



Employee Data Privacy – Chile

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 Chile have an obligation under both the Personal Data protection Law and the Labor Code to maintain the confidentiality of employees’ personal data. Although the law is not prescriptive about specific security steps that must be taken, employers should follow general best practices including keeping personal data in a secure environment (whether in locked files or password protected electronic format), with access restricted to those who need it for the stated purpose for which the data had been obtained.



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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