



WP2 and Official DPO certificate

Prof. Juan Pablo Murga Fernández



Presentation Outline



- Who we are
- What we do
- Our team
- Deliverables and deadlines schedule
- Official DPO certificate
- Needed syllabus-content
- Procedure for selecting and appointing evaluators



- Leader in European Studies and European research projects. Several H2020 Projects that have been awarded in the last years (not particularly in law)
- Centre of Documentation of the European Union which carries out specific research on European topics together with courses on European studies that are offered annually since more than 10 years ago (<http://cde.us.es/>).
- Current Jean Monnet Module regarding the “International aspects of Family and Succession Law and its regulation under the European Union”.
- Jean Monnet Chair on the “Internal and external effects of tax law under the European Union”.
- Centre of Comparative Law which hosts periodical conferences, seminars and lectures on comparative legal matters, particularly focused in a European perspective.

More than 500 years of experience in knowledge management, with studies adapted to the **European Higher Education Area (EHEA)**

More closely knit than ever due to our clear commitment to **New Technologies and Communication**



It is the main public university in Andalusia, with the highest number of students. It is a great team of more than 70,000 members

Committed to **quality and excellence**. With the European Certificate of Quality for the EFQM model of Excellence, and distinction as a **Campus of International Excellence**

Law Faculty – Who we are



- Founded in 1505
- Third biggest law library in Spain: over 700.000 books
- 26 different Departments
- International PhD programme with over 100 PhD candidates
- It currently hosts 30 national research projects in different areas
- In the top 4 Law Faculties in Spain according to the most recent rankings
- 9 LLM currently offered (none in Privacy)



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Training Activities to Implement the Data Protection Reform



Dr. Juan Pablo Murga Fernández

- Degree in Law (University of Seville), LLM in Private Law (University of Seville), International PhD in Civil Law (University of Seville), European PhD (University of Bologna). Senior Lecturer of Civil Law, PhD supervisor, Permanent Visiting Research Fellow of the Institute of European and Comparative Law (University of Oxford), Permanent Visiting Research Fellow of the Law School (University of Manchester), Deputy of the Chairs in land law and notarial law, coordinator of the Research Centre of Private Comparative Law (University of Seville), Visiting Research Fellow of the Max Planck Institute for Comparative and International Private Law (Hamburg). Professor of the “Comparative Law Summer Abroad Programme”, Florida International University. Director of the forthcoming treaty in Digital Law: current matters and future perspectives (Thomson-Reuters Aranzadi).



Pr. Manuel Espejo Lerdo de Tejada

- Degree in Law (University of Seville), PhD in Civil Law (University of Seville). Chair of Civil Law since 2011 (University of Seville), Director of the Chairs in Land law and Notarial Law (University of Seville). 4 years as Research Vice-Dean of the Law Faculty, where he implemented the new LLM's and PhD Programme according to the new Bolonia European regulation. Member of the Scientific Board of different law reviews and Secretariat of the *Crónica Jurídica Hispalense* during 3 years. Member of the Scientific Board of the Editorial Universidad de Sevilla & Director of the Law collection. Coordinator of 3 national Research Projects in the past 8 years. Member of the Jean Monnet Module “The EU and international Family and succession Law” .



Dr. María de los Ángeles Fernández Scagliusi

- Degree in Law (University of Seville), LLM in Public Law (University of Seville), International PhD in Administrative Law (University of Seville). Senior Lecturer of Administrative Law, PhD supervisor, Visiting Research Fellow of the Institute of European and Comparative Law (University of Oxford), Visiting Research Fellow of the University of Bologna. Awarded with the national prize of the *Instituto Nacional de Administración Pública* for the best PhD published in Spain in the public law field 2014-2015. Lecturer of privacy modules in the LLM in public law (University of Seville). Member of 5 different national research projects in the past 8 years.

Deliverables and deadlines schedule



| Universidad de Sevilla | | |
|--|---------------|---|
| DELIVERABLE | DEADLINE | BRIEF DESCRIPTION |
| D1.17 Presentation Event in Spain | April 2018 | <p>Presentation event of the course in Spain. Venue: Seville;</p> <p>Number of participants: 25 from the consortium, 70 from the public;</p> <p>The event will be organised in Spanish language;</p> <p>Technical supporting documents: agenda, invitations, presence list signed by the participants, minutes, analysis of the evaluation of the event by the participants, certificate of attendance, presentations</p> |
| D2.2 Training Materials_Legal | June 2018 | Report of all training materials for legal modules for the 3 courses (PPT and paper based) reporting all materials collected for preparing the legal module |
| D1.14 Progress Report | November 2018 | Progress report of the activities carried out during the first project year |
| D5.3 Spanish Course Delivering | May 2019 | Implementation of the course including lessons on site, distance lessons, CBL parts. The course involves 30 students and one-year duration. Programme, presence list signed by participants, training material. |
| D5.4 Spanish Course Feedback | May 2019 | Collecting feedback from students on the course. |
| D1.11 USE Paper | October 2019 | Production of a scientific paper on project-related research topics |



- Official certificate, with international validity only existing in Spain
- **Certification scheme of data protection officers from the spanish data protection agency**
agency: http://www.agpd.es/portaleswebAGPD/temas/certificacion/common/pdf/SCHEME_AEPD_DPD.pdf
- The Spanish Data Protection Agency (AEPD), as the owner of the Scheme, is responsible for its development and review, and actively involves the various interested parties in both processes
- **Scheme Agents:** The National Accreditation Body, Certification Bodies & Training entities



- **The National Accreditation Body (ENAC)**. It is designated by the AEPD as the single entity authorised to accredit certification bodies that would like to participate in the Scheme, and takes into consideration both the requirements of the UNE-EN ISO/IEC 17024:2012 standard, as well as the specific requirements set out by the Scheme.
- **Certification Bodies (CB)**. They offer the certification (only under ENAC accreditation and in accordance with the requirements of the Scheme and UNE-EN ISO/IEC 17024:2012 standard) for the “Data Protection Officer” category → This recognition is based on, but not limited to, technical competence to certify, and therefore the body must obtain and maintain accreditation by ENAC to certify persons as DPO’s with the Agency Scheme (DPO -AEPD Scheme). The participation of ENAC to provide accreditation ensures that exclusively those entities that have demonstrated their technical competence to perform this specific function in accordance with internationally accepted criteria are designated as certification bodies.
- **Training entities (TE)**. These are the entities that offer training which satisfies the requirements for obtaining this certification. If needed, a list of requirements for both the training courses as well as the entities offering such courses will be published, establishing the content, minimum duration of training and requirements regarding training personnel, resources, facilities, performance, etc. Training Entities must request Certification Bodies to recognize their training programmes in accordance with the requirements established in section 6.3 (specific programme).



- **REQUIREMENTS FOR ACQUIRING DPO OFFICIAL CERTIFICATE** → **Training + official exam**
- **TRAINING:** Amount of **training** that depends on the experience in the privacy field:
 - Demonstrate professional experience of at least five years on projects and/or activities and tasks related to DPO functions regarding data protection.
 - Demonstrate professional experience of at least three years on projects and/or activities and tasks related to DPO functions regarding data protection, and at least 60 hours of recognized training on subjects related to the programme.
 - Demonstrate professional experience of at least two years on projects and/or activities and tasks related to DPO functions regarding data protection, and at least 100 hours of recognized training on subjects related to the programme.
 - Demonstrate at least 180 hours of recognized training on subjects related to the programme.
- Training entities will request certification bodies to recognize the training programmes they provide in accordance with the above requirements.
- Training and experience acquired nationally and in the European Union will be recognised.



EXAM:

- The exam will test candidates on topics related to the specific knowledge indicated in the program of the Scheme detailed in section 6.5.3, in accordance with the weighting criteria established for each of the fields into which the corresponding tasks and competencies to be assessed are organised.
- The exam must be passed to obtain certification. The purpose of the exam is to assess the candidate's theoretical/practical knowledge to carry out DPO functions.
- The exam consists of 150 multiple-choice questions; 75% must be answered correctly to pass. Twenty percent of the questions, i.e. 30 questions, will describe a practical scenario (of a regulatory, organisational and technical nature) that the question will deal with.
- The questions are distributed into one of the programme fields or blocks in accordance with the following weighting:
 - Field 1 – 50%, 75 questions, 15 with a scenario
 - Field 2 – 30%, 45 questions, 9 with a scenario.
 - Field 3 – 20%, 30 questions, 6 with a scenario. To pass the test, 50% of the questions in each block or field must be answered correctly. In other words, 75 points must be obtained by adding the minimum score from the three fields, and the rest of the points needed to obtain 75% of the total can be from any field



- The questions will have 4 possible answers, of which only one is correct. Each correct answer will count as 1 point. No points are awarded for questions incorrectly answered or left unanswered. Therefore, at least 112.5 points must be obtained in order to pass.
- The exam lasts four hours.
- The result of the assessment exam will be “pass” or “fail” for each exam call.
- Each certification body can offer the exam as often as it wishes, but must inform the AEPD of the exam date at least three months in advance.
- Notwithstanding the above, single, coordinated exam sittings can be established through an agreement by all of the certification bodies.



- **ANEX IV** scheme of data protection officers from the spanish data protection agency (pp. 35-40):
- http://www.agpd.es/portalwebAGPD/temas/certificacion/common/pdf/SCHEME_AEPD_DPD.pdf



- Evaluators may be personnel from the entity itself or subcontracted (self-employed or hired by the entity).
- Candidate evaluators must meet the following requirements:
 - a) Undergraduate degree.
 - b) At least five years of experience in data protection or information security
- The Certification Body will create an internal body subject to internal regulations and Scheme rules to select evaluators.



The end

