects, that the organization has established procedures and guidelines for security at an appropriate level. , and that the organization has otherwise established relevant and appropriate security measures.

However, with regard to the list, assessment of risks for the registered and updating of these as well as contingency plans, the Danish Data Protection Agency has noted that Codan has stated that in certain areas only partially implemented planned measures have taken place. Overall, however, the Danish Data Protection Agency finds that Codan's responses leave an impression that the organization is actively working on this, and on that basis the Authority finds no basis for taking further action on that occasion.

1.2. Especially about documentation

Article 5 (1) of the Data Protection Regulation Article 5 (2) states that the data controller is responsible for and must be able to demonstrate that the data controller complies with the principles for the processing of personal data referred to in Article 5 (2). 1, including i.a. personal data is processed in a way that ensures adequate security for the personal data in question, in accordance with Article 5 (2). 1, letter f.

In continuation of the above, however, the Danish Data Protection Agency has noted that, according to the information, Codan has only to a varying extent prepared documentation in relation to handling breaches of personal data security and notification to the Danish Data Protection Agency. In the light of the answers given, it is therefore the Authority's immediate assessment that Codan may, depending on the circumstances, have difficulty in - within a reasonable time - demonstrating (documenting)

that personal data is processed in all cases in a way that ensures adequate security for the personal data in question in accordance with Article 5 (2) of the Data Protection Regulation; Article 5 (2) 1, letter f.

Based on Codan's answers in relation to documentation, the Danish Data Protection Agency finds that there are circumstances which indicate that Codan can advantageously increase its focus on providing the necessary documentation, if this has not already happened. Overall, however, the Authority finds that Codan's responses leave the impression that the organization has such maturity and works with data protection in such a way that there is no basis for the Authority to take further action on that occasion.

The Danish Data Protection Agency considers the case closed and will not take any further action.

The Danish Data Protection Agency's opinion can be brought before the courts, cf. section 63 of the Constitution.

[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 the processing of personal data and on the free movement of such data and repealing Directive 95/46 / EC (General data protection regulation).