



Description of file

EU General Data Protection Regulation (2016/679)

11 October 2022

Public labour services customer data file (local government pilot on employment)

1. Joint controllers

City of Helsinki/City Board

Centre for Economic Development, Transport and the Environment as well as the Development and Administration Centre for the Employment and Economic Development Office (KEHA centre)

2. Person in charge of the register

City Executive Office/Economic Development Department/Head of Immigration and Employment Affairs

In accordance with Section 182 of the City Board's Decision on 7 March 2022 concerning the responsibilities and tasks related to the controllership, the person in charge of the register is the Head of Immigration and Employment Affairs.

3. Contact person for the register

Title

Lawyer, City Executive Office/Labour Force and Immigration

Contact information

City of Helsinki, Registrar's Office, P.O. Box 10 (Pohjoisesplanadi 11–13), FI-00099 City of Helsinki

KEHA centre: tietosuoja.keha@ely-keskus.fi

4. Purposes of the processing of personal data and the legal grounds for the processing

Purposes of the processing

The processing of customer data and the purpose of the processing are regulated in Section 14(1) and (2) of the Act on Local Government Pilots to Promote Employment (hereinafter 'Act on Local Government Pilots').

Based on Section 14(1) of the Act on Local Government Pilots, Chapter 13 of the Act on Public Employment and Business Services is applied to the processing of customer data in the organisation and provision of tasks referred to in the Act on Local Government Pilots, unless the said Act provides otherwise. Based on Section 14(2) of the Act on Local Government Pilots, in addition to Chapter 13, Section 1 of the Act on Public Employment and Business Services, the data of customers and providers of public employment and business services can be used for the organisation and provision of services and tasks referred to in the Act on Local Government Pilots as well as for the controlling, developing, monitoring, compiling statistics, forecasting and guiding related to the tasks referred to in this Act.

The aforementioned Chapter 13, Section 1 of the Act on Public Employment and Business Services lists as purposes essential for the local government pilot 1) the organisation and provision of services and tasks in accordance with the Act on Public Employment and Business Service; 2) the performance of tasks provided for in the Act on the Promotion of Immigrant Integration, the Unemployment Security Act and the Unemployment Security Act; and 3) the controlling, developing, monitoring, compiling statistics, forecasting and guiding related to the aforementioned tasks.

The City of Helsinki does not organise all of services provided in the above-mentioned acts as a pilot area municipality. The division of labour between the Employment and Economic Development Office (TE Office) and the pilot area municipality is made in accordance with the Act on Local Government Pilots. The public employment and business services provided by the pilot area municipality are further specified in Section 10 of the Act on Local Government Pilot, tasks related to interviews and service needs assessment in Section 8, tasks related to plans in Section 9, tasks related to the promotion of integration and activation plan in Section 12, tasks related to unemployment security and labour policy in Section 12(a), tasks related to job searching in another country in Section 12(b), and tasks related to providing opportunities for rehabilitation, training and working in Section 13.

Legal grounds for the processing

In connection with performing tasks related to the local government pilot, personal data will be processed based on:

- Article 6(1)(a) of the EU General Data Protection Regulation: the data subject has given consent to the processing of his or her personal data for one or more specific purposes.
- Article 6(1)(c) of the EU General Data Protection Regulation: the processing is necessary for compliance with a legal obligation to which the controller is subject.

Essential legislation

- EU General Data Protection Regulation (679/2016)
- Data Protection Act (1050/2018)
- Act on Local Government Pilots to Promote Employment (1269/2020)
- Act on Public Employment and Business Service (916/2012)
- Unemployment Security Act (1290/2002)
- Act on the Promotion of Immigrant Integration (1386/2010)
- Act on Rehabilitative Work (189/2001)
- Act on Multisectoral Joint Services Promoting Employment (1369/2014)

- Act on the Application of European Union Legislation Concerning the Coordination of Social Security Systems (352/2010)

5. Data content of the register

The data processed concerning personal customers and employers is defined in Chapter 13, Section 2 of the Act on Public Employment and Business Services, which is applicable to the processing of municipal data in the pilot area based on Section 14 (1) of the Act on Local Government Pilots to Promote Employment.

The following data concerning a personal customer may be processed:

- 1) name, personal identity code and contact information;
- 2) information related to the customer relationship with the Employment and Economic Development Office and any special arrangements possibly required for the provision of employment services;
- 3) information on education, employment history and professional skills as well as other information used to provide employment services;
- 4) information on service needs, plans and implementation of plans;
- 5) information on employment and training offers and presentations to potential employers;
- 6) information on public employment and business services and other services promoting employment as well as expert assessments;
- 7) information and assessments concerning the customer's state of health and working and functional capacity that affect the customer's employment and are necessary for the provision of employment services to the customer;
- 8) reports and labour policy statements related to unemployment security and job alternation leave;

9) information on benefits under the public employment and business service.

The identification data of an employer representative may be processed for an employer or a company applying for or receiving public employment and business services.

6. Regular disclosures of personal data

We can only provide employers with information that is required for filling an open position and for the disclosure of which we have the customer's written consent. The information necessary for filling a position is listed in Chapter 13, Section 9(2) of the Act on Public Employment and Business Services.

The employer is also entitled to know whether a former employee is listed as a jobseeker at the TE Office, when the employer is fulfilling his or obligation to rehire under the Employment Contracts Act.

The pilot area municipality, TE Office, Social Insurance Institution, unemployment insurance institutions, and foreign institutions that have the authority to process tasks related to the customer's job search and unemployment security have the right to exchange information related to the job search and unemployment security that has an impact on the customer's right to receive unemployment benefit (Chapter 11, Section 4a and Chapter 13, Sections 1 and 3 of the Unemployment Security Act, Act on the Application of European Union Legislation Concerning the Coordination of Social Security Systems).

Customer data may also be disclosed to a provider of public employment and business services and to the provider of a service supporting employment agreed in the employment plan or a plan replacing it, if the data is necessary for the provision of the service (Chapter 12, Section 6(2) of the Act on Public Employment and Business Services).

Customer data is disclosed to other authorities if the disclosure of the data is provided for by law or the customer has given consent for the data disclosure. The content of the data to be disclosed is determined based on the right of access of the requesting authority.

7. Data storage periods

As a rule, customer data included in a customer information system used in public employment and business services is removed four years after the conclusion of the customer relationship. The National Archives of Finland has ordered some customer data to be stored permanently in accordance with the Archives Act (831/1994). After being removed from the customer information system, the data ordered to be permanently stored will be transferred to the National Archives for storage. The KEHA centre is responsible for the removal of the aforementioned system documents as well as documents submitted through the Oma asiointi service.

The City of Helsinki is an independent records creator during the implementation of the local government pilot, insofar as documents contained in or submitted through the aforementioned systems is not concerned. In accordance with the Archives Act, the City is responsible for archiving documents it has received and generated in the course of its duties. The processing and archiving of documents received or generated by the City during the local government pilot will take place in accordance with the information control plan.

8. Sources of personal data

Personal data is stored in personal data files only for justified reasons. Personal data is obtained from the data subject himself/herself and accumulates in the data file in various service situations, when a personal customer uses the Oma asiointi service, over the telephone, via secure e-mail and in connection with service appointments.

The data can also be obtained from personal data files of other government authorities, the Digital and Population Data Services Agency, municipal authorities, the Social Insurance Institution, an unemployment insurance institution, the Finnish Centre for Pensions, the Employment Fund, providers of public employment and business services as well as a provider of a work try-out referred to in Chapter 4, Section 5 (Chapter 12, Section 6(1) of the Public Employment and Business Services Act).

Information related to job offers and personal recruitment solutions is obtained from employers.