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City

The inspection was initiated on the basis of a complaint directed against the city's procedure in processing personal data within the reservation system. The Office also decided on the initiation of the inspection on the basis of findings made in the framework of the actions preceding the inspection. The subject of the inspection was compliance with the obligations set for the inspected person by the general regulation and Act No. 110/2019 Coll., on the processing of personal data, in connection with the use of the city's reservation system operated through an ordering application provided by a private company. The complainant stated that he wanted to make an appointment with the administrative department for the purpose of issuing an identity card through the website of the inspected person, and after clicking on the relevant link he was redirected to the website of a private entity. Here, his personal data should have been filled in, but he was not instructed in any way how his personal data would be processed. With regard to the content of the complaint, the inspection was mainly focused on the fulfillment of the information obligation. The performed inspection revealed a violation of the duties of the personal data controller, namely a violation of the principle of data minimization in the sense of Article 5 paragraph 1 letter c) of the general regulation, the controlled person did not proceed further in accordance with Article 6 paragraph 1 of the general regulation, as the consent of the data subject could not be considered as consent in the sense of the definition given in Article 4 point 11 of the general regulation, from the point of view of information, and nor was the obligation according to Article 7, paragraph 3 of the general regulation fulfilled when obtaining it. The performed inspection also revealed that the information provided in the sense of Article 13 of the General Regulation is so generalized that it cannot be considered as a fulfilled principle according to Article 5 paragraph 1 letter a) of the general regulation in the sense of transparency, and the aforementioned cannot be considered transparent provision of information in the sense of Article 12, paragraph 1 of the general regulation. The inspected person did not object to the inspection findings and already during the inspection proposed measures which, if properly implemented, could lead to the correction of the stated situation. After the inspection, the Office also alerted the supplier of the reservation system, which in the given case is in the role of processor of personal data, to the breach of obligations in the processing of personal data. From other findings of the Office, it was clear that some shortcomings can also be found in other personal data managers using the same reservation system. Based on the notification, the processor made adjustments to the

basic settings of the reservation system with the aim of effectively eliminating possible errors in the subject processing of personal data. However, the final setting remains in the full competence of the administrator. Additional information: It remains only to remind once again that in accordance with Article 5 paragraph 2 and Article 24 of the General Regulation, the administrator is always responsible for the processing of personal data, even if he decides to use a system from a specific service provider.

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