



Privacy Policy Evaluation

INTERADS

Date
16 November 2015

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SIDN Privacy Board

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Policy

Title of policy	INTERADS
Policy start date	21 October 2015
Date of evaluation	16 November 2015

Purpose limitation

Data Protection Act applicable? Will any personal data be processed? Will personal data be processed on an automated or semi-automated basis, or will personal data contained in a file be processed manually?

Yes No

The data used includes IP addresses and DNS query data. The Privacy Board believes that a proportion of IP addresses could be traced back to natural persons. Hence an IP address (and the associated query data) can sometimes be an item of information regarding an identifiable natural person (Data Protection Act, Section 1a). The Privacy Board accordingly recommends that the data be treated as containing personal data.

Will personal data be processed on an automated or semi-automated basis, or will personal data contained in a file be processed manually?

Yes. In light of the provisions of Section 2, subsection 1, of the Data Protection Act, the Act may be deemed applicable to the processing.

Purpose

The purpose must be specific, explicitly defined and legitimate.

Is the purpose specific, explicitly defined and legitimate?

- Yes
 No, insofar as

The privacy policy states that the processing has several purposes:

- To analyse data with a view to developing new classification algorithms
- To establish whether other parties would find such algorithms useful
- To ultimately improve the internet and its security and trustworthiness

Yes, the Privacy Board believes that the privacy policy defines the purposes of the processing in specific and explicit terms, as referred to in Section 7 of the Data Protection Act. Moreover, the Privacy Board considers improving the internet and its security and trustworthiness to be a legitimate purpose.

Legitimate basis

The evaluation must address the proportionality and subsidiarity of the processing (i.e. whether the interest served by processing is important enough to justify any resulting loss of privacy, and whether the purpose could be served by any other, less intrusive means).

Is the legitimate basis clear?

- Yes
 No

The Privacy Board believes that a reasonable interest is served in connection with SIDN's commitment to the security and trustworthiness of the .nl domain. The interests of the data subjects are not affected to an extent sufficient to warrant giving precedence to those interests. Hence, there is a legitimate basis, as referred to in Section 8f of the Data Protection Act.

Safeguards and control measures

Purpose limitation



Are there adequate safeguards to ensure that personal data is not used for purposes other than that for which it was obtained?

- Yes
 No

A contract has been made with Windesheim University of Applied Sciences, which stipulates that the data must be used exclusively for the study defined in the policy.

Retention period

Is personal data retained for any longer than necessary for the defined purpose?

- Yes, data is retained for longer than necessary; corrective measures required.
 No

The data is to be deleted as soon as the study has been completed. The Privacy Board therefore believes that the data retention arrangements are consistent with Section 10 of the Data Protection Act.

Data set limitation

Is the entire data set necessary for the defined purpose, or could a more limited data set be used?

- Yes
 No; corrective measures required.

The Privacy Board believes that, in keeping with Section 11 of the Data Protection Act, the data set used is the minimum required for the fulfilment of the defined purpose of the processing. The study is intended to lead to the development of algorithms, the precise nature of which is not yet known. It is not therefore possible to filter or anonymise the data prior to algorithm development.

Data reliability

What is done to ensure that the gathered data is accurate?

The Privacy Board believes that, in keeping with Section 11 of the Data Protection Act, the data used may safely be assumed to be accurate, because it is gathered by SIDN itself using its own systems. Access to those systems is controlled, preventing third-party interference with the data.

Data processors

Who processes the data? Who else has access to the data?



In keeping with Section 12 of the Data Protection Act, data is processed by SIDN Labs staff, i.e. employees of the data controller who require access in order to carry out their duties. In addition, the contract with Windesheim regulates access by (staff and students at) Windesheim.

Data security

How is the data protected against loss and unauthorised processing?

The Privacy Board believes that, in keeping with Section 13 of the Data Protection Act, access to both the server and the laptops is adequately controlled.

Other

Special personal data Is any special personal data processed?

- Yes
- No

The Privacy Board has taken external professional advice and is of the opinion that no special personal data, of the kind referred to in Section 16 of the Data Protection Act, is processed.



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DPA declaration

Is the data processing covered by SIDN's declarations to the Data Protection Authority?

- Yes
 No

Processing is covered by declaration number 1591862.

Subjects' rights

If the personal data is not obtained from the subjects, but by other means, is the origin recorded?

- Yes
 No

The Privacy Board therefore believes that Section 34 of the Data Protection Act applies.

Retention within EU

Is any data transferred to a country outside the EU?

- Yes
 No

Data will be exchanged exclusively with Windesheim University of Applied Sciences in the Netherlands, and thus with a small number of that university's students.

Conclusion

Evaluation

The Privacy Board approves the privacy policy for INTERADS, subject to the condition that a contract is closed with Windesheim University of Applied Sciences, stipulating that the data may be used only for the purposes referred to in the privacy policy.