

INFORMATION CONCERNING PERSONAL DATA
NO RESPONSE REQUIRED



RZECZNIK PRAW OBYWATELSKICH

DRAWN UP IN ACCORDANCE WITH THE RULES OF TRANSPARENCY AND CLARITY OF COMMUNICATION

TO WHOM IT MAY CONCERN

every person who claims that his/her or another person's rights or freedoms have been violated by state actions, or that he/she has been treated unequally because of who he/she is, may lodge a complaint with the Commissioner of Human Rights (CHR).

In order for the CHR to deal with a case in question, he needs to know personal details of the person to be able to identify him/her.

The legislation concerning **personal data protection**, i.e. protection of information by means of which we can be identified, such as forename, surname, address, PESEL identification number, was changed on 25 May 2018.

The European Union introduced regulations which cover all the Member States so that everywhere in the EU we are protected in the same way. Personal data are very valuable goods in contemporary world and the hitherto methods of protecting them were not sufficient in the time of technological changes¹.

The new Regulation (General Data Protection Regulation – GDPR) provides a number of requirements to be met by entities, such as the need to inform citizens what happens with their personal data and who manages them (who their data controller is)².

This is why you are provided with this leaflet, which is a single piece of information to which no response is required.

IS IT OBLIGATORY TO PROVIDE PERSONAL DATA?

When writing to the Commissioner for Human Rights one has to provide his/her personal data. This results from the Act on the Commissioner for Human Rights (Article 10)³.

Apart from essential data, CHR may also be provided with other information. This depends on the case to examine and on how you contact the Commissioner. If you send your complaint or motion by e-mail, CHR will know our e-mail address. If you use the ePUAP platform, CHR will also know your PESEL number.

WHY DOES CHR PROCESS PERSONAL DATA?

CHR collects data in order to handle a case in question.

Apart from that, you can apply to CHR for providing public information and you can also file a petition⁴.

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**WHY DOES CHR
PROCESS PERSONAL
DATA?**

CHR uses the personal data provided to him to handle individual cases. He does not process the data in automated way, or he does not profile your data (i.e. he does not assign you to groups of people with similar needs or life style, etc.).

**FROM WHOM DOES
CHR RECEIVE
PERSONAL DATA?**

You can provide CHR with your personal data by yourself or via other people – those who report the case in your name. The data must be provided by those institutions and entities whom CHR will contact while implementing his tasks.

**TO WHOM DOES CHR
PROVIDE PERSONAL
DATA?**

To those who are to provide him with information on the case in question, such as e.g. prosecutor's office, supervisory bodies, state control bodies, professional associations or social control institutions.

Access to personal data in a limited scope may be granted by CHR to entities who service his Office, such as IT-service companies or post office. Access to data may follow only based on agreements and arrangements.

**HOW LONG DOES CHR
STORE PERSONAL
DATA?**

For 10 years after the case is closed. This is required by regulations – the Specification of Archived Documents (JRWA). The exception is documents which are stored permanently under the regulations on archives⁵.

**WHAT ARE THE RIGHTS
OF PERSON WHOSE
DATA CHR
PROCESSES?**

You may request information about your personal data, including access to the data, correction of the data and limitation of processing thereof. You also have the right to lodge a complaint with the President of the Office for Personal Data Protection.

You can apply to court if you claim your personal data are processed with violation of law.

CONTACT DETAILS

For letters addressed to Human Rights Commissioner, data controller is Human Rights Commissioner based in Warsaw, Al. Solidarności 77⁶.

A Data Protection Officer has been appointed at CHR Office, who can be contacted at: inspektorochronydanych@brpo.gov.pl.

¹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L.2016.119.1), also referred to as **GDPR**.

² GDPR Articles 13 and 14. More information about Commissioner for Human Rights and methods of protecting personal data at the CHR Office is available at: www.rpo.gov.pl.

³ Act on the Commissioner for Human Rights of 15 July 1987 (Journal of Laws 2017, item 958 as amended).

⁴ Pursuant to Access to Public Information Act of 6 September 2001 (Journal of Laws of 2016, item 1764 as amended) and Petitions Act of 11 July 2014 (Journal of Laws of 2017, item 1123 as amended).

⁵ National Archives Act of 14 July 1983 (Journal of Laws of 2018, item 217 as amended).

⁶ Personal data are processed pursuant to GDPR's Article 6.1 (c) and Article 9.2(g).