



Employee Data Privacy – Poland

Security Requirements

What security obligations are imposed on data controllers and data processors?

Security requirements may not always be included in the data protection law, but are key to



guaranteeing lawful processing of personal data. The entity processing the data must take all useful precautions with respect to the

nature of the data and the risk presented by the processing, to preserve the security of the data and, prevent alteration, corruption or access by unauthorized third parties.

Appropriate technical and organizational measures should be implemented to ensure a level of security appropriate to the risk. When storing employee documents, Poland's Labor Code (Art. 94, 9b) stipulates that employers must provide confidentiality, integrity, completeness and availability in ways that protect documents from damage and destruction. The Labor Code (Art. 22, Sec. 3) also stipulates that only individuals with written authorization from the employer can process special categories of personal data, and those individuals must keep data confidential.

Employers in Poland should follow the general security standards listed in Article 32 of the General Data Protection regulation. When protecting employee and applicant data, consider the sensitivity of the information, the technology available, the expense of protecting the data and the risk to individuals if the data is compromised. Then take organizational and technological measures, including:

- pseudonymization/encryption;
- measures to ensure the confidentiality, integrity, availability and resilience of information processing systems
- measures to restore the system and access in case of an incident (such as a power outage)
- processes to regularly test and assess the system to ensure continued security.



HR Best Practices:

Take all appropriate security measures based on the sensitivity and confidentiality of the

data. In addition, regularly train employees who may have access to personal information, to ensure that they are following all technical and organizational security measures that have been put in place. Ensure contracts with service providers detail the security and confidentiality measures that will be implemented.

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