

Carrer Rosselló, 214, esc. A, 1st 1st
08008 Barcelona

File identification

Archive resolution of the previous information no. IP 247/2020, referring to the General Directorate of Public Service and the Department of Territory and Sustainability.

Background

1. On 07/15/2020, the Catalan Data Protection Authority received a letter in which a person filed a complaint against the General Directorate of Function Public and against the then Department of Territory and Sustainability (hereinafter, DTES), on the grounds of an alleged breach of the regulations on personal data protection.

The complainant explained that on (...) he presented to the then (...) (...), a request for intervention for psychological harassment at work, addressed to (...), accompanied by numerous confidential and very sensitive documentation, which contained information related to alleged irregular administrative actions and incorrect behavior of who was then his superior and head of (...) (hereafter, (...)), the which organically depended on the General Directorate of (...) of the DTES.

The complainant stated that the Directorate General of Public Function (hereinafter, DGFP) - then attached to (...) - had sent this confidential documentation to the DTES, and that finally this documentation, or part of the information it contained, had ended up coming to the attention of the General Directorate of (...). The complainant contributed as DOC. NO. 5 the information that, according to him, had come to the attention of the director general of (...), and which referred to alleged physical and verbal abuse by the head of (...) towards a representative of 'a collaborating private entity, in the framework of an audit carried out on (...) by this head, in which the complainant participated.

According to the complainant, this information had come to the knowledge of the aforementioned general director through two internal channels of the DTES, which in turn had received the documentation from the DGFP: 1) through the General Secretariat of the DTES, and 2) through the person instructing a reserved information that the DTES opened on date (...), based on the action of the person reporting.

For the purpose of accrediting this disclosure of data to the DTES, and finally to the Management General of (...), the complainant referred to two facts:

- 1.1. A telephone conversation he had with a member of the technical commission of (...), in charge of processing his request for intervention for psychological harassment at work. According to the complainant, this member of the technical commission told him that the DTES had included this documentation in the aforementioned reserved information file.

- 1.2. A meeting held on (...) at the DTES where the person attended complainant, in which several positions of the DTES participated (who was then the director (...), the director general of (...) and, the deputy director general of (...) on the part of the DTES), as well as two union representatives. According to the complainant, in this meeting the director general of (...) made several comments on issues that only appeared in the attached documentation that she had presented to (...), as well as on issues that the complainant only had verbally communicated to the instructing person of the reserved information, and which were confidential.

The reporting person provided numerous documents relating to the events reported, among which it is worth noting:

- (DOC NO. 3) An email that the complainant sent on (...) to the director general of (...) and to the general mailbox of the DTES of this Directorate General, in which the complainant refers to a conversation held the previous day ((...)) with the director general, and in which alludes to the same irregular actions that he mentioned in the documentation he provided before the DGFP together with the request for intervention due to workplace harassment. In this email, the complainant would make special mention of the audit carried out on (...) by the then head of (...) to a collaborating entity on (...), which was the same audit which was referred to in the DOC. NO. 5 provided by the complainant together with the complaint, to indicate which was the documentation to which said general manager had accessed.

2.- The Authority opened a preliminary information phase (no. IP 247/2020), in accordance with the provisions of article 7 of Decree 278/1993, of November 9, on the sanctioning procedure of 'application to the areas of competence of the Generalitat, and article 55.2 of Law 39/2015, of October 1, on the common administrative procedure of public administrations (henceforth, LPAC), to determine whether the facts were capable of motivating the initiation of a sanctioning procedure.

3.- In this information phase, on 03/22/2021 the Authority required the DGFP to report on whether it had forwarded to the DTES the documentation that the person reporting here had submitted together with his request for intervention for workplace harassment that he presented on (...), as well as other questions formulated in the event that the answer was affirmative.

On the same date, the Authority required the DTES to indicate whether the General Secretariat of the DTES provided the General Directorate of (...) with information that was included in the documentation that the reporting person presented on (...)) together with his request for intervention due to workplace harassment, as well as other issues for the case

Carrer Rosselló, 214, esc. A, 1st 1st
08008 Barcelona

that the answer was affirmative. He was also required to indicate whether the person who instructed the reserved information opened by the DTES provided to the General Directorate of (...) information that the reporting person verbally communicated to him within the framework of this reserved information, and other questions in case the answer was affirmative.

4.- On 07/04/2021, the DGFP responded to the aforementioned request through a report, of the same date, from (...), in which it stated the following:

"a) The General Directorate of Public Service did not transmit to the Department of Territory and Sustainability any documentation provided by the complainant in the framework of his request for intervention for alleged workplace harassment nor did he provide any information related to it .

b) In the month of July 2018, the General Directorate of Public Function received the briefcase issued by the persons instructing a reserved information initiated to a worker of the Department of Territorial Sustainability, with the following request for information:

"As persons in charge of the reserved information initiated on (...) by the general secretary of the Department of Territory and Sustainability, regarding some events that be brought to the attention of the Management (...) of this Department about an alleged conflict situation that is occurring in (...) of the General Management of (...), I ask you the following:

Given that we have become aware that (...) and (...), workers in this Department, had submitted individual requests for intervention regarding psychological harassment at work and other discrimination at work, I am asking you if you can provide any information or documentation about these processed procedures, whenever possible taking into account the respect for data confidentiality provided for in the Protocol in accordance with which these procedures are managed, and the regulations for the protection of personal data, for the purposes of reserved information that we are processing."

c) In response to the request for information from the Department of Territory and Sustainability, on August 3, 2018, a copy of the Resolution of (...) of (...) was sent to the instructors of the reserved information for which the request for intervention is not accepted for processing.

Attached, in the annex, is the Resolution of the Director General sent to the Department.

d) From the content of the Resolution of the Director General of (...) it is not clear that any data other than those you mention in your letter has been communicated."

The aforementioned report was accompanied by the aforementioned Resolution.

Carrer Rosselló, 214, esc. A, 1st 1st
08008 Barcelona

5.- On 04/07/2021, the DTES responded to the aforementioned request through a letter in which it stated the following (the names and surnames of the persons mentioned have been omitted):

"1.- (...) In compliance with what is established in the Protocol for the prevention, detection, action and resolution of situations of psychological harassment at work and other discrimination at work, the (...) (hereafter (...)) sent to the General Secretariat of the DTES the documents that we relate to you below:

- E-suitcase, dated July 10, 2018, with the subject "Sending Documentation of information on cases of psychological harassment (...)". As documentation attached to the e-valise, only the forms, provided for in the Protocol mentioned above and corresponding to the two reference files, "(...)" and "(...)" are included. Attached is the voucher for the e Valisa.

-E-valisa, dated May 20, 2019, with the subject "Resolutions of files (...) of psychological harassment protocol in the workplace". As documentation attached to the e-valise, only the forms provided for in the Protocol mentioned above and corresponding to the two reference files, "(...)(...) single case of intervention for psychological harassment_signed. pdf" and "(...)(...) single case of intervention due to harassment signed_psychological.pdf". The proof of the e-Valisa is attached.

(...) In no case has the General Secretariat of this Department received any documentation that may have been presented by the persons interested in the aforementioned procedure, beyond the forms already mentioned, which is why a hypothetical incorporation becomes impossible of any documentation to a reserved information or, in its case, the transmission of this to the (...), since it is non-existent.

Given that, according to the text of your request, the complainant states that the DGFP forwarded to the DTES part or all of the documentation attached to the request for activation of the Protocol, I inform you that it has been addressed a letter to the DGFP in order for it to confirm that the Protocol has been complied with, in all its procedures, and that no document other than the contents of the suitcases linked above has been sent to this Department.

2.- With reference to the question relating to whether the person who would have instructed the reserved information opened by the DTES following the facts reported by the reporting person provided the (...) information that the reporting person verbally communicated to him in the within the framework of this reserved information I inform you of the following:

By resolution of the general secretary of the Department of Territory and Sustainability dated (...), it was agreed to carry out a reserved information for the reasons set out in the resolution, and its carrying out was entrusted to Mrs. (A) and the lady (B), in the

Carrer Rosselló, 214, esc. A, 1st 1st
08008 Barcelona

in their capacity as officials of the Generalitat de Catalunya's superior body of general administration, at that time both active in the DTES. Ms. (B) currently no longer provides services to the Department as she is providing her services through a commission (...) in another Department of the Generalitat.

The reserved information is regulated by article 38 of Decree 243/1995, of 27 June, which approves the Regulation of the disciplinary regime of the public function of the Administration of the Generalitat of Catalonia. In accordance with this regulation, it is not a matter of disciplinary proceedings instituted against any specific person, and consequently there is no instructing person, but, as has been explained, the secretary general instructed the two persons cited its execution through the corresponding resolution.

It is also noted that, although Mrs. (B) was present and signed in compliance all the acts of declaration of the various persons cited during the processing of the reserved information and performed the appropriate tasks for the processing of the reserved information, the questions during the statements that were made during the reserved information were formulated by Mrs. (A), which is why it is interpreted that when Mr. (...) refers to the instructing person, must refer to Mrs. (A).

In the processing of this reserved information, the holder of the aforementioned (...), Mrs. (C), and the declaration record states that confidentiality was requested in relation to the reserved information. During the statement, it does not go away provide no documentation or any information regarding Mr. (...), but only a total of 14 questions were asked, some of which referred to the person making the complaint, and others to other person(s) finding out the facts for which it was agreed to open the reserved information.

The record of Mrs. (C)'s statement is included in the reserved information procedure, signed in conformity by herself and by the two people in charge of processing the reserved information. In relation to what the complainant claims, it does not respond to the reality that Ms. (C) was given any information from Mr. (...), neither on the day of the statement, nor afterwards.

In this sense, as a response to an email sent by the Director (...) of this Department last March 31 to the Director General in relation to this fact, the response of the Director General of (...), which is transcribed below, is made available to this Authority:

"(...)

Carrer Rosselló, 214, esc. A, 1st 1st
08008 Barcelona

- I have not received any kind of information from the General Secretariat that there was included in a request for intervention for psychological harassment at work that Mr. (...) presented on date (...).
- That the person who carried out the reserved information referred to in the request did not provide me with any information in relation to the case that is the subject of the reserved information.
- That I was aware that Mr. (...) had submitted a risk communication because Mr. (...) this is what he told me on 3/22/2018. From here we had a series of meetings in which Mr. (...) he explained the situation to me and asked to see me with the rest of the members of (...).

During the management of the aforementioned reserved information, Mr. (...) also gave a statement and answered the questions posed by Mrs. (A) in the presence of Mrs. (B) and assisted by her representative. In his statement, which everyone present signed in compliance, Mr. (...) referred to the harassment protocol he had activated in (...) (he called it "(...)") and referred to factual documentation that he said he had provided to "(...)" in relation to the aforementioned protocol.

It is also reported that for the execution of the reserved information, the people in charge of its realization at that time considered it appropriate to raise a query to the (...) in relation to the possibility of providing some information or documentation about the protocol that Mr. (...) mentioned that he had activated, but expressly stating that the request was made whenever it was possible to provide some information taking into account the respect for data confidentiality provided for in the Protocol d the agreement with which these procedures are managed, and the regulations for the protection of personal data, and that the request was made for the purposes of the reserved information that was being processed.

In response to this request, the (...) only sent respect to Mr. (...) the same form contained in the third paragraph of section 1 of this letter regarding the non-admission to the procedure regarding Mr. (...), without attaching any type of documentation that the complainant could have provided to the (...). This form was incorporated into the reserved information for record, without doing any other processing with this document."

The DTES accompanied its written response to the documents it cited.

6.- On 04/13/2021, the Authority received a second letter from the DTES, complementary to the first, through which the Department transcribed the response given by the Secretariat (...) in response to the request that he had formulated the DTES for clarification of the documentation he had sent to him, referring to the person making the complaint. According to the transcript, the Secretary General (...) confirmed the demonstrations made by the DTES and the

Carrer Rosselló, 214, esc. A, 1st 1st
08008 Barcelona

itself (...) in its written response to the request for information, noting, in essence, the following:

"(...) The deputy general manager sent a response evaluation, to which he attached the resolution of (...) not admitting the request for intervention presented by Mr. (..) .), the form f3a of the protocol, without attaching any other documentation.

(...)

The person cited by Mr. (...) as the transmitter of the documentation has confirmed to us that on the dates mentioned only the form f3a of the protocol was sent to your department, through which the non-admission to the procedure of the request, and which does not contain any information related to the statements of Mr. (...)."

7.- According to the information published on the corporate website of the Government of the Generalitat, the DGPF is responsible for the treatment "Management of files of psychological harassment and other discrimination at work", which aims : "Manage, process and investigate cases of psychological harassment and other discrimination at work". And the then Department of Territory and Sustainability was responsible for the "Disciplinary files" treatment and the "Prevention of Occupational Risks" treatment.

Fundamentals of law

1. In accordance with the provisions of articles 90.1 of the LPAC and 2 of Decree 278/1993, in relation to article 5 of Law 32/2010, of October 1, of the Authority Catalan Data Protection Agency, and article 15 of Decree 48/2003, of February 20, which approves the Statute of the Catalan Data Protection Agency, the director of the Catalan Data Protection Authority.

2. Based on the account of facts that has been set out in the background section, it is necessary to analyze the reported facts that are the subject of this file resolution.

The reporting person maintains, in essence, that the documentation (or the information on irregular actions allegedly committed by his superior, then head of (...) -hereinafter, (...)-) that he presented to the (...) along with the request for intervention due to workplace harassment, ended up reaching the hands or knowledge of the General Directorate of (...), where the (...) is attached, worsening the employment situation he had reported. For credentialing purposes, he has provided numerous documentation and has referred to two facts: a telephone conversation he allegedly had with "the instructor" of the reserved information, and a meeting held at the DTES on (...).

At the outset, it should be noted that the facts related by the person making the complaint highlight a complex situation from the point of view of data protection with regard to the preservation of the confidentiality of their personal data, and this because, one

Carrer Rosselló, 214, esc. A, 1st 1st
08008 Barcelona

on the one hand, the processing of the request for intervention due to workplace harassment that he presented required certain personal data to be communicated to the department where this person was assigned; and on the other hand, the opening of reserved information also required access to information by the people in charge of the investigation.

With regard to the legitimacy of these treatments, it is necessary to start from the consideration that the persons in charge, respectively of the processing of the request for intervention and of the reserved information, should have been able to access those personal data of the complainant that were necessary for the resolution of the same, subject, of course, to the principle of data minimization, which entailed limiting access to the essential data to fulfill the purpose pursued in each case.

Well, it can already be said that from all the documentation provided and the statements made by the complainant and the two departments involved, the commission of an infringement of the data protection regulations cannot be inferred, both with regard to the communications of data that the Authority has noted, and with regard to the scope of the same.

Next, the data communications that have been noted in the previous information will be analyzed first, and then the reported data communications.

2.1.- Regarding data communications from the DGFP to the DTES and the people in charge of prior information.

From the response letters of the DTES and the DGFP, it appears that the DGPF made two communications of the complainant's data to the DTES:

First of all, on 07/10/2018 the DGFP forwarded to the General Secretariat of the DTES the Resolution of non-admission for processing of the request for intervention that the complainant had presented, and which gave rise to the file no. (...). The Resolution, submitted to the Authority, corresponds to model form no. 3 of the Protocol for the prevention, detection, action and resolution of situations of workplace psychological harassment and other discrimination at work (hereinafter, Protocol), approved on 01/23/2014 at the meeting of the General joint commission for the prevention of occupational risks on 23/01/2014, and published on the website of the Department of the Vice-Presidency and of Digital Policies and Territory.

The communication of this Resolution to the secretary general of the affected Department is expressly provided for in the "procedural instructions" section of the Protocol, as follows (the emphasis is ours):

"The General Directorate of (...), through the General Sub-Directorate of (...), will issue a report, within a maximum period of five working days, once an initial analysis of the data has been carried out

Carrer Rosselló, 214, esc. A, 1st 1st
08008 Barcelona

objectives contained in the request for intervention and other collected information that is considered necessary, in one of the following ways:

o Do not accept the request for processing because it is clear that the object of the complaint does not belong to the scope of this protocol. This resolution will have to be communicated in written reason to the person requesting for the appropriate purposes. Likewise, the general secretary of the affected department will be notified (in accordance with the model form 3), so that the confidentiality of the information is guaranteed, in order to update or carry out the evaluation of psychosocial risks in the unit where the affected person is located, as well as applying other psychosocial measures that the Prevention Service may consider appropriate."

Secondly, on 20/05/2019 the DGFP forwarded to the General Secretariat of the DTES the Resolution of (...), relating to the same file. In the proof of delivery of the Resolution by eValisa, it is specified that the purpose of its transmission is to communicate it to the DTES prevention representatives. The referral of this Resolution to the indicated persons is expressly provided for in the Protocol, as follows (the emphasis is ours):

"(...) Based on the evaluation report of the investigation commission (in accordance with the model form 4), the (...) will issue, within a maximum period of ten working days from the date of the admission report for processing, a resolution (according to the model form 5) with one of the following alternatives:

o File the request for intervention (...), with a proposal for actions in the psychosocial field, in order to implement preventive measures to reduce or eliminate the factors that can generate the emergence of situations of psychological harassment or other discrimination.

or (...)

or (...)

This resolution will be forwarded to the head of the General Secretariat of the corresponding department so that the appropriate actions can be taken. Likewise, the General Sub-Directorate of (...), at the same time, will send a copy of the resolution (form 5) to the affected parties.

The person in charge of the General Secretariat of the corresponding department will inform the prevention delegates of the result of the investigation of the (...) (in accordance with form 6b), within a maximum period of three working days counting from from the date of notification by the General Directorate of Public Service (form 5)."

Carrer Rosselló, 214, esc. A, 1st 1st
08008 Barcelona

So things are, the communications by the DGFP to the General Secretariat of the DTES of the complainant's data, derived from the sending of the two aforementioned resolutions, are based on the fulfillment of the obligations established in the Protocol, which approved to comply with the obligation of the Government of the Generalitat to protect the personnel in its service against occupational risks, provided for in article 14.1 of Law 31/1995, of November 8, on Risk Prevention labor; as well as the obligation of the (...) to coordinate preventive activities, provided for in article 4 of Decree 312/1998, of December 1, by which the Risk Prevention services are created Employment for the staff in the service of the Government of the Generalitat.

Consequently, the communication by the DGFP to the General Secretariat of the DTES of the complainant's data, as a result of the referrals of the aforementioned resolutions, is protected by the legal basis provided for in article 6.1.c) of the Regulation (EU) 2016/679 of the European Parliament and of the Council, of 27/4, relating to the protection of natural persons with regard to the processing of personal data and the free circulation thereof (hereinafter, RGPD), which section provides that data processing is lawful when it is necessary for the fulfillment of a legal obligation applicable to the data controller.

With regard to the communications of data by the DGFP to the persons in charge of the prior information (A and B), the DTES has stated that, during the processing of the reserved information, the reporting person informed these persons that he had submitted a request for intervention due to workplace harassment before the DGFP, and that for this reason, these people sent a letter to the DGFP in order for it to assess whether it was necessary to send relevant documentation or information for the resolution of the reserved information. These statements agree with the DGFP's response to the Authority's request for information, which has stated that it only sent the people in charge of the reserved information the Resolution of non-admission to the procedure, "without attaching any type of documentation that the complainant could have provided to the DGFP."

Well, the request and subsequent referral by the DGFP of this resolution, is part of the investigative actions carried out in the reserved information phase opened by the general secretary of the DTES on (...), according to with article 38 of Decree 243/1995, of 27 June, which approves the Regulation of the disciplinary regime of the public function of the Administration of the Generalitat of Catalonia in the communication of data of the reporting person. Article 4.2 of Law 40/2015 of October 1, on the Legal Regime of the Public Sector, establishes that: "the Public Administrations will ensure compliance with the requirements provided for in the applicable legislation, for which they may , within the scope of their respective competences and with the limits established in the personal data protection legislation, check, investigate and inspect the facts, acts, elements, activities, estimates and other circumstances that were necessary".

Consequently, access by the people in charge of the information

Carrer Rosselló, 214, esc. A, 1st 1st
08008 Barcelona

reserved to the aforementioned resolution, it is protected by the legal basis provided for in article 6.1.e) of the RGPD, which establishes that the treatment that is necessary for the fulfillment of a mission carried out in the exercise of powers will be lawful public information given to the data controller.

2.2. About data communications between different organic units of the DTES.

With regard to reported data communications, relating to disclosure to Management General of (...) (...), and finally in the head of (...), of the documentation that the reporting person presented to the DGFP together with his letter of complaint, from the research actions carried out it is not inferred that these have taken place, or in any case, it is not inferred that the information disclosed comes from a communication of data carried out by the DGFP, the General Secretariat of the DTES, or the persons in charge of the reserved information, as set forth below.

On the one hand, the DTES has denied having received the documentation attached to the request for intervention that the complainant presented to the DGFP, noting the following: "In no case has the General Secretariat of this been received Department documentation that may have been presented by the persons interested in the aforementioned procedure, beyond the forms already mentioned, which is why it becomes impossible to hypothetically incorporate any documentation into reserved information or, as the case may be, the transmission of this to the (...), since it is non-existent."

With regard to the processing of reserved information, the DTES has also denied that the person who asked the questions to the complainant and the general manager of (...) (whom the complainant seems to refer to as "instructor" and of the one who provides exchanged e-mails) had accessed said documentation, and consequently denied that he had provided it to the general director, as follows (precedents 4): "In the processing of this reserved information summoned the person entitled to testify the aforementioned (...), Mrs. (...), and in the statement it is stated that confidentiality was requested in relation to the reserved information. During the statement, no documentation or information regarding Mr. (...) was provided, but only a total of 14 questions were asked, some of which referred to the complainant, and others to another person is responsible for finding out the facts for which it was agreed to open the reserved information (...) In relation to what the complainant claims, it does not respond to the reality that was communicated to the lady (...) no information from Mr. (...), neither on the day of the statement, nor afterwards."

On the other hand, in its written response, the DTES has transcribed part of the content of an email that the director general of (...) sent to the director (...) - in response to an email from 'this one, sent on 31/03/2021 as part of this previous information-, in which the general manager denies having accessed the documentation that the complainant provided together with the request for intervention due to workplace harassment; in this email also denies

Carrer Rosselló, 214, esc. A, 1st 1st
08008 Barcelona

having received this information from the person in charge of processing the reserved information, and lastly, it refers to several conversations held with the reporting person, as follows: "That I was aware that Mr. (...) had submitted a risk communication because Mr. (...) this is what he told me on 3/22/2018. From here a series of meetings took place in which Mr. (...) he explained the situation to me and asked to see me with the rest of the members of (...)."

The statements made by the director general are consistent with the content of the email that the complainant sent her on (...) (and which she provided as DOC NO. 3), in which the complainant refers to the same irregular actions allegedly committed by the then head of (...), making special mention of the audit carried out on a collaborating entity on (...), to which he referred in the writings that the complainant provided together with the request for intervention for workplace harassment that he presented to the DGFP (...). From which it can be inferred that it would have been the complainant himself who would have communicated the content or part of the content of those letters to the director general.

Finally, it should be noted that the person making the complaint has not provided the Authority with any evidence that reliably demonstrates that these documents have reached the hands or knowledge of the then boss of the person making the complaint, or even the general director of (...).

Having said that, this Authority does not escape that from the questions posed to the head of (...) in the framework of the reserved information and the processing of the request for intervention due to workplace harassment, this head would have indirectly accessed information linked to the reporting person. But such disclosure must be considered necessary for the resolution of the reasons for the complaint made by the person making the complaint. And it is worth saying that the Authority does not have any information from which it can be inferred that excessive information about the complainant was revealed during the processing thereof. On the contrary, the set of statements made by the DTES and the DGFP are credible, and are supported by the documentation provided, which was mentioned in the previous section (2.1).

In accordance with the above, the principle of presumption of innocence is applicable here given that it has not been possible to prove the existence of evidence of infringement and therefore administrative responsibility cannot be demanded. This principle, which is contained in article 53.2.b of the LPAC, recognizes the right "To the presumption of non-existence of administrative responsibility until the contrary is proven".

Therefore, I resolve:

Carrer Rosselló, 214, esc. A, 1st 1st
08008 Barcelona

1. File the actions of prior information number IP 247/2020, relating to the Directorate General of Public Service and the Department of Territory and Sustainability.
2. Notify this resolution to the General Directorate of Public Service, the Department of Climate Action, Food and Rural Agenda and the person making the complaint.
3. Order the publication of the resolution on the Authority's website (apdcat.gencat.cat), in accordance with article 17 of Law 32/2010, of October 1.

Against this resolution, which puts an end to the administrative process in accordance with article 14.3 of Decree 48/2003, of 20 February, which approves the Statute of the Catalan Data Protection Agency, the persons interested parties may] file, as an option, an appeal for reinstatement before the director of the Catalan Data Protection Authority, within one month from the day after its notification, in accordance with the which provides for article 123 et seq. of Law 39/2015. An administrative contentious appeal can also be filed directly before the administrative contentious courts, within two months from the day after its notification, in accordance with articles 8, 14 and 46 of Law 29/1998 , of July 13, governing the contentious administrative jurisdiction.

Likewise, interested parties may file any other appeal they deem appropriate to defend their interests.

The director,