

WHAT DO THEY KNOW ABOUT YOU?

GDPR & DATA PROTECTION RIGHTS IN THE UK

25 January 2023



TODAY

- What is data protection about?
- What are my rights in the UK?
- Who can help me?



PRIVACY: THE RIGHT TO BE LEFT ALONE

- In my home
- In my correspondence/emails
- In my private life



DATA PROTECTION: THE RIGHT TO HAVE CONTROL OVER HOW YOUR INFORMATION IS USED

A state department or a private company may have a legitimate reason to have a record about where you live (e.g. tax purposes, delivering your purchase).

BUT YOU STILL HAVE A RIGHT TO DATA PROTECTION
against (the risk of) misuse, discrimination, unlawful sharing etc...



USKYLDIGE SPØRSMÅL

INNOCENT QUESTIONS

KEHRER



Period tracking apps warning over Roe v Wade case in US

🕒 7 May 2022



US abortion debate





BREAKING: Meta prohibited from use of personal data for advertising

Jan 04, 2023

After almost five years, the Irish DPC decided on a noyb complaint and required Facebook, Instagram and WhatsApp to stop using the personal data of users for advertisement in the EU.



DATA PROTECTION PRINCIPLES

- Lawfulness, fairness and transparency;
- Purpose limitation;
- Data minimisation; Storage limitation;
- Accuracy;
- Integrity and confidentiality;
- Accountability.



DATA PROTECTION RIGHTS

Actionable rights help translate data protection principles from theory to practice: individuals can exercise control over their data and react when someone infringes the rules



RIGHT OF ACCESS – ARTICLE 13 OF THE UK GDPR

You have a right to receive a copy of your personal data and the following information free of charge:

- What data they have about you and why.
- How long they are going to store your personal data.
- Who they got it from.
- Whether there has been a decision made about you by an algorithm, and information about how that decision was made.



RIGHT OF RECTIFICATION — ARTICLE 16 OF THE UK GDPR

You have a right to obtain from the correction of inaccurate personal data. You can do this by providing a statement to the controller. The controller must communicate that correction to you.



RIGHT TO BE FORGOTTEN – ARTICLE 17 OF THE UK GDPR

- You have the right to request erasure if the data is no longer necessary for the purposes for which it was collected.
- If the controller are processing the data based on your consent, you remove that consent and there is no other legal ground for processing.



RIGHT TO RESTRICTION, OBJECTION – ARTICLES 18 AND 21 OF THE UK GDPR

- You have the right to restrict processing (prevent it being processed) (Article 18) if for example you argue the data is inaccurate and the data controller needs to check on this.
- You have a right to object to processing of personal data of personal data if it is being processed for a task in the public interest or it is necessary for the purposes of the legitimate interests



RIGHT NOT TO BE SUBJECT TO AUTOMATED DECISION MAKING – ARTICLE 22 OF THE UK GDPR

You have a right to not be subjected to a decision based solely on automated decision-making if it produces legal or similarly significant effects



**THE CONTROLLER MUST ACT UPON YOUR REQUEST WITHOUT
UNDUE DELAY AND IN ANY CASE WITHIN ONE MONTH**



CONDITIONS APPLY: BEWARE

- You want your personal data erased, but the controller argue that they still need this data;
- You want to exercise your right to object, but the controller claim to have an overriding interest in using this data;
- You want to exercise your right not to be subject to ADM, but the controllers argues that the computer assisted them but a human ultimately took the decision.



WHAT TO DO THEN?

- Filing a complaint to the Information Commissioner's Office (which should order the controller to comply with the law), or ask for advice/help
- Seek legal help (e.g. from Civil Society Organisations)



GET IN TOUCH!



THANK YOU.

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