

Lessons learned and the way forward.

(How) Can privacy professionals and the DPAs benefit from collaborative platforms?

Discussion



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The “accountability” era



- Controllers/Processors cannot ask the opinion of a DPA, except for specific cases
 - Art. 36 prior consultation, Codes of conduct, Certifications, Limited permits
- Limited cases where DPAs are able to issue specialized guidance
 - Guidelines, recommendations and best practices are EDPB tasks
 - DPAs can complement guidance, without deviating from the EDPB’s opinions
- DPAs are competent to promote the **awareness** of controllers and processors of their GDPR obligations
 - WebPage
 - National/urgent Guidelines (e.g. political marketing, Covid-19)
 - Press releases and announcements
 - Awareness activities (e.g. byDesign – byDefault) ...



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byDefault approach



- Providing DPOs and data protection professionals with constant support in their activities and specialized guidance in selected key areas of activity
- Since DPA resources are limited, use the idea of “crowdsourcing”
- Development of an electronic collaboration platform for DPOs and Data Protection professionals
- Professionals exchange general and/or specialized knowledge
- More than 300 registrations in the platform “Collab.dpa.gr”
- Low participation



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Collab.dpa.gr

Internal understanding



- Limited number of field professionals that are constantly and actively engaged in the field
- Part-time occupation leads to lack of resources allocation/utilization
- Minimum engagement of moderators
- DPOs' participation at a low level
 - Unexpressed unwillingness to expose Controller/Processor(employer) or even DPO shortcomings
 - Limited training/awareness
- HDPA need to promote the tool as the standard & 'authorized' means of feedback amongst the relevant stakeholders



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Individual Comments ⁽¹⁾

- Proper Advertisement... (4)
- The increase of participation and interest in the Platform is tied with strengthening of the overall data protection culture and the Stakeholders (DPA, DPOs, etc). Despite the developments in the field, the majority of Controllers, treat data protection as an external legal obligation and not as a constituent element of the organization's procedures
- More topics, Practical compliance guides
- Anonymous Q&As initiated by the DPA.



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Individual Comments ⁽²⁾



- Users need to change their “culture” to use national tools. Users trust sources of guidance like the CNIL. The national effort is in the right direction but needs patience and continuous investment.
- Professionals should be encouraged to participate
- Professionals need time to get used to the platform
- The DPA should establish the platform as a regular means of providing guidance
- The Platform should be regularly enriched with supporting material.



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Discussion

- Are DPOs and professionals willing to share problems/questions with their peers?

Given the legal framework and the limited DPA resources...

- (How) Can DPAs provide more guidance?
 - Proposals?
 - Ideas?
- (How) Can DPOs and professionals contribute to the guidance offered?
 - Obstacles?
 - Guarantees?
 - Solutions?

Ask not what your DPA can do for you
Ask what you can do for Data Protection



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Ask not what your DPA can do for you
Ask what you can do for Data Protection

Thank you for your participation

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