

Press release of the conference of the independent data protection supervisory authorities of the federal and state governments from November 13th, 2020

Data protection when using video conferencing systems

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The conference of the independent data protection supervisory authorities of the federal and state governments (DSK) has published an "orientation guide for video conferencing systems". It explains the data protection requirements for conducting video conferences by companies, authorities and other organizations. Addressed are both those responsible who operate a video conference service themselves or have it operated by service providers and users of video conference systems that are offered as an online service. In addition to the orientation aid, the DSK publishes a checklist in which the legal and technical requirements for video conferencing systems are summarized in a clear form.

The reason for the creation of the orientation guide and the associated checklist was increasing uncertainty among users and those responsible in connection with the use of video conference systems. The orientation guide describes which technical and organizational measures are to be implemented. When using video conferencing systems, personal data of the participants and, if necessary, of third parties are processed, including their statements in audio and video. The person responsible for conducting the video conference requires a legal basis for this data processing. If a video conferencing service provider is used who also wants to use personal data for their own purposes or for the purposes of third parties, it is usually difficult to justify a legal basis for the associated disclosure of the data. In relation to a processor, it must therefore be ensured in the order processing contract that the processor only processes the personal data of the participating persons on the instructions of the person responsible and not for its own purposes.

In addition, those responsible are obliged to data economy. Only the personal data required to achieve the purpose may be

processed. This principle must be observed when selecting, but also when setting up and operating a video conference system.

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