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Based on the initiative, the Office carried out an inspection, the subject of which was the fulfillment of obligations in the processing of personal data of employees of the inspected person and tenants of apartments, which the inspected person manages for the statutory city of Havířov, which is the owner of the housing stock. During this activity, the controlled person is in the position of processor of personal data according to § 4 letter k) of Act No. 101/2000 Coll.

The Office found that the controlled person, by collecting the birth numbers and ID numbers of the data subjects without these data being necessary for the fulfillment of the monitored purpose, violated the obligation set forth in § 5 paragraph 1 letter d) (collection to the appropriate and necessary extent) in conjunction with § 7 of Act No. 101/2000 Coll. The Office also found deficiencies regarding the measures taken to ensure the security of personal data, whereby the inspected person committed a breach of duty pursuant to Section 13, Paragraph 1 of Act No. 101/2000 Coll. (taking security measures). According to the findings of the Office, the audited person also violated the obligations set out in § 13 paragraphs 2, 3 and 4 of Act No. 101/2000 Coll. (security of personal data).

The inspection also showed that no contract on the processing of personal data was concluded between the inspected person and the statutory city of Havířov, which is in the position of administrator of personal data. This violation of Act No. 101/2000 Coll. however, the personal data processor cannot be attributed and the controlled person is not responsible for this violation. The Chairperson of the Office rejected the objections submitted by the inspected person against the inspection findings. Given that the inspected person immediately corrected the objectionable condition, the Office did not impose corrective measures and waived the imposition of a fine.

The inspection was conducted by the inspector JUDr. Jiřina Rippelová.

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