

ICDPPC Global Privacy and Data Protection Awards

2018

Entry Form

Deadline 29 June 2018

To submit an entry to the ICDPPC Global Privacy and Data Protection Awards please complete and email this form to ExCoSecretariat@icdppc.org no later than 29 June 2018.

Note: ICDPPC member authorities can submit as many entries as they wish but a separate form should be used for each different entry. Please complete the entry in English.

1. Contact details for this entry:

- a. Turkish Data Protection Authority

2. Eligibility: By submitting this entry I confirm that:

- a. The Authority is a member of the International Conference of Data Protection and Privacy Commissioners.
- b. The initiative described in this entry was undertaken since the last edition.
- c. I am aware that the information in the entry (other than the contact details in 1(a) above) will be publicised by the ICDPPC Secretariat.

3. Please indicate which category or categories you wish to enter (delete those that do not apply; you can enter multiple categories):

- a. Dispute resolution and enforcement

4. Description of the initiative

- a. Please provide a brief summary of the initiative (no more than 75 words):

Resolution on the Protection of Personal Data in Counter Services

In accordance with the Resolution No. 2017/62 of 21/12/2017 of Personal Data Protection Board on the understanding of violation of data security in the areas which give service in adjacent order together with more than one employee; it has been decided for the controllers to take necessary technical and administrative measures in order to prevent the assignment of the unauthorized persons in Service Areas such as Counter, Pay Desk, Table and also in order to prevent the hearing, seeing and seizing of the personal data of those who get service in close position to each other at the same time; and to initiate a legal action for the persons who do not abide by this Resolution.

- b. Please provide a full description of the initiative (no more than 350 words):

As a result of the examination of the notice submitted to our Authority regarding violation of the data security which occurred in the patient registry counter of a hospital in our country; it was assessed that the hospital did not take the necessary measures to ensure the data security and a legal action has been initiated against the hospital in view of the possibility that an unauthorized person who is not an employee on the counter has access to the information of a patient's telephone number and that counter employees, who have been stated that they participated in periodic trainings and seminars regarding the patient privacy, did not intervene in that a person who is not a hospital employee passes behind the counter in such a way that he/she could see the screens of the registry of the personal data and the identity documents on the table of the patients' would allow the personal data of other patients to be handed over by unauthorized persons in the future.

From this point of view, in order to ensure that the problems experienced in practice are avoided, regarding violations of data security encountered widely in the areas where are given service to the citizens such as Counter, Pay Desk, Table; it has been decided by Resolution No. 2017/62 of 21/12/2017 of Personal Data Protection Board;

- to take necessary technical and administrative measures in order to prevent the assignment of the unauthorized persons in Service Areas such as Counter, Pay Desk, Table and also in order to prevent the hearing, seeing and seizing of the personal data of those who get service in close position to each other at the same time in concern with protection of personal data in accordance with Article 12 of the Law on the Protection of Personal Data numbered 6698 for especially banking and health sectors, mail and cargo services, tourism agencies, customer service departments of chain stores which give service in adjacent order together with more than one employee as well as organizations where various subscription transactions are made and public and private sector institutions which give services such as municipal, tax and population transactions,

- to publish this principle decision taken in accordance with subsection (6) of the Article 15 of the Law in the Official Gazette and the website of the Authority and to initiate a legal action for the persons who do not abide by this Resolution within the scope of Article 18 of the Law.

- c. Please explain why you think the initiative deserves to be recognised by an award (no more than 200 words)

As it is understood that personal data shared by the citizens, who get service within the scope of transactions, can be heard, viewed and thus available by the third parties without data subjects' consent during the sharing in the event that appropriate physical conditions have not be provided and the necessary measures not be taken; and that it is common that measures regarding keeping personal data from being heard and seen by the third parties in counters have not been taken by the controllers especially in banking and health sectors, mail and cargo services, tourism agencies, customer service departments of chain stores which give service in adjacent order together with more than one employee as well as organizations where various subscription transactions are made and public and private sector institutions which give services such as municipal, tax and population transactions; our Authority has taken an immediate action and adopted a Resolution regarding controllers taking necessary technical and administrative measures in order to prevent the assignment of the unauthorized persons in Service Areas such as Counter, Pay Desk, Table and also in order to prevent the hearing, seeing and seizing of the personal data of those who get service in close position to each other at the same time in concern with protection of personal data and initiating a legal action for the persons who do not abide by this Resolution.

The Resolution taken to create awareness in public and to inform our citizens about the mentioned services has been announced to the public on the official website of our Authority and published in the Official Gazette dated 2/01/2018 and numbered 30312. In this way, measures have been taken to prevent the seizure of our citizens' personal data without their consent, thus preventing the victimization of many people.

- d. Include a photograph or image if you wish (note this will help illustrate the description of the entry on the ICDPPC website; the image can be pasted into the entry or send as an attachment or a link may be provided):

- e. Please provide the most relevant link on the authority's website to the initiative (if applicable) (The website content does not need to be in English):

For the related Resolution which has been published on the official website of our Authority:

<https://kvkk.gov.tr/Icerik/4214/Kurul-Kararlari>

For the related Resolution which has been published in the Official Gazette:

<http://www.resmigazete.gov.tr/eskiler/2018/01/20180125-13.pdf>

- f. Please provide any other relevant links that you wish that help explain the initiative or its impact or success (e.g. links to news reports or articles):