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COMPLIANCE WITH DATA PROTECTION REGULATIONS IN ORGANIZATIONS

Internal training

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MARIA COMPANY

CED's Data Protection Officer (DPO)



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I. INTRODUCTION

- In the collection and processing of information and personal data by the entities that make up the public sector, it is essential to monitor the right to data protection.
- CED must control and guarantee the data protection regulations:
 - To preserve the rights of the person recognized by the Constitution, the Statute of Autonomy and the rest of the legal system.
 - To preserve the right to privacy
 - To work with quality, with ethics and responsibility, with transparency
 - To build trust and security in the processing of information and data

It is essential in compliance with the regulations the involvement of all the staff of the organization.



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II. FUNDAMENTAL LAW AND REGULATIONS

- The right to the protection of personal data as such was configured by the TC from article 18.4 of the EC, interpreted in accordance with international agreements and treaties.
- Regulation (EU) 2016/679 of the European Parliament and the Council of 27 April 2016
- Law 3/2018, of 5 December, on the protection of personal data and guarantee of digital rights.
- Law 32/2010 of 1 October, of the Catalan Authority of Protection of Data.
- Statute of Autonomy of Catalonia, recognizes the right to the protection of personal data in article 31.



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III. THE BASICS

- Personal data: any information about an identified or identifiable natural person, directly or indirectly:
 - Name, surnames, e-mail, image, voice, ID number, health card number, samples, genetic data, biometrics, various elements of physical identity, physiological, genetics, psychic, economic, cultural or social, etc.
- Person responsible for data processing
- Data processing
- Special data categories
- Data processor
- Security breach



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IV. FUNDAMENTAL PRINCIPLES

- Principles established by the GDPR in the processing of personal data to guarantee the legitimacy of the processing of personal data.
- Principle of proactive responsibility "accountability"
- Principle of legality, loyalty and transparency
- Purpose Limitation Principle
- Principle of data minimization
- Principle of limitation of the conservation period
- Principle of accuracy
- Principle of integrity and confidentiality



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V. RIGHT TO INFORMATION

- Right of the interested parties to have the data controller provide information regarding the processing of data they wish to carry out.
- The information must be concise, transparent, intelligible and easily accessible, use clear and simple language, especially when this information is addressed to a minor.
- Information content:
 - The identity and contact details of the person in charge,
 - The contact details of the Data Protection Officer, if applicable.
 - The purposes of the processing to which the data will be used, the legal basis of the treatment and the legitimate interest.
 - The recipients or categories of recipients of the data, if applicable.
 - International data transfers if it is made



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RIGHT TO INFORMATION

- The data retention period
- The right to request access to data, rectification or deletion of data, the limitation of processing, opposition to the processing and portability of the data.
- The right to withdraw consent at any time, if this was the basis for the processing of the data.
- The right to file a claim with the supervisory authority.
- If the interested person is obliged to provide the data and is informed of the consequences of not providing them.
- Where appropriate, the existence of automated decisions, including profiling, and information on the logic applied, the importance and consequences of the treatment for the interested person.



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VI. THE CONSENT

- It is the manifestation of free, specific, informed and unequivocal will by which the interested person accepts the processing of their personal data through a clear declaration or affirmative action.
- The boxes already marked, the tacit consent or the inaction of the interested person, do not constitute a valid consent.
- Consent must be explicit by:
 - The processing of special categories of data
 - For the adoption of automated decisions and
 - To make international data transfers.



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VII. SAFETY

- The data controller must apply the technical and organizational measures to guarantee a level of security appropriate to the risk.
- They must guarantee:
 - The headquarters and the encryption of personal data.
 - The ability to guarantee the confidentiality, integrity, availability and permanent resilience of the systems.
 - The ability to restore availability and access to personal data quickly.
 - Establish a process to verify, evaluate and evaluate the effectiveness of technical and organizational measures.
 - Adopt measures on data users.



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VIII. RIGHTS OF THE INTERESTED PERSON

- The data controller must provide the interested person with the exercise of their rights:
 - Right of access
 - Right of rectification
 - Right of opposition
 - Right to the limitation of processing
 - Right to data portability
 - Right not to be subject to automated individual decisions



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IX. DATA CONTROLLER PERSON

- Natural or legal person, public authority, service or any other body that processes personal data on behalf of the data controller. Are:
 - Computer scientists
 - The company of computer programs that store personal data, if they have remote access
 - The agency that makes the payrolls
 - The occupational risk prevention company
 - The video surveillance company
 - The web programmer, etc.
- The relationship between the person in charge must be documented.

X. OBLIGATIONS OF THE DATA CONTROLLER

- It must offer sufficient guarantees of compliance with the regulations.
- It cannot sub-commission a manager without the authorization of the person in charge.
- It processes personal data only following instructions from the data controller.
- It is committed to ensuring that its staff guarantees confidentiality.
- It takes the necessary measures to ensure a level of security appropriate to the risk.
- You must delete or return all personal data at the end of the provision of the processing services, and delete the existing copies.
- It must make available to the data controller all the information necessary to demonstrate that it complies with the obligations and
- It must allow audits and inspections by the person in charge to be carried out.



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XI. DATA PROTECTION OFFICER

- The Regulation introduces the figure of the data protection delegate, did not exist in the previous regulations.
- It is the figure that the Responsible designates to coordinate compliance with the regulations.
- It is necessary to appoint a data protection officer in certain cases, not always.
- Main functions:
 - Informing and advising the data controller on the obligations of data protection regulations.
 - Supervise that the regulations are complied with, cooperate with the control authority, among others.
- He or she must act with autonomy to carry out your activity.
- He or she must have access to all the resources necessary to carry out your activity.



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XII. FUNCTIONS AND OBLIGATIONS OF USERS

- They must be reflected in a document to sign the user.
- It is the responsibility of each user:
 - Keep professional secrecy about information about the entity, reputation of the person in charge, on projects in which it works, strategies etc.
 - Follow the instructions of the data controller in compliance with data protection regulations.
 - Keep professional secrecy about the data processed.
 - Do not communicate personal data to third parties.
 - Access only the data and resources you need for the development of your activity.
 - Don't communicate or share passwords with someone else
 - If you keep your password written, it must be saved to a place that is not visible to third parties.
 - If you think someone else knows your password, create a new password.



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FUNCTIONS AND OBLIGATIONS OF USERS

- Do not send by e-mail documents with attached personal data without the consent of the person in charge.
- Do not save files with personal data in personal folders or unauthorized subfolders.
- Do not leave documentation on tables or printers.
- Use paper or container destroyer machines
- Use a screen protector
- Notify the head of the department of security violations that he knows.
- Do not use personal mobile devices to store personal data.
- Not to remove personal data or information from the center without the consent of the Responsible.
- Securely safeguard the information the personal data it stores and processes.



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FUNCTIONS AND OBLIGATIONS OF USERS

- Ask the support staff, specifically the manager or wing responsible for research data, in case of doubt about the processing of personal data.
- Collaborate with the Data Controller consciously in compliance with data protection regulations.

THANKS FOR YOUR ATTENTION