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Based on the initiative, the Office carried out an inspection of a non-state medical facility, the subject of which was the unauthorized transfer of personal data. The Office focused on the fulfillment of the duties of the administrator of personal or sensitive data of clients, especially in connection with their security in the sense of § 13 of Act No. 101/2000 Coll. (security of personal data).

The office discovered that an electronic message containing the personal data of a potential client was sent to another client's e-mail address. At the same time, the Office found that the controlled person adopted and implemented sufficient technical and organizational measures to ensure the security of processed personal data. The incident in question was therefore not caused by the absence or inadequacy of measures on the part of the inspected person, but by misconduct on the part of the employee of the inspected person. Despite the ban on the controlled person, the employee handled two things simultaneously and as a result opened two Outlook windows.

The Office therefore found a violation of § 14 of Act No. 101/2000 Coll. (processing under the conditions and to the extent set by the controller or processor), which, however, is not an offence. Such employee misconduct must therefore be dealt with within the scope of the employment relationship.

The inspection was conducted by inspector PaedDr. Jana Rybínová.

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