



Employee Data Privacy – Spain

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

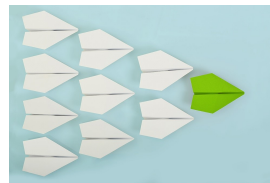
nature of the data and the risk presented by the processing, to preserve the security of the data and, prevent alteration, corruption or access by unauthorized third parties.

Appropriate technical and organizational measures should be implemented to ensure a level of security appropriate to the risk.

Employers in Spain 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.

Spain's Royal Legislative Decree 12/2018, of September 7, on the security of networks and information systems implemented the European Union's Directive 2016/1148 of the European Parliament and of the Council on measures to ensure a high common level of network security and information systems. Royal Decree 43/2021 of January 26 further develops RDL 12/2018.



HR Best Practices:

Ensure contracts with service providers detail the security and confidentiality measures

that will be implemented. 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.

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