

Summary Final Decision Art 60

Complaint

No sanction

EDPBI:DK:OSS:D:2020:115

Background information

Date of final decision:	18 June 2020
Date of broadcast:	18 June 2020
LSA:	DK
CSAs:	UK
Controller:	Ascio Technologies
Legal Reference:	Principles relating to processing of personal data (Article 5) Personal data breach (Articles 33 and 34) Security of processing (Article 32)
Decision:	Closure of proceedings
Key words:	Exercise of the rights of the data subjects

Summary of the Decision

Origin of the case

The complainant sent an email to the controller to notify them that emails with illegal content are being sent from an email domain belonging to the controller. The controller then sent the complainant's email to the controller's distributor who managed the email domain.

The complaint arose after the controller disclosed the complainant's personal data to a third party.

Findings

The controller apologised to the complainant for disclosing his personal data to the controller's distributor. However, the controller did not request that the distributor to delete with email with the data. Further the controller did not think it necessary to inform the LSA of the breach, given that the email was sent to a distributor.

Decision

The LSA finds that the controller failed to comply with Article 32(1), Article 5(1)(a) and Article 33(1) GDPR. For this reason, the LSA considers that there are grounds to criticise the fact that the processing of personal data by the controller has not been carried out in accordance with the rules set out in Article 32(1), Article 5(1)(a) and Article 33(1) of the GDPR.

The LSA emphasises that the controller in future must notify a breach of security to the LSA. It also notes that the controller has in existing internal guidelines in place for handling personal communications in order to ensure that a similar incident will not happen again.

The LSA considers the case closed and does not take any further action.