

## Press Release

Brussels, June 24, 2020

### **Evaluation of the GDPR: EFDPO suggests a cutback in bureaucracy to support small and medium-sized enterprises**

#### **Position paper gives recommendations from practitioner's point of view**

On the occasion of the first evaluation of the General Data Protection Regulation (GDPR) by the EU Commission, the European Federation of Data Protection Officers (EFDPO) calls for a relief for small and medium-sized enterprises. In a position paper, the umbrella association suggest a cutback in bureaucracy by involving the Data Protection Officer (DPO) more intensely. The bureaucracy created by the GDPR does not result from the designation of the DPO, but from the comprehensive organizational and documentation obligations of the GDPR, which exist independently of the DPO and are subject to a fine. The involvement of the DPO therefore leads to a relief for small and medium-sized businesses.

"Even the most vocal critics at the beginning of the GDPR have now come to realize that the regulation was the right and future-oriented step for data protection in the EU," says Thomas Spaeing, President of the EFDPO. "Despite all the advantages, however, we also see potential for optimization in some points and would welcome a discussion about this."

In order to provide true support for small and medium-sized enterprises (SMEs), the EFDPO supports, in its position paper, an obligation for controllers/processors with a DPO to report all incidents or possible incidents of a personal data breach directly to the DPO. In a second step, only those data breaches that pose a high risk to the data subjects will be directly forwarded to the supervisory authorities. The DPO also keeps a register of all incidents and monitors the corrective measures.

As a further measure, the EFDPO recommends that DPOs should play a more essential role in drafting and observing a Data Protection Impact Assessment and the Risk Analysis and be responsible for the records of processing activities.

In addition to disentanglement and harmonization within the GDPR, particularly regarding documentation obligations, the position paper advocates mitigated sanctions if companies have actively involved a DPO in the fulfillment of these obligations.

Lastly, the EFDPO sees room for improvement in the information obligation in order to achieve better general comprehensibility and transparency for the data subjects.

Further information is available in the **EFDPO position paper**, which can be downloaded here:

<https://www.bvdnet.de/wp-content/uploads/2020/06/EFDPO-Position-Evaluation-GDPR.pdf>

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**About EFDPO**

The European Federation of Data Protection Officers (EFDPO) is the European umbrella association of data protection and privacy officers. Its objectives are to create a European network of national associations to exchange information, experience and methods, to establish a continuous dialogue with the political sphere, business representatives and civil society to ensure a flow of information from the European to the national level and to proactively monitor, evaluate and shape the implementation of the GDPR and other European privacy legal acts. In doing so, the EFDPO aims to strengthen data protection as a competitive and locational advantage for Europe. The new association is based in Brussels.

Founding members:

- Austria: Verein österreichischer betrieblicher und behördlicher Datenschutzbeauftragter [privacyofficers.at](http://privacyofficers.at)
- Czech Republic: Spolek pro ochranu osobních údajů
- France: UDPO, Union des Data Protection Officer - DPO
- Germany: Berufsverband der Datenschutzbeauftragten Deutschlands (BvD) e. V.
- Greece: Hellenic Association for Data Protection and Privacy (HADPP)
- Liechtenstein: dsv.li-Datenschutzverein in Liechtenstein
- Portugal: APDPO PORTUGAL Associação dos Profissionais de Proteção e de Segurança de Dados
- Slovakia: Spolok na ochranu osobných údajov