

Opinion in relation to the consultation on the Government Agreement Proposal for the creation of the Program for the processing and management of the files derived from the application of Law 1/2022 of March 3, amending Law 18 /2007, Law 24/2015 and Law 4/2016 to deal with the housing emergency.

A letter is submitted to the Catalan Data Protection Authority in which it is requested that the Authority issue an opinion on the Government Agreement Proposal for the creation of the Program for the processing and management of the files derived from the application of Law 1/2022 of March 3, amending Law 18/2007, Law 24/2015 and Law 4/2016 to deal with the emergency in the field of housing.

Having analyzed the consultation, which is accompanied by the text of the Government Agreement Proposal and the Memorandum , and in accordance with the report of the Legal Counsel, I issue the following opinion

I

(...)

II

The proposed Government agreement that is being analyzed aims to create the Program for the processing and management of sanctioning files in matters of consumption with a duration of one year (extendable for another year), derived from the application of Law 1/2022 of March 3, amending Law 18/2007, Law 24/2015 and Law 4/2016 to deal with the emergency in the field of housing, as well as the management and processing of applications for social rent that are presented to the Catalan Consumer Agency, especially from occupiers without an enabling legal title, where it is necessary to contact the large holding companies with the aim of guaranteeing the rights of the people who occupy the housing

With this objective, the Program envisages the incorporation of new staff (4 consumer inspectors, 4 technicians, 7 consumer instructors and 4 administrators) through temporary contracts.

From the point of view of the right to data protection, it is obvious that the incorporation of this new staff will involve the processing of personal data of applicants and those who actually join. However, the implications from the point of view of the right to data protection would not be different from those arising from any other personnel selection procedure and those arising from the management of the Agency's staff.

On the other hand, the exercise of their duties by the people who eventually join will also, predictably, involve the processing of data from third parties that in one way or another are related to the procedures they process. Also in this case the regulations for the protection of personal data will be applicable, if it does not seem that the implications derived from the right to the protection of personal data should be different from those derived from the management of these files that you are already carrying out carried out by the Agency, or by any other process. Neither in the text of the agreement, nor in the report that accompanies it, nor in the request for a report is there any other specific issue arising from these treatments on which a decision must be made.

Just to point out that, when assessing the risks derived from the information processed, it will be necessary to take into account, on the one hand, the sanctioning nature of the files (in the event that the sanctioned subjects are natural persons) and on the other on the other hand, the special sensitivity of some of the circumstances that can give rise to emergency situations in the field of housing.

For all this, the following is done

conclusion

The Proposal for a Government Agreement for the creation of the Program for the processing and management of files arising from the application of Law 1/2022 of March 3, amending Law 18/2007, Law 24/ 2015 and Law 4/2016 to deal with the emergency in the field of housing is not contrary to data protection regulations.

Barcelona, July 22, 2022