

This is a summary of the decision of the DPC

A complaint was lodged at the Data Protection Office by Complainant regarding alleged disclosure of personal data by a travel agency (hereinafter referred to as 'Respondent').

The Complainant stated that:

"I booked a ticket for a trip for myself and a friend. The ticket was paid from my personal account. The company sent the whole trip details to various persons in my company without my consent and having no relationship with my work. I feel that my data was sent to people and it was sensitive data about a personal travel".

The Data Protection Office requested the following clarifications to Complainant:

1. What personal information was disclosed?
2. How did you become aware of the disclosure of personal data?
3. You mentioned in your complaint form that the disclosure was made to various persons in your company. Kindly provide this office with concrete evidence to substantiate this point.
4. How the disclosed information has been detrimental to you?
5. How your rights have been prejudiced by this disclosure?

The Complainant replied to the above email as follows (using grammatical corrections):

"...

1. *Name of travellers/date of travel/place of travel.*
2. *One of my colleagues showed me the email which was sent by Respondent to the HR / Audit and Group.*
3. *Email sent by the travel agency will be available by the travel agency. This should be asked to the said Company. In case, same is not available, I will try and obtain a copy of the email.*
4. *The travel was personal and nothing to do with my work. Why did the travel company disclose my personal information to my office? This is detrimental as it causes me to prejudice as it disclosed information on my personal life.*

5. (a) *The Travel company shared sensitive information about their client to third parties without the consent of the client.*
- (b) *Why should the officers of my company become aware of my personal affairs?*
- (c) *There seems to be a serious flaw on the travel system as I fear they might use client's information like my ID card etc for other uses without informing me or selling my contact details for money."*

Subsequently, a letter was issued to Respondent from the Data Protection Office to request clarifications on the allegation(s) made by Complainant.

Respondent's legal counsel informed this office that:

1. Respondent has a contract with a Company Group (hereinafter referred to as "the Group") and all the companies forming part of the Group, including the Société The said contract is for meeting the Group's travel management requirements. Respondent was instructed to copy all invoices to certain other officers of Société... and the Group, namely the Human Resource of Société..., the CFO of the Group and one other officer of the Group (the "designated officers").
2. The marketing manager of Respondent met with the Complainant at a meeting at Société... A few days later, Complainant sent an email to the marketing manager along those lines: "Dear ..., I met you at Société... I am writing to you to check for the following flight for 2 persons".
3. The Complainant did not mention that the booking was personal. The confusion arose when the Complainant refers to the meeting which the marketing manager had at Société..., leading the marketing manager to think that the request came from Société...
4. The marketing manager of Respondent replied to the email of the Complainant and copied the relevant people at Respondent who would be dealing with the Complainant's request. The latter used as subject line in his reply email "Query for Rodrigues/ Société ..." as a reminder that the Complainant is from " Société ...".

This subject line was never objected to by the Complainant.

5. Once the tickets were issued, as per the normal procedure for corporate clients, an invoice was generated in the name of Société ... and pursuant to instructions received from Société..., the invoice was sent to the designated officers at Société... and the Group. The invoice contained such information as name of travellers, date of travel, place of travel.
6. Respondent accepts that the invoice is the personal data of the Complainant. The personal data disclosed, though might be sensitive in the generic term, do not amount to sensitive data in the legal sense.
7. The Complainant at no point in time specified that his request for the bookings was personal and unrelated to Société... Respondent believed that at the outset, the Complainant should have made it clear that even if the request for tickets is coming following the meeting of the marketing manager with the Complainant at Société..., the present request was a personal one.
8. Respondent denies that there is any flaw in its system as alleged by the Complainant. The incident as reported by the Complainant is an isolated though regretful one but is one which arose as a result of a genuine mistake caused to a large extent by the Complainant's own doing.
9. Respondent denies the allegation that it would use the Complainant's information like ID card for other uses without informing the Complainant or sell his contact details for money. The Complainant was reassured that he should not be having such fears as this has never and will never happen. All personal data collected are processed for the purposes for which they have been collected and not for any other purpose whatsoever.

Through an email, this office informed Complainant of the reply made by Respondent. The Data Protection Office also mentioned in the email that:

1. Based on the clarifications provided, this office is of the view that there was a misunderstanding between Complainant and Respondent which could have been

cleared if raised in time. Given that Complainant did not mention that the travel was personal, Respondent acted in accordance with its contract between Respondent and the Group and hence the travel details were sent to designated officers at Société ... and the group.

2. There was no concrete evidence to substantiate how the disclosed information has been detrimental/prejudicial to the Complainant at his work under the Data Protection Act 2017 and was requested to provide any other issues regarding the above complaint with a deadline provided, otherwise the complaint will be closed.

Complainant did not revert back to this office regarding any further issues.

The Data Protection Commissioner decided as follows:-

Based upon the above enquiry and evidence gathered, it is clear that no offence is found committed under the Data Protection Act in view of the fact that remedial action has been diligently taken by Respondent to avoid such recurrences in the future. The enquiry is thus closed to the satisfaction of all parties concerned.