



Employee Data Privacy – Spain

Data Protection Officer

What is, and which organizations have to appoint a DPO?

A Data Protection Officer (DPO) is a person in charge of verifying the compliance of personal data processing with the applicable law. The DPO communicates information on processing personal data such as its: purposes, interconnections, types, categories of data subjects, length of retention and department(s) in charge of implementing processing. DPOs may be required by law or recommended.

The European General Data Protection Regulation requires that data controllers and data processors designate a DPO in any case where:

- the processing of personal data is carried out by a public authority or body, except for courts acting in their judicial capacity;
- the core activities of the controller or the processor consist of processing operations which, by virtue of their nature, their scope and/or their purposes, require regular and systematic monitoring of data subjects on a large scale; or
- the core activities of the controller or the processor consist of processing, on a large

scale, special categories of data and personal data relating to criminal convictions and offences.



A DPO is not mandatory for every organization but is highly recommended. Under the Spanish Data Protection and Digital Rights Act, DPOs are specifically required for certain companies and organizations, including: professional associations, educational institutions, electronic communication service providers, credit institutions, insurance companies, investment service businesses, online gaming companies, health sector businesses, and companies that conduct profiling for marketing purposes.

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