

DATA PROTECTION PRACTICES OF THE MINISTRY OF TRANSPORT AND COMMUNICATIONS

1. General

The data protection practices of the Ministry of Transport and Communications describe the procedures, principles, responsibilities, authorities and supervision that are followed when implementing and developing data protection in the Ministry of Transport and Communications. The data protection practices are observed in all activities, and they encompass all public servants employed by the Ministry of Transport and Communications.

The data protection practices describe the Ministry's operating principles concerning data protection, as well as implementation of these principles. In addition, the practices explain how the Ministry manages the lawful collection, storage and other processing of personal data. The purpose of the data protection practices is to show how the Ministry of Transport and Communications protects the rights of public servants and other persons, tells about the processing of personal data openly, and has effective safeguards against information security breaches.

2. Objective of data protection practices

The objective of the data protection practices is to steer the Ministry's daily activities in the processing of personal data. Another objective is to ensure that the Ministry's operations meet the statutory obligations and the protection of personal data is of a high standard. The Ministry of Transport and Communications strives to safeguard the confidentiality, integrity and availability of personal data at the responsibility of its organisation. By using its procedures, the Ministry ensures that no outsider receives information that must be kept confidential, that the information held by the Ministry remains unchanged and whole, and that the information is at the disposal of legitimate persons at the desired time. The Ministry strives for a risk-oriented approach, which means that the Ministry assesses the risks that personal data might be exposed to separately in each case. The risk-oriented approach guides the Ministry's processing of personal data and is part of the implementation of its accountability.

3. Factors guiding data protection activities

Activities associated with data protection are steered through statutes, regulations, guidelines and recommendations. In the Ministry of Transport and Communications, the processing of personal data is usually based on compliance with a statutory obligation. The principal statutes steering the activities of the Ministry of Transport and Communications include the Constitution of Finland (731/1999), the Government Rules of Procedure (262/2003), the Government Decree on the Ministry of Transport and Communications (405/2003), the Rules of Procedure of the Ministry of Transport and Communications (1267/2015), the Administrative Judicial Procedure Act (434/2003) and the Act on the Openness of Government Activities (621/1999). In addition, the Ministry's activities are guided by the General Data Protection Regulation of the EU and the national data protection legislation.

4. Purpose of the processing of personal data

In the Ministry of Transport and Communications, the processing of personal data is often based on compliance with a statutory obligation. For the Ministry to be able to carry out the tasks included in its sector, it must process personal data for various purposes as part of its activities. **As an employer,**

the Ministry of Transport and Communications must **store and process information**, especially on its public servants. This is necessary so that the Ministry can manage its public-service relationships and carry out the associated duties and rights legally and efficiently in the recruitment process, during the public servant's employment and at the end of the employment relationship. The categories of persons whose data can be processed are, therefore, applicants for public posts, people in a public-service employment relationship, and persons whose employment relationship has ended. The processing of the personal data of applicants for a post or a job is based on the applicant's consent.

In addition, the Ministry processes **personal data necessary for stakeholder activities**. Data on stakeholders are processed in order to maintain the contact information needed to manage tasks associated with the Ministry's sector. The processing is therefore necessary for the performance of a task carried out in the public interest and for exercising official authority vested in the controller (point (c) of Article 6(1) of the General Data Protection Regulation). Section 20 of the Act on the Openness of Government Activities also includes provisions on stakeholder activities. Accordingly, the authorities have the duty to provide and disseminate information. Moreover, in accordance with section 38 of the Rules of Procedure of the Ministry of Transport and Communications, communications and stakeholder activities are among the basic tasks of each public servant. Insofar as stakeholders are concerned, the Ministry only processes personal data that are publicly available or that data subjects have themselves supplied to the Ministry. The Ministry actively aims to identify new stakeholder groups through social media channels, for example. In the identification, such means as social network analysis tools are used. Further information on the stakeholder register of the Ministry of Transport and Communications is available at the email address [sidosryhmarekisteri\(a\)lvm.fi](mailto:sidosryhmarekisteri(a)lvm.fi).

The Ministry of Transport and Communications **occasionally acquires various services from external service providers**. When a service provider processes the personal data of the Ministry of Transport and Communications on behalf of the Ministry, the agreement between the Ministry and the service provider includes contractual terms for the processing of personal data with a view to ensuring the proper processing of personal data. Among other things, the terms require that a service provider complies with the procedures required by the current data protection legislation and with the regulations concerning the processing and protection of personal data, and takes appropriate technical and organisational measures to ensure that the processing meets the requirements of the General Data Protection Regulation and that the rights of the data subject are protected. When processing the personal data of persons involved in the procurement process, the Ministry strictly adheres to the obligations imposed by data protection legislation and the legislation on public procurement.

The Ministry of Transport and Communications also processes the **personal data necessary for various contractual arrangements**. In this case, the processing of personal data is based on an agreement between the Ministry and the service provider.

Citizens are often in contact with the Ministry and send questions, requests for documents, letters or feedback to the Ministry. The Registry of the Ministry of Transport and Communications enters all of the incoming mail into the Ministry's case management system. The Registry then directs the contact to the relevant department of the Ministry. In the department, the case is handled by experts, and a response is given in line with the principles of good governance. It is good to note that, as a rule, all messages and documents arriving at the Ministry are public by virtue of the Act on the Openness of Government Activities (sections 1 and 5 of the Act).

In addition, the Ministry processes personal data, for example, **when handling subscriptions to press releases**. Subscription to press releases is based on the subscriber's consent. The privacy policy for subscribing to press releases is available on the Ministry's website.

6. Personal data collected

Firstly, the Ministry of Transport and Communications collects the personal data of public servants in order to fulfil the Ministry's obligations as an employer. In addition, the Ministry collects the data necessary for filling a vacant post or task directly from jobseekers or applicants.

Contact details for representatives of stakeholders, mainly work email addresses, are collected for the Ministry's stakeholder register.

The data that are necessary for carrying out agreements are collected together with agreement and procurement arrangements.

When a citizen contacts the Ministry, the contact message (usually an email message) is entered into the Ministry's case management system. When answering messages, the Ministry processes only the personal data that citizens have themselves supplied to the Ministry.

In connection with press release subscriptions, subscribers are asked to provide data on their email addresses and the language of the press release.

7. Manners of processing personal data

The Ministry of Transport and Communications collects personal data mainly from data subjects themselves and, in particular as regards stakeholder activities, from public sources of information. The data are processed by persons maintaining the contents of the service at ministries, as well as by cooperation partners and their subcontractors who produce the service. The Ministry has agreed on the processing of personal data with these bodies in accordance with the requirements of the General Data Protection Regulation. The data are not disclosed outside the service, to other systems or to third parties, unless specifically indicated. In processing data, the Ministry adheres to the following principles of the General Data Protection Regulation:

- The Ministry of Transport and Communications **processes personal data lawfully, fairly and in a transparent manner in relation to the data subject**. This means that the Ministry adheres to the General Data Protection Regulation and the Data Protection Act, as well as other regulations on data protection, when processing personal data and generating guidelines for other processors. The Ministry ensures that data subjects have access to information on the manners in which their personal data are processed and on the grounds for doing this. In its activities, the Ministry strives for transparency.
- The Ministry of Transport and Communications **collects personal data only for specified, explicit and legitimate purposes** and does not process them further in a manner that is incompatible with those purposes. In the Ministry, processing is often based on compliance with a statutory obligation, and personal data are not used without the data subject's consent for purposes other than those required by law.
- The Ministry of Transport and Communications **ensures that personal data are adequate, relevant and limited to what is necessary** in relation to the purposes for which they are processed. The Ministry of Transport and Communications collects and keeps personal data only to the extent necessary.
- The Ministry of Transport and Communications **sees to it that the data are accurate and kept up to date** and takes every reasonable step to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.

- The Ministry of Transport and Communications **keeps the data** in a form which permits the identification of data subjects **for no longer than is necessary** for the purposes for which the personal data are processed. Storage periods are determined in accordance with the Ministry's information management plan.
- The Ministry of Transport and Communications processes personal data in a manner that ensures the appropriate security of personal data, including **protection against unauthorised or unlawful processing** and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

8. Notification and rights of data subjects

The Ministry of Transport and Communications aims at transparency towards data subjects and, as a controller, has drawn up privacy policy statements for personal registers relevant to the data subject. If they so wish, data subjects can check their own data or exercise any of the following rights secured by the General Data Protection Regulation to data subjects:

- The data subject has the right to obtain confirmation from the controller as to whether or not personal data concerning him or her are being processed, and, where that is the case, **access to the personal data**. **You can obtain access to the data about yourself** that may be kept in the Ministry's databases, for example by **sending a request for information** to the Ministry's Registry at kirjaamo(a)lvm.fi or by filling in the information request form on the Ministry's website.
- The data subject has the **right to demand that the controller**, without undue delay, **rectify any inaccurate personal data** concerning the data subject.
- The data subject has the **right to demand that the controller erase the personal data on the data subject** without undue delay if the processing has been based on the data subject's consent or if some of the other grounds referred to in Article 17 of the General Data Protection Regulations apply.
- The data subject has the **right to demand that the controller restrict the processing of the data subject's data** if one of the grounds listed in Article 18 of the Regulation applies, for instance if the data subject contests the accuracy of the personal data.
- The data subject has the **right to receive the personal data concerning him or her, which he or she has provided to the controller**, in a structured, commonly used and machine-readable format and has the right to transmit those data to another controller if the processing is based on consent and the processing is carried out by automated means. The data subject has the right to have personal data transmitted directly from one controller to another provided this is technically feasible.
- The data subject has, at any time, the **right to object**, on grounds relating to his or her particular situation, to the processing of personal data concerning him or her when the processing is based on the performance of a task carried out in the public interest or on the pursuance of legitimate interests. The controller shall no longer process the personal data unless the controller can demonstrate that there are compelling legitimate grounds for their processing.
- The data subject has the **right to lodge a complaint to the supervisory authority** if the Ministry of Transport and Communications does not comply with the General Data Protection Regulation.

9. Organisation and responsibilities

Management

The management of the Ministry of Transport and Communications has the highest responsibility for data protection in the Ministry. The management's task is to monitor adequate resource allocation for data protection work and the implementation of risk management and internal control. The management is also responsible for ensuring that personal data are protected through adequate means, taking into account appropriate information security.

Data Protection Officer

The Ministry of Transport and Communications also has a Data Protection Officer. The Data Protection Officer gives information and advice concerning issues associated with data protection to the Ministry or the processor of personal data and to the employees processing personal data. The Data Protection Officer oversees compliance with the General Data Protection Regulation, the national data protection legislation and the principles of data protection. The Data Protection Officer cooperates with the supervisory authority and acts as the supervisory authority's contact point in issues concerning processing. When carrying out his or her duties, the Data Protection Officer must take due account of the risk inherent in processing, while taking into account the nature, scope, context and purpose of the processing.

The Ministry of Transport and Communications involves the Data Protection Officer sufficiently early in the handling of all issues concerning the protection of personal data. Data subjects can contact the Data Protection Officer in all issues pertaining to the processing of their personal data and the exercise of their rights associated with data protection.

10. Implementation of data protection

Data protection focuses on how personal data are processed and protected, and how data protection is administered. Information security secures all information relevant to operations, including personal data. Information security ensures the integrity, availability and confidentiality of the information that is essential to the Ministry's activities throughout the life cycle of the information, and seeks to ensure that information, systems, services or telecommunications are not exposed to any significant threat. The Ministry has appointed both an Information Security Officer and a Data Protection Officer.

The data processor maintaining or using information systems and applications is responsible for the implementation of information security for his or her part. The Ministry's personnel have been trained and instructed with regard to data protection and information security. Other actors are bound to data protection and information security, where appropriate, by guidelines, agreements and training.

The Ministry's management is responsible for the implementation of data protection and information security. The unit's supervisors are tasked with monitoring the implementation of information security and data protection in their own unit. Supervisors are responsible for ensuring that employees have the rights to the necessary information systems and data to the extent required by the task. Supervisors also see to it that changes in tasks are taken into account in user rights. At the end of the service, work or client relationship, user rights are removed from the systems. Otherwise too, data processing may be restricted or blocked if required by the implementation of data protection or information security.

Protection of personal data

The Ministry of Transport and Communications protects personal data appropriately through technical and organisational measures. The Ministry also ensures the fault tolerance and data recovery capabilities of its systems.

Servers and services where personal data are maintained are appropriately protected. These protective measures include control of entry and access, firewalls and password protection, which allow only persons authorised by the Ministry of Transport and Communications to access the information stored. The Ministry of Transport and Communications reports any information security breaches directly to the supervisory authorities or to the data subjects in accordance with the General Data Protection Regulation.

Data protection training for public servants

The Ministry of Transport and Communications ensures that its public servants have sufficient data protection expertise through personnel training and information. New employees in the organisation are familiarised with data protection issues.

Action in information security and data protection breaches

The Ministry of Transport and Communications has prepared an operating process for information security breaches. The process explains the tasks and responsibilities of various actors when an information security breach is suspected. In the case of personal data breach, the Ministry of Transport and Communications has the obligation to notify the supervisory authority within 72 hours of the occurrence of the breach. Data subjects are informed without undue delay. The Ministry of Transport and Communications documents all personal data breaches.

11. Contact information

Controller

Ministry of Transport and Communications
PO Box 31
00023 Government

Data Protection Officer

Ronja Kava
tietosuojavastaava(a)lvm.fi
PO Box 31
00023 Government