

Two municipalities recommended for fines

Date: 10-03-2020

Decision

Public authorities

Police report

Reported breach of personal data security

Treatment safety

Social Security number

Sensitive information

The Danish Data Protection Authority reports Gladsaxe Municipality and Hørsholm Municipality to the police, as the Danish Data Protection Authority assesses that the municipalities have not met the requirements for an appropriate level of security in the General Data Protection Regulation (GDPR).

Gladsaxe Municipality and Hørsholm Municipality have been recommended for fines of DKK 100,000 and DKK 50,000.

The Danish Data Protection Authority became aware of the cases when both municipalities reported a breach of personal data security in connection with the theft of one of the municipalities' computers, which contained personal data.

Neither Gladsaxe Municipality's nor Hørsholm Municipality's computers were protected with encryption, and the municipalities' loss of personal data therefore posed an unnecessarily high risk for the citizens.

In one of the cases, the insufficient security resulted in a serious breach of personal data security, when a computer containing personal data on 20,620 citizens, including information of a sensitive nature and information on social security numbers, was stolen from Gladsaxe Town Hall.

The second security breach occurred when an employee from Hørsholm Municipality had his work computer stolen from his car. On the computer was personal information about approximately 1,600 employees at Hørsholm Municipality, including information of a sensitive nature and information about social security numbers.

The specific security breaches are an expression of some of the possible consequences of insufficient security. The insufficient security poses a high risk for all the citizens about whom the municipality processes information.

Municipalities have a great responsibility

"A municipality processes very large amounts of personal data about the municipality's citizens, including information of a sensitive nature. As a citizen, you do not have the option of opting out of the municipality's processing of information about you, and the municipality therefore has a great responsibility to prevent the information from coming to the knowledge of unauthorized persons," says Frederik Viksøe Siegumfeldt, head of the supervisory unit in the Danish Data Protection Authority, and elaborates:

"It is simple to access the files stored on the computer when a computer's hard drive is not encrypted, for example by moving the hard drive to another computer. When personal data is stored locally on the computer, it is therefore extremely imprudent , that the municipalities had not protected the computers with encryption."

Recommendation for a fine

The Danish Data Protection Authority has decided to report Gladsaxe Municipality and Hørsholm Municipality to the police and recommends that a claim be made that the two municipalities be fined respectively DKK 100,000 and DKK 50,000.

In its proposal for the size of the fine, the Danish Data Protection Authority has emphasized, among other things, the nature of the breach (lack of processing security) and that the failure to encrypt the municipality's computers is a general measure.

Emphasis has also been placed on the size of the municipalities in terms of population and the total operating grant.

In most European countries, the national data supervisors can themselves issue administrative fines, but the rules are different in e.g. Denmark.

Here it works in such a way that the Data Protection Authority reports the data controller to the police after clarifying and assessing the case. The police then investigate whether there is a basis for laying a charge, etc., and finally a possible fine will be decided by a court.

Do you want to know more?

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