

## Data Protection Officer Role – Summary

Note: reference to "controller" in this appendix is taken to mean the Council. References to "Articles/Art" are to articles in the GDPR

### **Article 37 Designation of Data Protection Officer**

(7) must publish contact details of DPO and communicate them to supervisory authority.

### **Article 38 – Position of DPO**

(1) controller shall ensure DPO is involved, properly and in a timely manner, in all issues which relate to the protection of personal data

(2) controller shall support the DPO in performing tasks by providing resources necessary to carry out those tasks and access to personal data and processing operations, and to maintain their knowledge.

(3) DPO shall not receive any instructions regarding the exercise of those tasks. Shall not be dismissed or penalised by the controller for performing the tasks. DPO shall report to the highest management level of the controller.

(4) data subjects may contact DPO re all issues related to processing of their personal data and to exercise their rights under the regulations

(5) DPO shall be bound to secrecy or confidentiality concerning performance of tasks

(6) DPO may fulfil other tasks or duties but controller shall ensure that such tasks or duties do not result in a conflict of interests.

### **Article 39 – tasks of DPO**

(1)

(a) inform and advise controller of the obligations under the regulations

(b) monitor compliance with the regulations, policies of the controller to protect personal data inc assignment of responsibilities, awareness raising, training of staff and related audits.

(c) provide advice re data protection impact assessment and monitor its performance pursuant to Art 35

(d) cooperate with the supervisory authority

(e) to act as point of contact for the supervisory authority on issue relating to processing, inc prior consultation in Art 36 and to consult where appropriate on any other matter.

2. Shall in performance of tasks have due regard to the risk associated with processing operations, taking into account the nature, scope, context and purpose of processing.