

European Privacy and Data Protection Commissioners' Conference Edinburgh, 23-24 April 2009

The future of the case handling workshops

The case handling workshops are currently organised twice a year with a different host authority each time. Their aim is to bring together caseworkers from different data protection authorities to share experiences and good practices on the topics of most relevance to them.

The case handling workshop is a valuable forum and we continue to gain experience of how it works in practice. We should use this experience to make sure we remain effective and to help future hosts concentrate resources on areas of greatest benefit to participants.

This document builds on the original mandate of the workshop, the revised framework of activities document from 2005, and the presentation from the Finnish data protection authority at the spring conference in Cyprus in May 2007 on the future format of the workshops. All the proposals put forward aimed to refine and clarify the workshop to make it more efficient and effective. There are important elements to all these proposals that are still valid today, and this document aims to further refine and clarify, while keeping these important elements.

The 2005 framework of activities emphasised the participation in the workshop, as well as the form, scope and working methods. The presentation at the 2007 spring conference refined this to suggest that the host authority chooses two topics - one per day - to focus on, and includes real life scenarios, prepared in advance, to gain an understanding of how other authorities would deal with a particular issue. The framework of activities document was adopted at the 2005 spring conference, and the presentation proposal was agreed verbally at the 2007 spring conference. This 2009 spring conference would now like to adopt this document that further refines and clarifies the workshop and that future hosts of the workshops can use as a basis for preparing the workshop and developing the agenda. The conference asks data protection authorities to commit to following the framework of activities and this document to enable the case handling workshops to be as effective as possible.

Host authority

The workshops are held twice a year, and usually last for two full days. The conference understands that this may place a financial and resource burden on some authorities. The conference suggests alternating the hosts between larger and smaller data protection authorities. The conference also supports the idea of joint hosts. The conference advises setting up a 'friends of the host' group, to consist of the previous, current and future organisers. This would provide the host authority with objective and constructive advice on how to help participants get the best out of each workshop.

Choice of topics

Without prejudice to what is written in the framework of activities, in deciding on the final agenda the conference advises the host authority to choose one or two topics per day that are relevant to all authorities. To find out what topics are relevant, the host may devise a questionnaire to send in advance asking for the top five issues, topics and sectors that each authority deals with. These could be: topics on which the most complaints are received; issues that the office is currently dealing with; and sectors that the office most often receives complaints about, or is likely to receive complaints about in the future.

From the questionnaire results, the host can put together the agenda based on the topics, issues and sectors that are most relevant to the other authorities. It would also be useful to have at least one session at each workshop dedicated to the operational challenges of case handling within data protection authorities. This session could include: prioritising effort and resources; communication with

other departments; and recording outcomes. Those attending the workshop can share good practice and experiences relating to how they manage casework, as well as their thoughts on specific topics.

Format

The aim of the workshops is to share experiences and good practice, and to debate particular issues, topics or scenarios. The agenda should consist of short presentations followed by opportunities for focused discussion and debate. The host authority, or other authorities, may submit in advance written case studies they would like to discuss. The agenda can include specific sessions to discuss these case studies. More detail on this is in the framework of activities.

Attendance

The workshops are aimed mainly at those within a data protection authority whose role is case handling and who deal with complaints, which may include a senior complaints manager. Depending on the agenda items, it may be appropriate for staff from other parts of the office to attend. The workshops are not appropriate for very senior staff and Commissioners, who have other forums for discussion.

Review

Usually the spring conference has time available to present a short report and presentation of the previous two case handling workshops. This is usually given by the hosts of the previous two workshops. The conference suggests maintaining this methodology but also asks the presenting host to use the spring conference to put forward a review of how the workshops have functioned in the previous year and any suggestions for improvement. Any amendments to this document and new suggestions put forward can be added as annexes.