Use of cloud computing services in EU institutions

speed training session

EDPS- DPO network meeting
Dublin – 28 April 2016
Agenda

• Introduction by EDPS (15 min)
  – Planning to procure cloud computing services to process personal data
  – Main issues and relevant safeguards
• Q&A session (5 min)
• DPOs at work
  – Procuring cloud services: scenario 1 (10 min)
  – Procuring cloud services: scenario 2 (10 min)
• DPO’s feedback (15 min)
• EDPS wrap up (5 min)
Planning for cloud services procurement

1. Data protection impact assessment
   - Cloud suitable option
     - Yes
       - Define data protection requirements for service procurement
       - Available Framework Contract
         - Yes
           - Compare FWC conditions with requirements
           - Any suitable offer under Framework Contract?
             - Yes
               - Define specific contract with possible additional safeguards
             - No
               - Institution's decision on own procurement procedure
                 - Yes
                   - Integrate requirements into procurement criteria (exclusion, selection)
                 - No
                   - Institution decision
                     - Abandon cloud services option
                     - Consider different data/operations/cloud computing models
                       - Any acceptable offer?
                         - Yes
                           - Contract/Framework
                           - Contract in place
                         - No
                           - Institution decision
                             - No
                               - Abandon cloud services option
                               - Consider different data/operations/cloud computing models
                                 - Any acceptable offer?
Main issues for data protection

• EU institution in control
• Applicable law – jurisdiction
• Controllership – CSP as a processor – clear responsibilities
• CSP with due capabilities, including on confidentiality and security
• Contract terms – Subcontracting
• Operating the services - SLA
• Data portability (and deletion)
• CSP cooperation with EUI, data breaches, audit
Data protection safeguards

- Contractual clauses
- Technical measures
- Organisational measures
Q&A