

Supervision of Odsherred Municipality's rights management in the municipality's study administrative system Tabulex TEA

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Decision

Public authorities

Criticism

Supervision / self-management case

Access control

Treatment safety

The Danish Data Protection Authority has expressed criticism that Odsherred Municipality had not checked whether the employees' rights in one of the municipality's systems were limited to their work-related needs.

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Summary

Odsherred Municipality was among the selected municipalities that the Data Protection Authority supervised in the summer of 2021 in accordance with the rules on data protection.

The inspection focused on Odsherred Municipality's way of managing access rights in the area of children and young people, including especially the school area. In this connection, the Danish Data Protection Authority investigated Odsherred Municipality's rights management in the study administrative system Tabulex TEA.

The Danish Data Protection Authority found that Odsherred Municipality's control of users' rights in Tabulex TEA was not in accordance with the rules on processing security.

The Data Protection Authority emphasized that Odsherred Municipality had not ensured, prior to the inspection, that the users' rights, and thus access to personal data, in Tabulex TEA were necessary and relevant to the work-related needs of the users in question.

Against this background, the Danish Data Protection Authority criticized Odsherred Municipality.

1. Written supervision of Odsherred Municipality's processing of personal data

Odsherred Municipality was among the authorities that the Data Protection Authority had selected in the summer of 2021 to supervise according to the data protection regulation[1] and the data protection act[2].

The Danish Data Protection Authority's inspection was a written inspection which focused on Odsherred Municipality's way of administering access rights in the area of children and young people, including especially the school area, cf. the data protection regulation, article 32, subsection 1.

By letter of 9 June 2021, the Data Protection Authority notified the supervisory authority of Odsherred Municipality. In this connection, the Danish Data Protection Authority requested to be sent a list of systems in the municipality's school area, in which information about natural persons is processed.

Odsherred Municipality issued a statement on the matter on 7 July 2021.

On the basis of the response, the Danish Data Protection Authority chose to carry out further checks on Odsherred Municipality's use of the Tabulex TEA system.

On 10 August 2021, the Norwegian Data Protection Authority requested Odsherred Municipality to explain how the municipality creates and terminates users in Tabulex TEA, and whether the municipality carries out checks on users' rights. Against this background, the municipality sent a supplementary statement in the matter on 20 August 2021.

Odsherred Municipality's supplementary opinion gave the Data Protection Authority the opportunity to request a further opinion by letter of 13 October 2021, to which the municipality replied on 2 December 2021.

## 2. The Data Protection Authority's decision

After a review of the case, the Data Protection Authority finds that there is a basis for expressing criticism that Odsherred Municipality's processing of personal data has not taken place in accordance with the rules in the data protection regulation, article 32, subsection 1.

Below follows a closer review of the information that has come to light in connection with the written inspection and a justification for the Data Protection Authority's decision.

## 3. Disclosure of the case

Odsherred Municipality has stated that in IST/Tabulex TEA/Trio rights are granted by an administrator in the administration.

The central administrator can assign different levels of rights to the school secretaries. It is also the central administrator who can remove the rights.

All registration and de-registration of students and staff in Odsherred Municipality's schools is managed in the schools' student administration system IST Tabulex TEA/Trio by the school secretaries.

It appears from the case that in the Tabulex TEA/TRIO/SFO system, all information from the CPR register, contact information and institutional affiliation applicable to both employees, parents and pupils, as well as any foster parents or other contacts, e.g. residential staff or grandparents.

Odsherred Municipality has stated that it is primarily school secretaries and administrative staff who have access to Tabulex TEA, and that a user is primarily created as a standard user with access to his own school. All users must change their password every 6 months.

An administrative employee in the school administration reviews all users 1-2 times a year and deletes the users who are no longer employees. From now on, the employee will also check that all user rights are necessary and relevant. Odsherred Municipality has stated that the municipality has not previously carried out checks on whether all users' rights are necessary and relevant.

#### 4. The Danish Data Protection Authority's assessment

It follows from the data protection regulation, article 32, subsection 1, that the data controller must take appropriate technical and organizational measures to ensure a level of security appropriate to the risks involved in the data controller's processing of personal data.

The data controller thus has a duty to identify the risks that the data controller's processing poses to the data subjects and to ensure that appropriate security measures are introduced to protect the data subjects against these risks.

The Danish Data Protection Authority is of the opinion that the requirement for adequate security will normally mean that the data controller continuously checks whether user access to systems is limited to the personal data that is necessary and relevant to the work-related needs of the user in question.

The Norwegian Data Protection Authority has – in accordance with Odsherred Municipality's own explanation in this regard – assumed that Odsherred Municipality had not carried out a check on whether all users' rights were necessary and relevant prior to the Authority's inquiry.

The Danish Data Protection Authority finds that Odsherred Municipality – by not ensuring that the users' rights in Tabulex TEA are necessary and relevant – has not taken appropriate organizational measures to ensure a level of security that matches the risks involved in the municipality's processing of personal data, cf. Article 32, subsection of the data protection regulation. 1.

The Danish Data Protection Authority finds grounds to express criticism that Odsherred Municipality's processing of personal

data has not taken place in accordance with the rules in the data protection regulation, article 32, subsection 1.

The Danish Data Protection Authority has noted that Odsherred Municipality will henceforth, in connection with the review 1-2 times a year of the deletion of resigned users, also check that all users' rights are necessary and relevant.

[1] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons in connection with the processing of personal data and on the free exchange of such data and on the repeal of Directive 95/46/EC (general regulation on data protection).

[2] Act No. 502 of 23 May 2018 on supplementary provisions to the regulation on the protection of natural persons in connection with the processing of personal data and on the free exchange of such information (the Data Protection Act).