EUROPEAN DATA PROTECTION SUPERVISOR

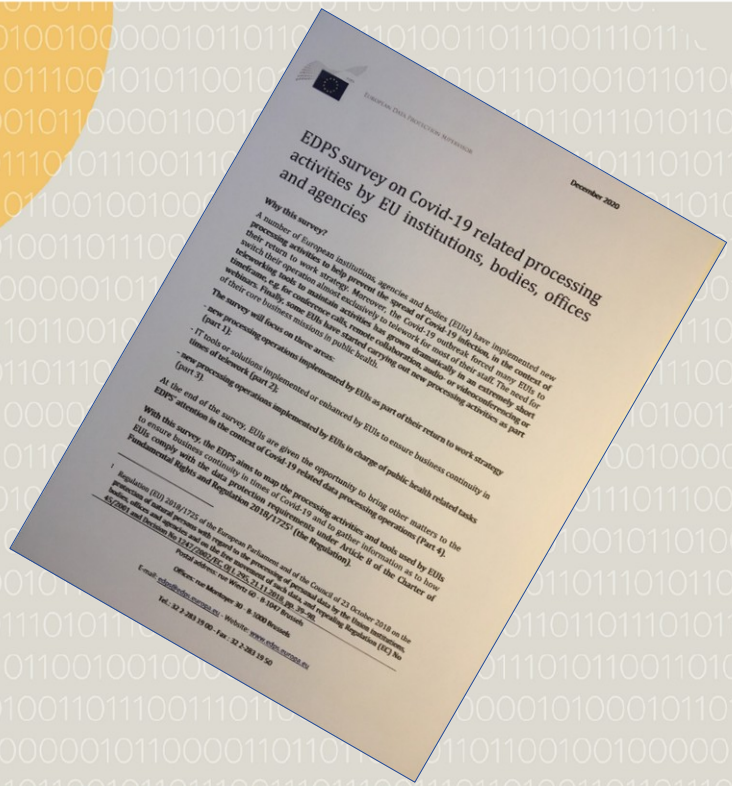
The EU's independent data protection authority

Survey on COVID-19 related processing activities – An Overview

EDPS-DPO meeting 14 December 2021

COVID-19 SURVEY

- **Replies**
- **New processing operations**
- **New and modified IT tools**
- **Follow up**


EDPS survey on Covid-19 related processing activities by EU institutions, bodies, offices and agencies

December 2020

Why this survey?

A number of European institutions, agencies and bodies (EUIs) have implemented new processing activities to help prevent the spread of Covid-19 infection, in the context of their return to work strategy. Moreover, the Covid-19 outbreak forced many EUIs to switch their operation almost exclusively to telework for most of their staff. The need for teleworking tools to maintain activities has grown dramatically in an extremely short timeframe, e.g. for conference calls, remote collaboration, audio- or video-conferencing or chat services. Finally, some EUIs have started carrying out new processing activities as part of their core business missions in public health.

The survey will focus on these areas:

- new processing operations implemented by EUIs as part of their return to work strategy (part 3);
- IT tools or solutions implemented or enhanced by EUIs to ensure business continuity in telework (part 2);
- new processing operations implemented by EUIs in charge of public health related tasks (part 5)

At the end of the survey, EUIs are given the opportunity to bring other matters to the EDPS' attention in the context of Covid-19 related data processing operations (Part 4).

With this survey, the EDPS aims to map the processing activities and tools used by EUIs to ensure business continuity in times of Covid-19 and to gather information as to how EUIs comply with the data protection requirements under Article 8 of the Charter of Fundamental Rights and Regulation 2018/1725[1] (the Regulation).

[1] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39–98).

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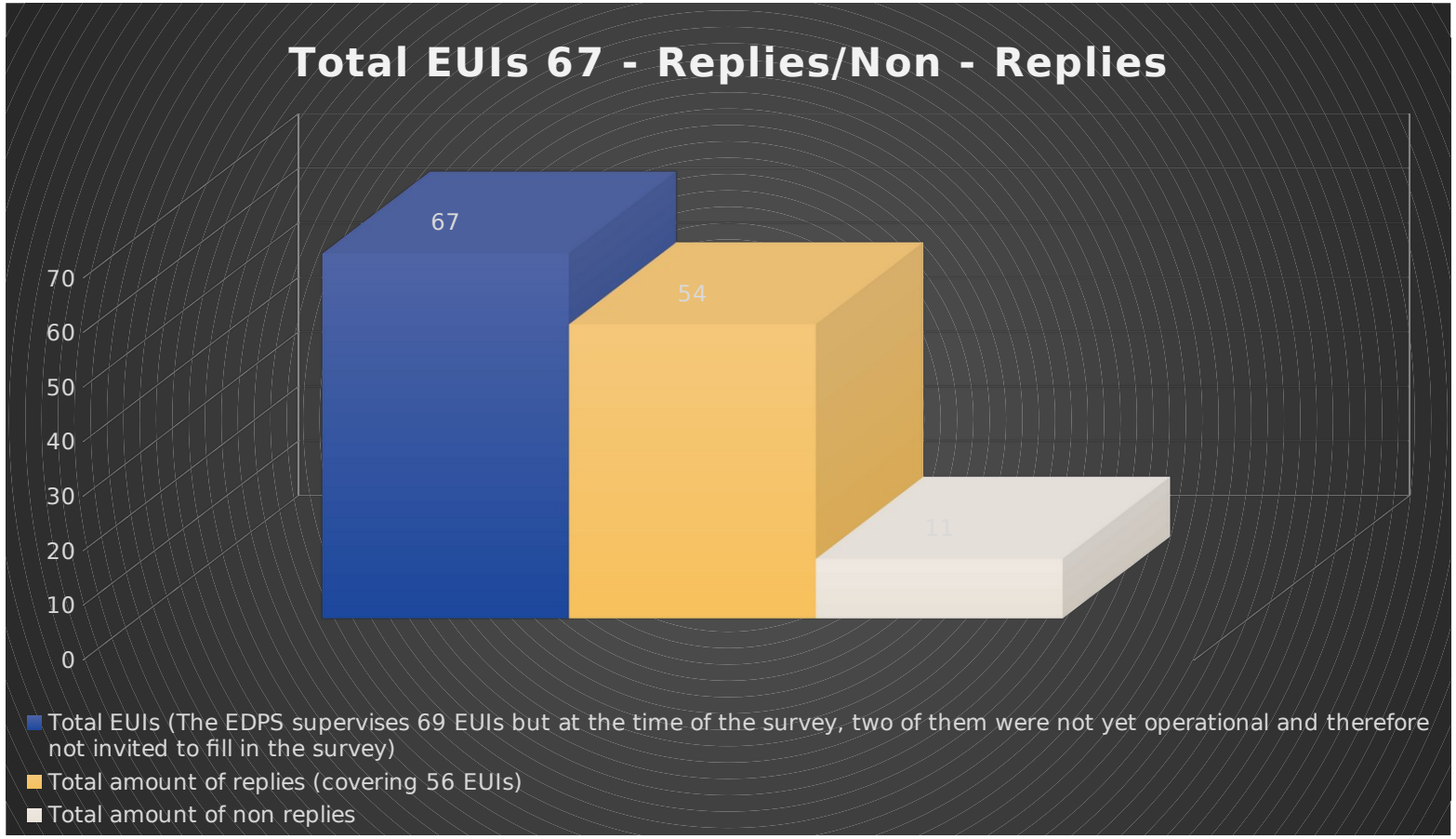
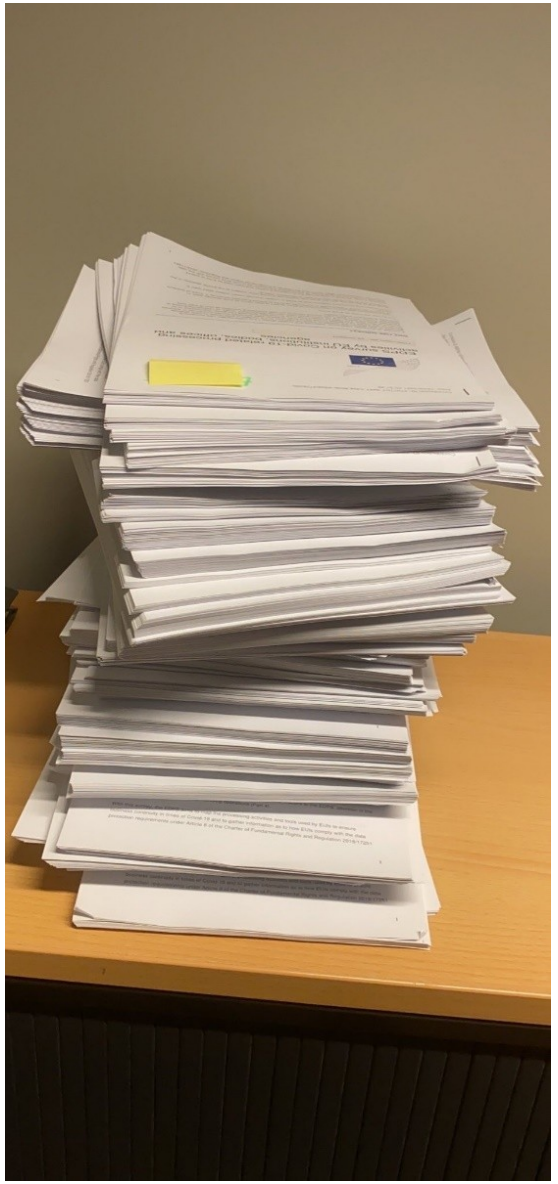
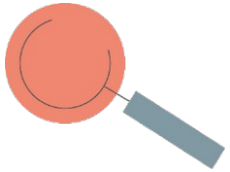
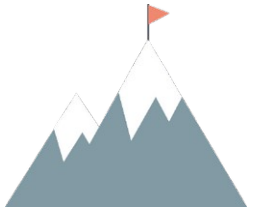
Replies


Total EUIs 67 - Replies/Non - Replies
67
54
11
70
60
50
40
30
20
10
0
Total EUIs (The EDPS supervises 69 EUIs but at the time of the survey, two of them were not yet operational and therefore not invited to fill in the survey)
Total amount of replies (covering 56 EUIs)
Total amount of non replies



54 replies

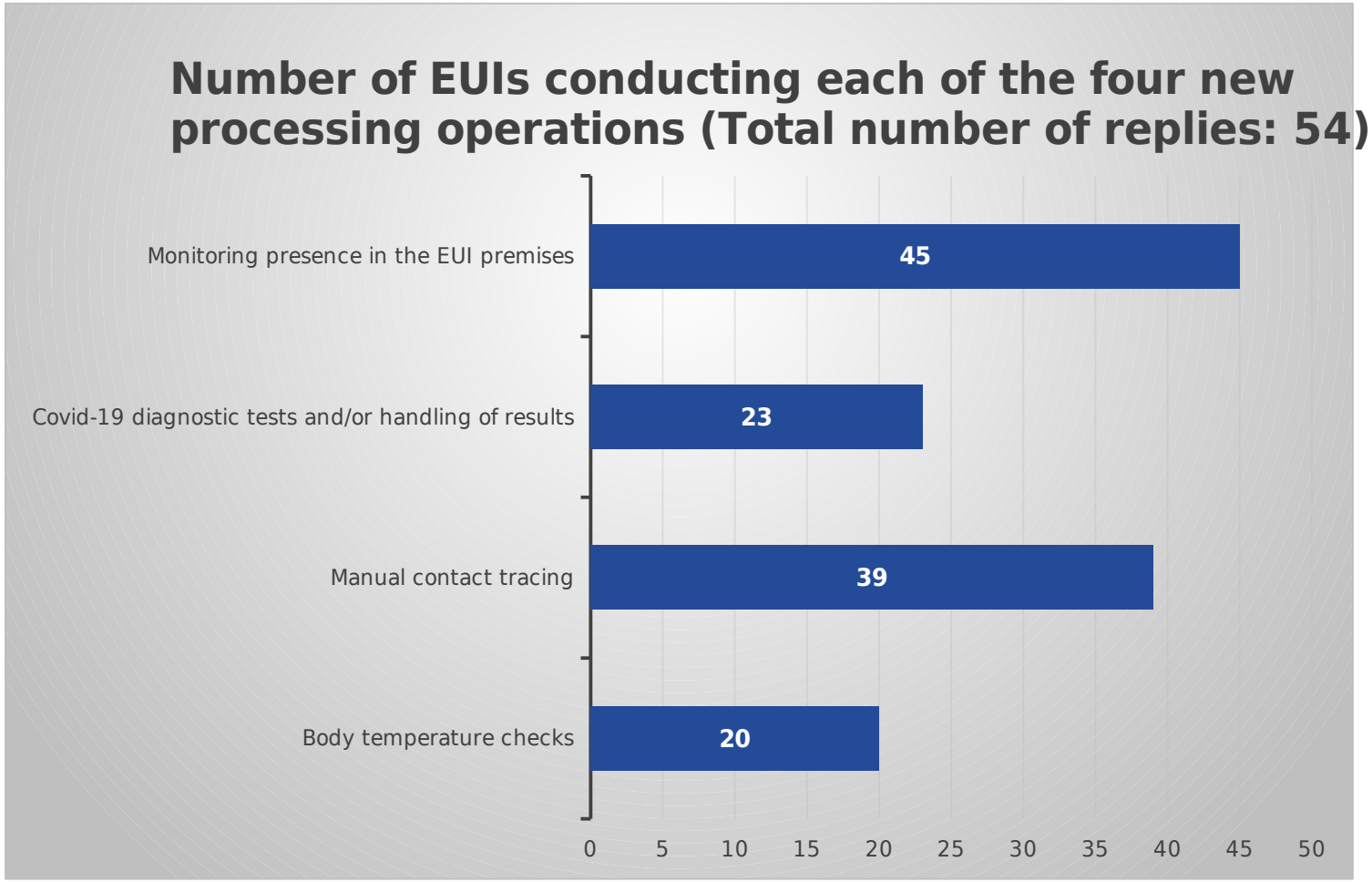




- 300 processing operations and IT tools classified and analysed one by one

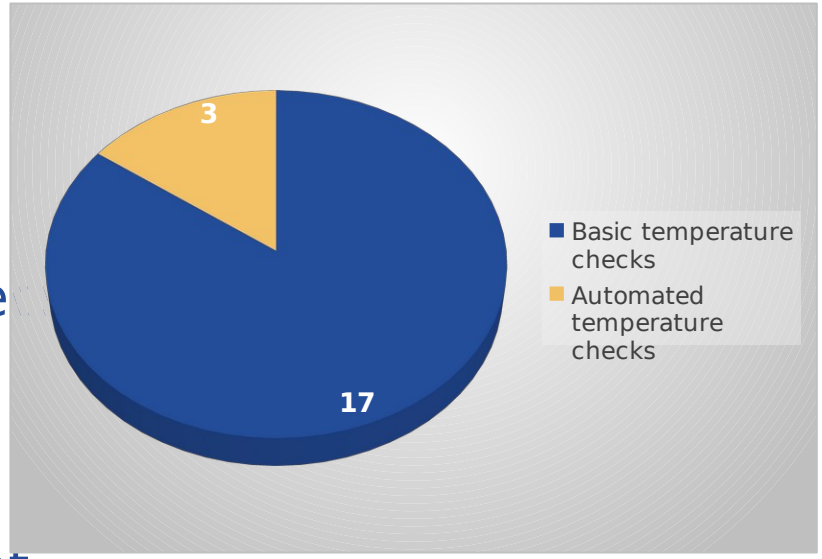
- Categories
  - Four main new processing operations (pre-defined)
  - Other new processing operations
  - New and modified IT tools
  - (COVID-19 as core business for certain EUIs)

Main new processing operations

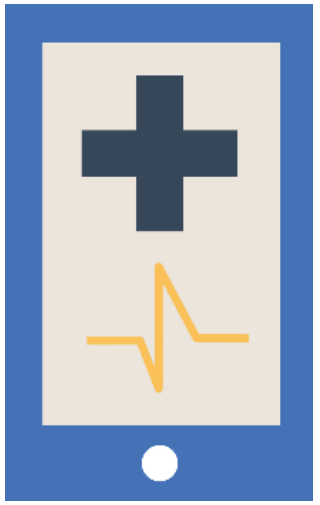


Body temperature checks

- A few results
  - 20 positive replies
  - 3 on automated checks
  - No registration of the che
  - 2 DPIAs (DPO involved)

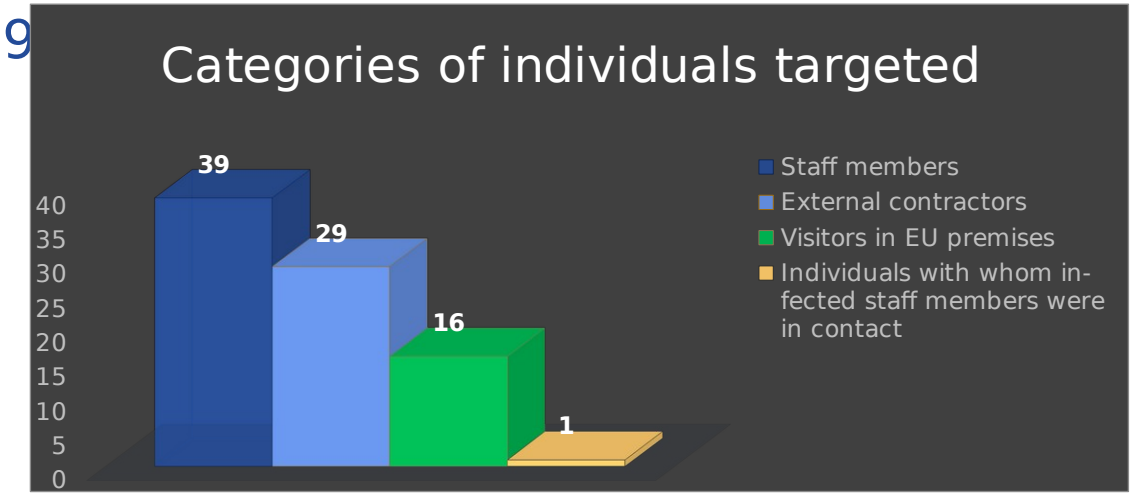


- Meaningful human involvement



Manual Contact Tracing

- A few numbers
  - Positive replies: 39
  - Mandatory: 19
  - Data subjects:

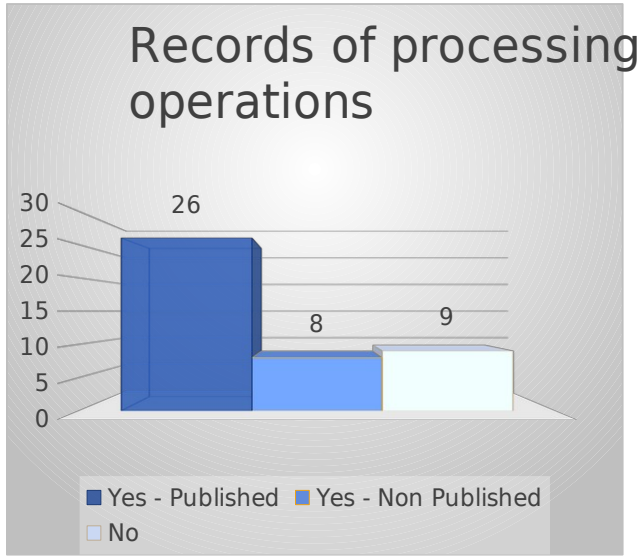


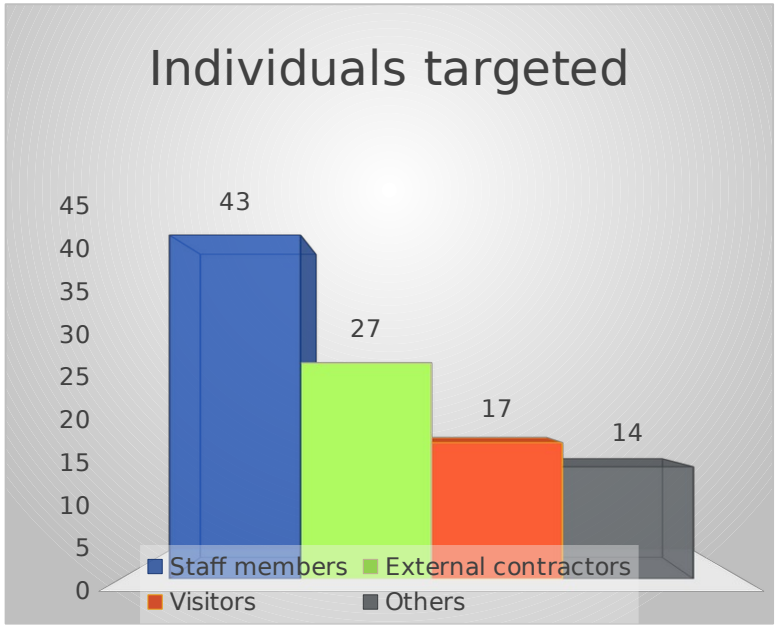
  - National health authorities as recipients: 9
  - DPIAs (DPO involved in all): 8

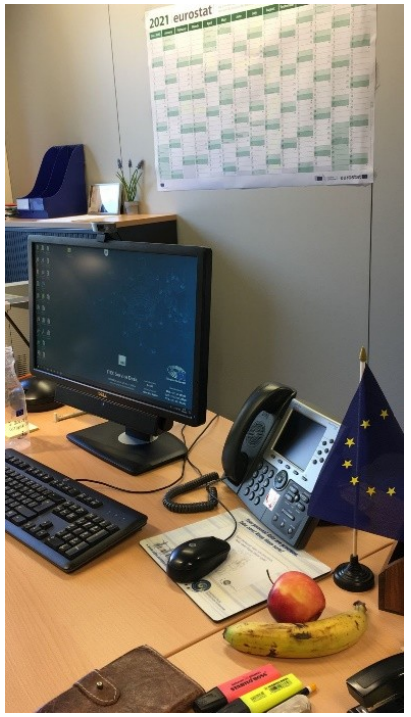
- Retention

Monitoring presence in EUIs’premises

- A few numbers
  - Replies: 45
  - Purpose: occupancy rate (41) and contact tracing (22)
  - Records
  - Individuals







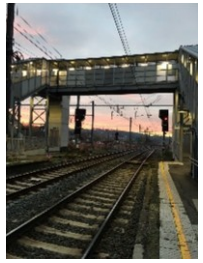
- Ground for lawfulness

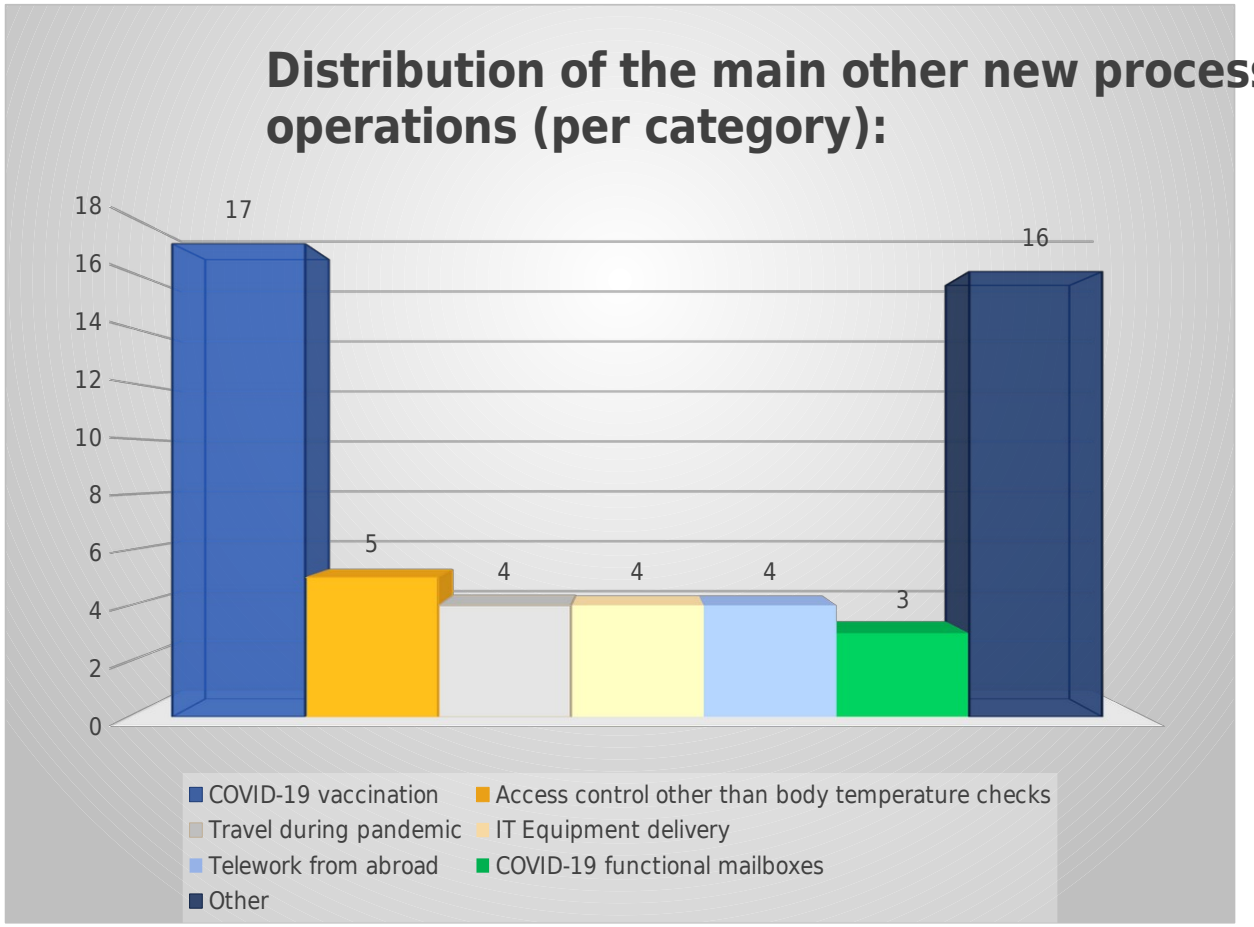
COVID-19 tests and handling of results

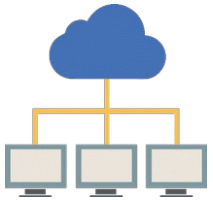
- Diversity
- Overlapping with contact tracing and monitoring presence
- A few numbers
  - Replies: 23
  - Mandatory: 8
  - DPIA: 3 (DPO involved in 2)

- Additional requirements from EUIs on top of national H&S rules

Other new processing operations

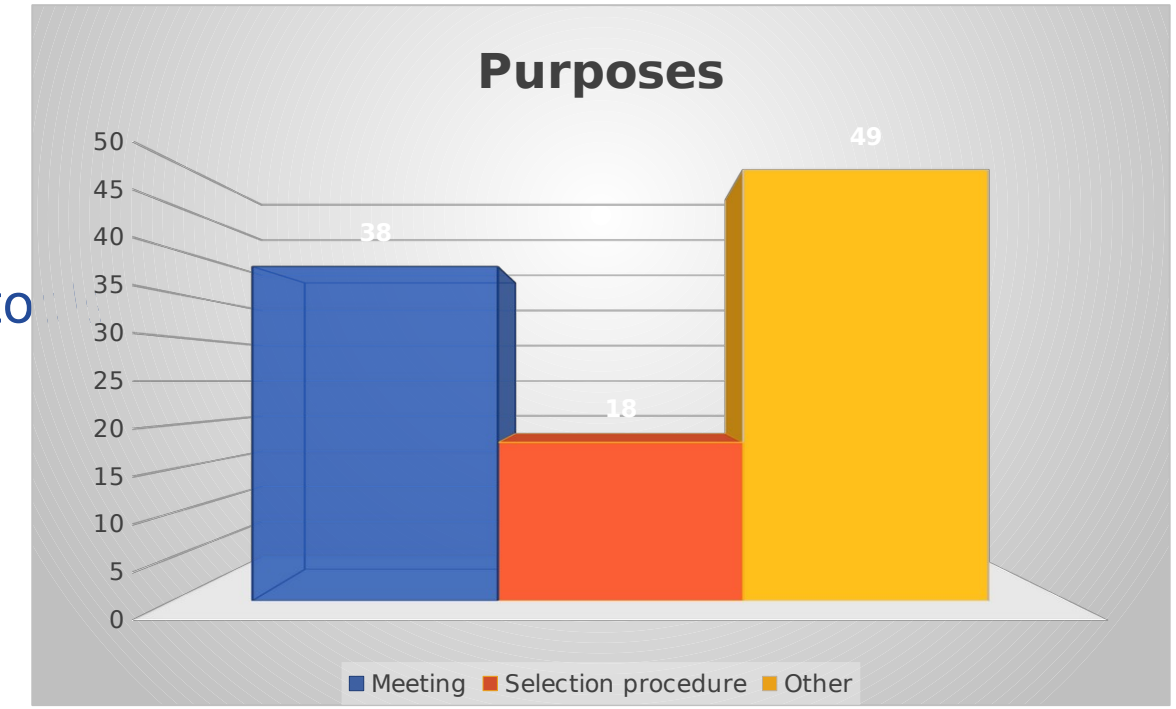






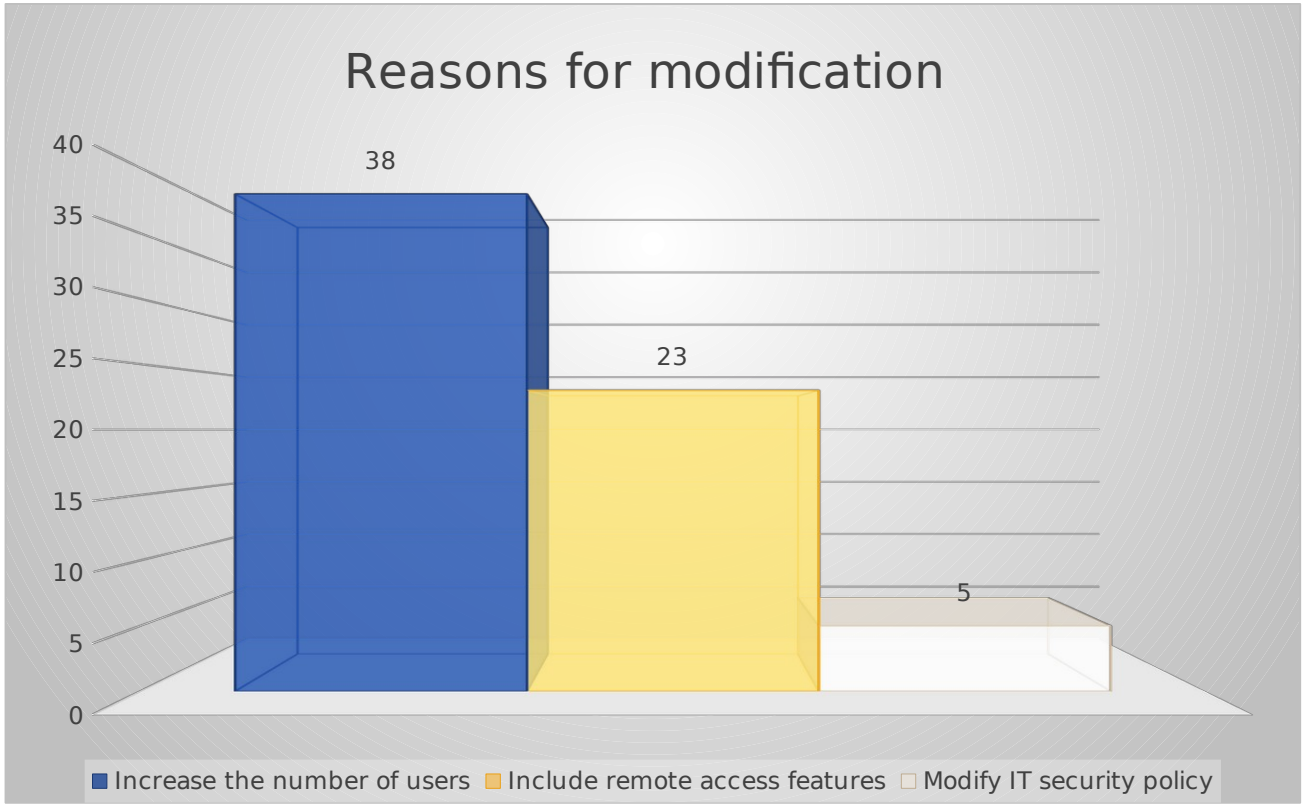
New IT tools

- 36 replies
- 81 tools (38 different) new to



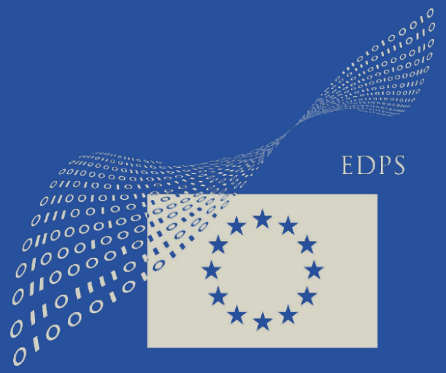
Modification of existing IT tools

- 27 replies



What's next?

- Final report (January 2022)
  - ❖ Mapping
  - ❖ General recommendations
- Follow up
  - ❖ Non-replies
  - ❖ Audits
  - ❖ Update of/New EDPS Orientations and Guidance
  - ❖ Long-term trends



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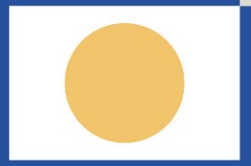

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