

The below is an un-official translation of the document published by the Polish Data Protection Authority available here: <https://giodo.gov.pl/pl/file/13366>. It is provided as a reference only and may not be considered legal advice.

Proposed list of processing types for which a data protection impact assessment is mandatory

Types / criteria for processing operations for which assessment is required	Examples of operations / data scope / circumstances in which a high risk of a breach may occur for a given type of processing operation	Potential areas of occurrence / existing areas of application
1. Evaluation or assessment, including profiling and prediction (behavioural analysis) for purposes that may have negative legal, physical, financial or other effects on natural persons	Profiling users of social networks and other applications for purposes of sending unsolicited correspondence (spam).	Social media, marketing companies, head-hunters.
	Profiling unemployed persons in terms of access to various forms of assistance without their consent.	Job centres profiling the unemployed.
	Creditworthiness rating, using proprietary algorithms and data disclosure requests not directly related to risk assessment.	Banks in the process of assessing creditworthiness.
	Assessment of lifestyle, nutrition, driving, way of spending time etc. of individuals for the purpose of maximizing the profits of entities whose services such individuals use, at the expense of increasing the price they pay for, e.g., insurance premium.	Insurance companies – offering discounts related to lifestyle (cigarettes, alcohol, extreme sports, car driving).
	Indirect profiling (assessment of a person based on belonging to a specific group).	Insurance companies – e.g. more favourable insurance and loan offers for employees of specific groups, e.g. public administration, teachers.
2. Automated decision making that produces legal, financial or similar material results	Monitoring systems used for traffic management or counteracting threats / road abuses, enabling detailed supervision of every driver and his/her behaviour on the road, in particular systems allowing for the automatic identification of vehicles.	Roads covered by a sectional speed measurement (the system collects information not only about vehicles that violate the regulations, but about all vehicles driving through the controlled area), selected road sections equipped with the viaTOLL electronic toll collection system.
	Customer profiling systems to identify purchase preferences, setting promotional prices based on the profile.	Online stores offering promotional prices for specific groups of clients.
3. Systematic large-scale monitoring of publicly accessible places using elements of recognition of features or properties	Extensive public space monitoring systems to track people and obtain data that goes beyond the data necessary to provide the service.	Means of public transport, cities offering bicycle and car rental systems, and determining paid parking zones.
	Systems for monitoring work time and information flow in tools used by employees (e.g. in e-mail or on the Internet).	Workplaces (IT systems monitoring). Employees' unawareness that their use of e-mail, applications, access cards is monitored.



<p>of objects occurring in the monitored space. This group of systems does not include video monitoring in which the image is recorded and used only to analyse law infringement incidents.</p>	<p>Collection and use of data by applications installed in mobile devices, including clothing-integrated devices.</p>	<p>Processing of information obtained via the Internet of Things (medical bands, smartwatches etc.) and their transmission over the Internet using mobile devices such as smartphones or tablets.</p>
	<p>Mobile monitoring system used by public officials, including police, fire brigade, municipal guard, border guards etc.</p>	<p>Police / municipal guard patrols equipped with cameras placed on uniforms, used, for example, to protect the security of the state (border guards) or law enforcement (police).</p>
	<p>Vehicle monitoring systems establishing connections with the environment, including other vehicles.</p>	<p>Machine-to-machine communication systems in which the car informs the environment about its behaviour (movement) and in the case of an emerging threat receives warnings from the environment (road infrastructure, other cars).</p>
	<p>Systems using RFID in cases where tags are or can be assigned to individuals.</p>	<p>Opinion of the European Economic and Social Committee on Radio Frequency Identification (RFID) (2007/C 256/13).</p>
	<p>Patients'/clients' health data.</p>	<p>Hospitals/organizations conducting clinical trials. Fitness clubs.</p>
<p>4. Processing of special categories of personal data concerning convictions and law infringements (sensitive data according to WP 29)</p>	<p>Monitoring purchases and purchasing tendencies (e.g. alcohol, sweets).</p>	<p>Loyalty programs containing elements of profiling people.</p>
	<p>Processing biometric data of clients or employees in order to identify or verify an individual in access control systems, e.g. entering certain areas, rooms or gaining access to specific accounts in an IT system in order to execute a transaction order in an IT system or withdraw cash using an ATM etc.</p>	<p>Work time monitoring systems; Entrance control systems for specific rooms; Accounting and registration systems for banking, commercial and insurance operations; Entrance control systems for fitness clubs, hotels etc.</p>
	<p>Processing personal data by state authorities or private entities regarding party affiliation and/or electoral preferences.</p>	<p>Political parties, election committees, polling committees and legislative initiatives, social organizations, electoral campaigns.</p>
	<p>High frequency data processing allowing observation of lifestyle, private aspects of everyday life, travel, media and energy consumption etc. (e.g. geo-location data, data from electricity meters, billing data regarding electronic communication etc.).</p>	<p>Telecoms; Utility suppliers (electricity, gas, water) in the field of smart metering – Recommendation 2012/148/EU of the European Commission of March 2012 on preparations for the roll-out of smart metering systems.</p>
	<p>IT portals and other IT systems offered to individuals for the processing of information involving purely personal or household activities (such as cloud computing services for personal document management, e-mail services, calendars, e-readers with note taking functions and various 'life-logging' applications which may contain information of a very personal nature), the disclosure processing of which for purposes other than domestic may be considered very intrusive.</p>	<p>E-mail services; Sports performance monitoring systems communicating with fitness bands using cloud computing; Applications provided by producers of electronic readers for purchases of books, electronic newspapers, featuring note taking etc.</p>
<p>5. Large-scale data processing, where the</p>	<p>Central data repositories supporting the management of a specific group of people for purposes related to the implementation of</p>	<p>Central educational information system; Central information system in higher education;</p>



concept of large scale concerns: <ul style="list-style-type: none"> • the number of people whose data is processed, • scope of processing, • data retention period and • geographical scope of processing 	public tasks, whose data are made available to a different extent, depending on their role and tasks related to the implementation of these duties.	Central systems motor insurance service; Central systems of professional qualifications etc.
	Collecting a wide range of data about web pages browsed, purchases carried out, TV or radio programs watched etc.	Social networks, internet browsers, cable television service providers.
	Processing of medical records, including test results, employee documentation, teaching documentation.	Storing and sharing medical records by hospitals (public and private). Employee productivity assessment systems based on observation of time spent at the computer. Assessing learners' character and abilities by schools and universities.
	Data entrusted for processing, including systems in which the processor performs operations on the data of various administrators.	Performing processing tasks entrusted by controllers – in a manner which goes beyond the scope entrusted. Processors' systems used to process data ordered independently by many administrators – risk of data leakage.
	Creating customer profiles from data sets from various sources.	Marketing companies for the purpose of improving and extending the profiles of potential customers and improving advertising services targeted at specific social groups; Companies servicing loyalty programs (shopping communities).
6. Performing comparisons, assessment of or drawing conclusions based on the analysis of data obtained from various sources	Combining data from various state and/or public registers.	Marketing companies for marketing campaigns targeted at specific groups of customers.
	Processing data from outside the set specified in the Labour Code based on the employee's consent.	Workplaces in the case of data processing with a scope wider than it results from the Labour Code based on the employee's consent.
7. Processing data concerning persons whose assessment and the services they are provided with depend on entities or persons which have authoritative and/or assessment-related powers	Processing data in which the data subjects are graded or assessed, e.g. in terms of age and/or gender, and then this classification is used to present offers or other activities that may affect the rights and freedoms of data subjects whose data are processed.	Services offering jobs that match offers to specific preferences of employers.
	Whistleblowing systems (related to, for example, corruption or mobbing) – in particular when employees' data are processed by such systems.	Whistleblowing systems.
8. Innovative use or application of technological or organizational solutions	Remote metering systems that, considering the scope and frequency of data collection, allow profiling of individuals or groups of people.	Utility vendors and distributors (electricity, gas, water, telecommunications services) implementing smart meters.
	Analysis and processing systems for data located in metadata, e.g. images with geolocation data.	Internet services that process data from devices such as the Internet of Things, for example, cameras equipped with location functions (GPS).



	Systems used for analysing and transmitting data to service providers using mobile applications from mobile, clothing-integrated devices, such as smartwatches, smart bands, beacons etc., analysing and transmitting data to suppliers using mobile applications.	Application of communication between devices (Internet of Things, e.g. beacons) in public space and in public places.
	Use of devices equipped with various types of interfaces (loudspeakers, microphones, cameras) as well as software and communication system enabling data transmission through telecommunications networks.	Applications with communication functions and software enabling the exchange of information with the immediate surroundings and remotely via the telecommunications network.
	Services and toys dedicated to children.	Interactive toys.
	Telemedicine consultations with medical centres outside the EU, providing personal medical data on an international scale.	Specialized medical advice and consultations, clinical tests on an international scale.
9. Cross-border data transmission outside the European Union	Processing data of students, trainees and academic staff by universities, as part of exchange and research programs, which is not covered by agreements between the Republic of Poland and third countries (e.g. data on students participating in exchanges between universities).	Universities participating in international scientific programs.
	Processing of HR data in international corporations established outside the EU.	Keeping central HR documentation.
	Data processing using public cloud computing resources located in third countries.	Use of cloud services provided by international corporations.
10. When the data processing in itself 'prevents data subjects from exercising their rights or using a service or a contract'	Customer check systems in credit information databases.	Banks, Cooperative Savings and Credit Unions.
	Pre-contract customer check systems processing data from business information databases.	Mobile telecoms offering subscriptions.