

Miracle worker?

The role of the DPO in the corporate data protection culture



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Company: **Europol**
(Data Protection Function)

DATA PROTECTION COMPLIANCE UNDER SCRUTINY

Accountability on the ground



WHY DOES IT MATTER FOR EUROPOL??



Data Protection = Fundamental right



Rule of Law = clearly defined legal frameworks



Europol = “legal highway” for information sharing



Europol processes a large amount of sensitive criminal intelligence



Trust factor

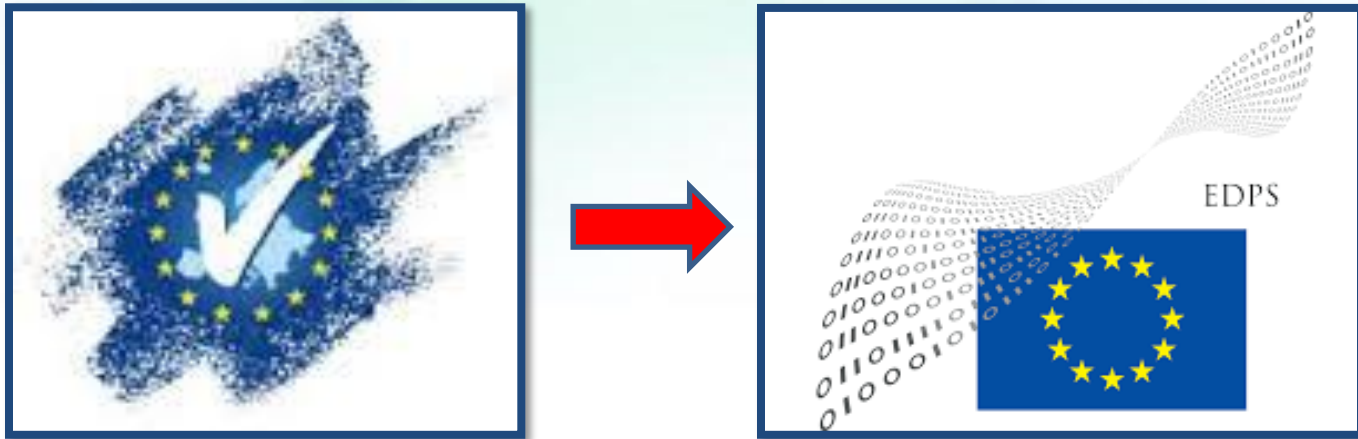


DATA PROTECTION AND CORPORATE REPUTATION



THE MOST CONTROLLED AGENCY IN THE LE AREA?

SUPERVISION MODEL:



THE NATIONAL DIMENSION

National DPAs and Europol Cooperation Board



POLITICAL OVERSIGHT

Joint Parliamentary Scrutiny Group



ACCOUNTABILITY ON THE GROUND

- put in place appropriate technical organisational measures
- demonstrate what was done and its effectiveness when requested

How can you assist your organisation to do it?



WHO IS ACCOUNTABLE?

What is the DPO role within the accountability principle?



DPO's DON'Ts

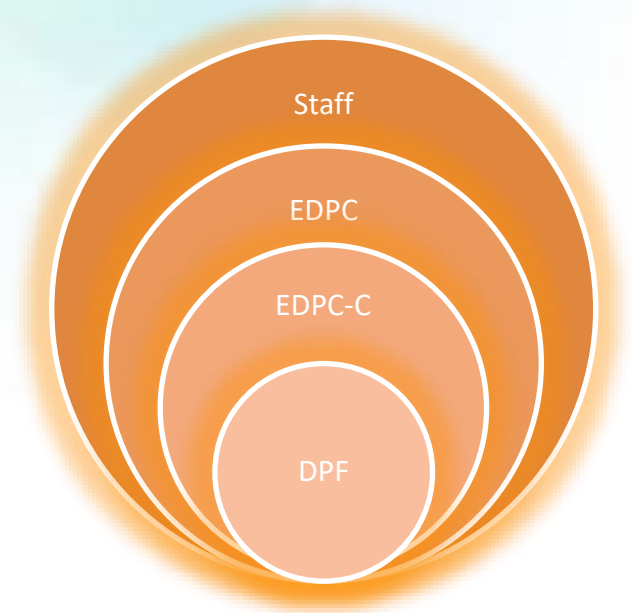
- **Don't** set the risk appetite
- **Don't** impose Governance, Risk and Control Processes
- **Don't** manage identified risks
- **Don't** take managerial decisions regarding proposed solutions
- **Don't** implement solutions on behalf of management
- **Don't** be responsible for project deliverables

THE EDPc.NET

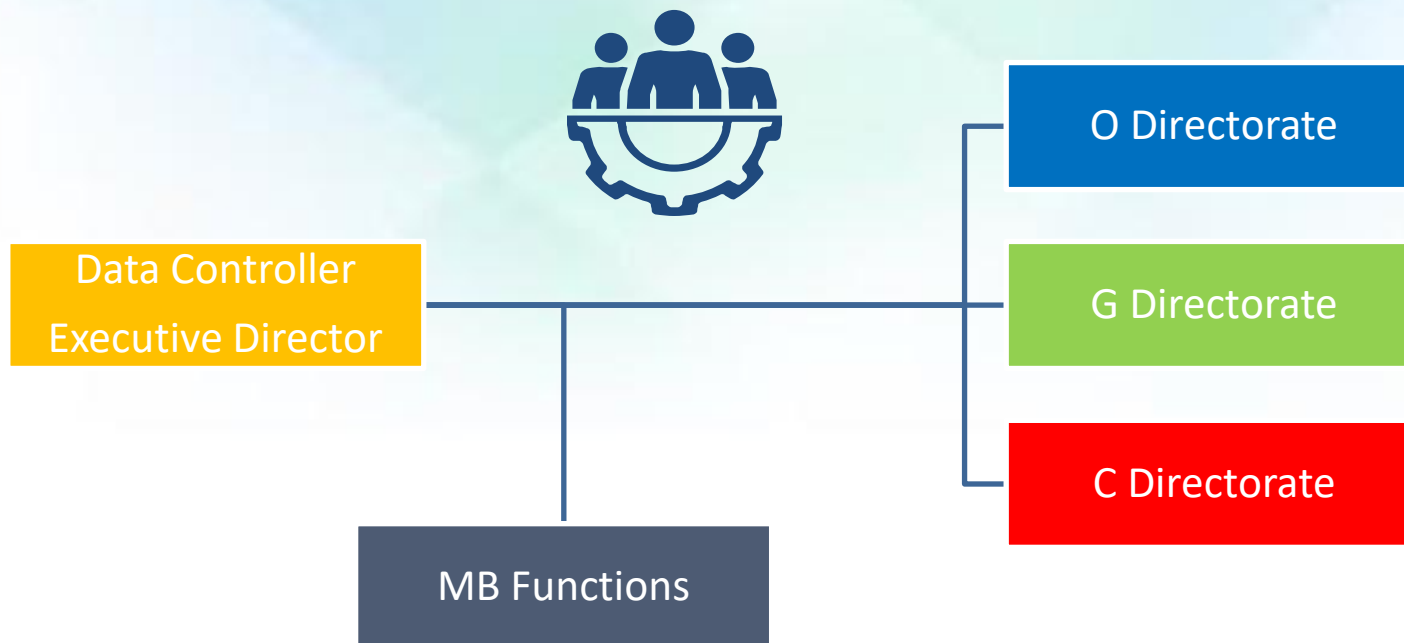
COMPLIANCE SHOCKWAVES

Guiding Principles:

1. Controller/processor representation
2. Knowledge-based
3. Compliance efficiency
4. Data protection continuity



ORGANISATIONAL ACCOUNTABILITY



KNOW YOUR BUSINESS...

Inventory of processing operations



Assessment of risks



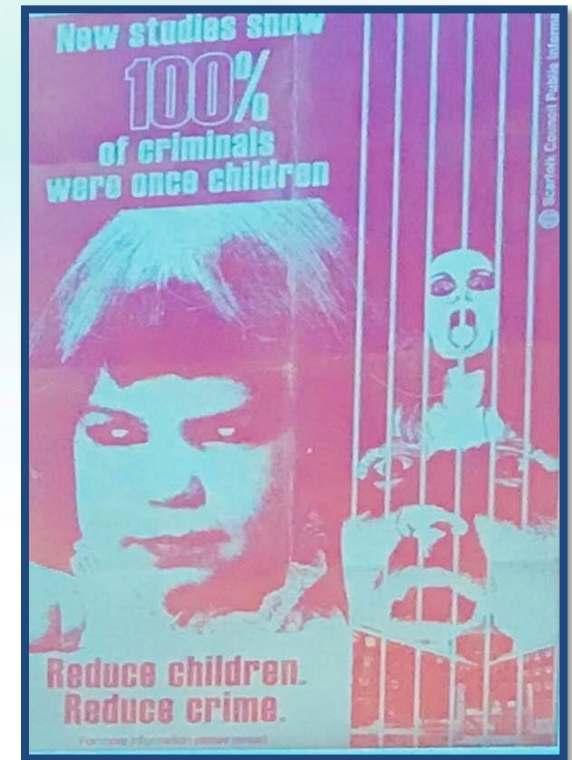
Data protection impact assessment



Prior consultation



KNOW YOUR RISK!

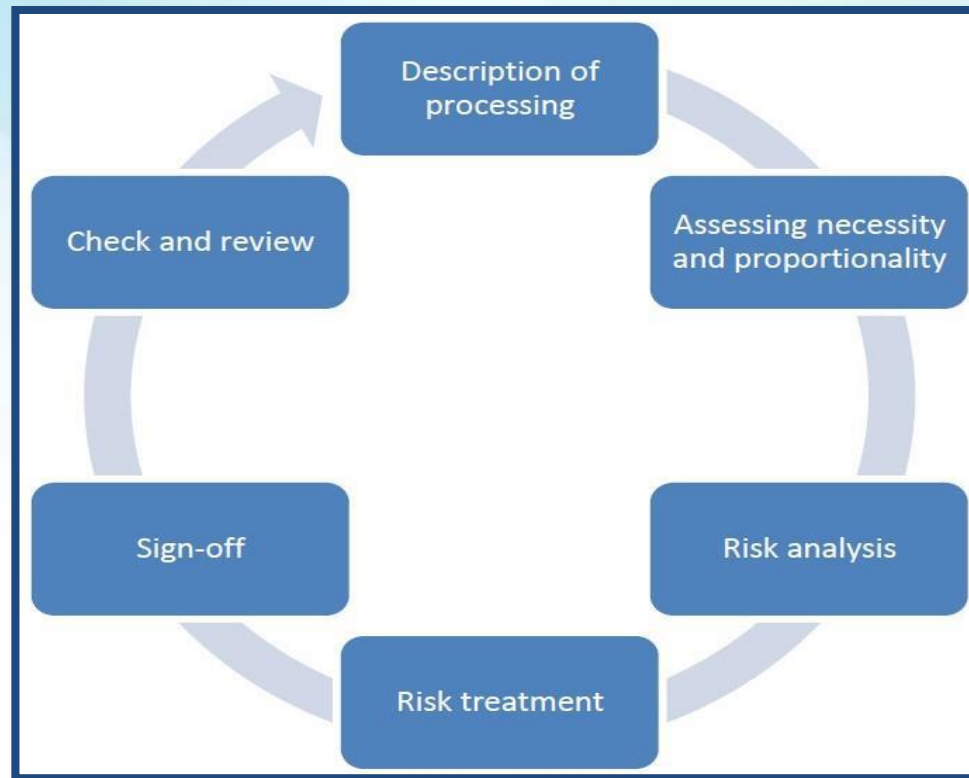


Keep it documented!!

RISK MANAGEMENT AND QUALITY & PROCESS MANAGEMENT



PRIOR CONSULTATION – ALWAYS A WIP



PERSONAL DATA BREACH

Insert them in a dedicated **personal data breach register**.

In case you assess a case and consider that there is **no breach**, document your reasoning!

Keep it documented!! Always!



DATA SUBJECT ACCESS RIGHTS

Insert them in a dedicated **data subject access/rectification request register**



Specifics of law enforcement



Document which exception is being used to restrict any data subject right

Again... keep it documented!!



MONITORING COMPLIANCE

EUROPOL Data Protection Compliance Tool

Title **Audit ID**

Assurance Prov. **Audit End Date**
External Ref. **Audit Report Date**
Internal Ref. **Audit Report (DMS)** **Audit Action Plan (DMS)**

% Audit Implementation (Internal) **58%**

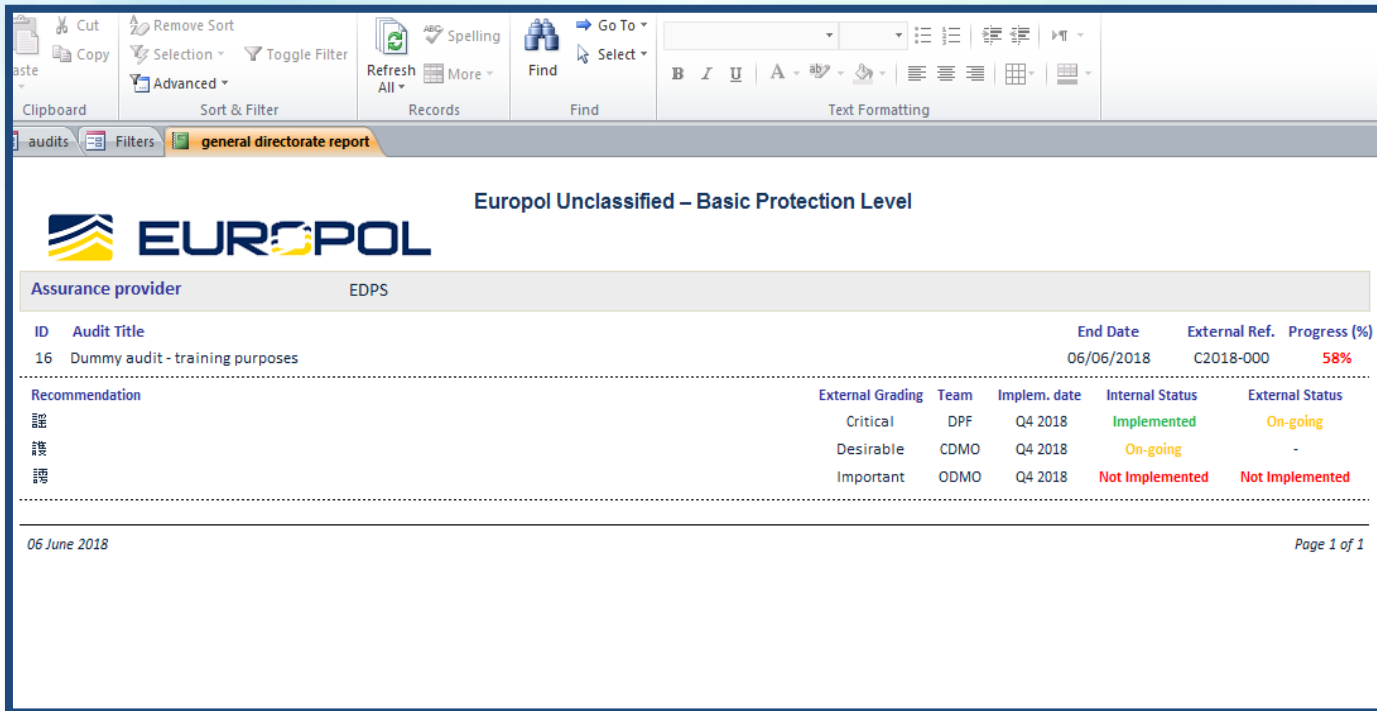
Audit recommendations

Recommendation description	Reference	Grading External	Grading Internal	Responsible (Team)	To be implemented by	Internal Status	External Status																								
Europol should bla, bla, bla		Critical	Very Important	DPF	Q4 2018	Implemented	On-going																								
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Parameters (PASSWORD PROTECTED)

AUDITING BODY **QUARTERS** **ORGANISATION** **GRADING** **IMPL. STATUS**

ALSO A REPORTING TOOL



The screenshot shows a web application interface for reporting. At the top, there is a toolbar with various icons for editing and navigation. Below the toolbar, the main content area displays the Europol logo and the title "Europol Unclassified – Basic Protection Level". The report is titled "Assurance provider" and "EDPS". It lists an audit titled "Dummy audit - training purposes" with an ID of 16. The audit was conducted on 06/06/2018, with an external reference of C2018-000, and is 58% complete. The report also includes a table of recommendations, categorized by External Grading (Critical, Desirable, Important), Team (DPF, CDMO, ODMO), Implementation date (Q4 2018), Internal Status (Implemented, On-going, Not Implemented), and External Status (On-going, -, Not Implemented).

ID	Audit Title	End Date	External Ref.	Progress (%)
16	Dummy audit - training purposes	06/06/2018	C2018-000	58%

Recommendation	External Grading	Team	Implem. date	Internal Status	External Status
認	Critical	DPF	Q4 2018	Implemented	On-going
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認	Important	ODMO	Q4 2018	Not Implemented	Not Implemented

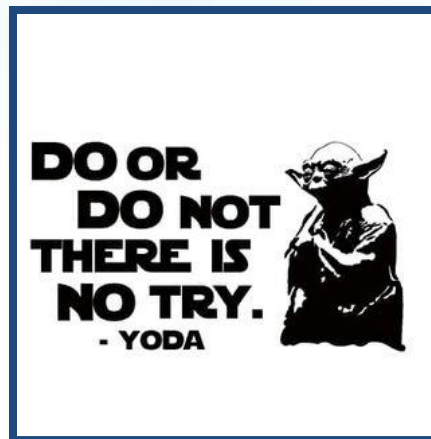
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GDPR Anniversary



GDPR Anniversary

EDEN LAW ENFORCEMENT DPOs



POLICE & JUSTICE DIRECTIVE

PROTECTING INDIVIDUALS WITH REGARD TO THE PROCESSING OF THEIR PERSONAL DATA BY POLICE AND CRIMINAL JUSTICE AUTHORITIES, AND ON THE FREE MOVEMENT OF SUCH DATA

AIM OF THE DIRECTIVE

To better protect individuals' personal data when their data is being processed by police and criminal justice authorities.

KEY PRINCIPLES

The directive requires that the data collected by law enforcement authorities are:



DEFINITION OF PERSONAL DATA

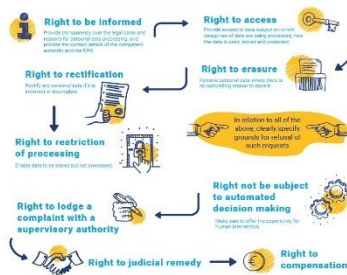
The definition of personal data is now broader and includes identifiers such as:



WHAT'S NEW?



RIGHTS OF DATA SUBJECTS



INDIVIDUALS CONCERNED ('DATA SUBJECTS')

The directive requires that the law enforcement authorities make a clear distinction between the data of different categories of persons including:



FIND OUT MORE IN OUR E-MAGAZINE



WRAP UP – WHY DO WE NEED TO GET IT RIGHT?



Rights of the citizens



Potential failure of multi national investigations



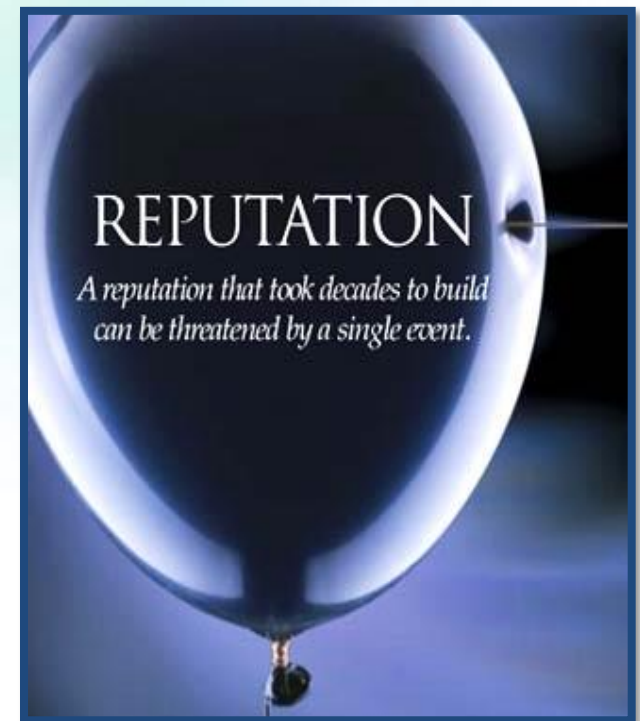
Quality of the records used



Liability



Reputational damage





**GDPR
Anniversary**



GDPR Anniversary



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