

**Security in organizations course**  
**Digital Security group,**  
**Radboud University Nijmegen**

**Assignment ‘Asking organizations what kind of privacy related info they have on you’, October 4 2010**

**Goals**

- Understand the rights of a Data Subject (more specifically the right of access) under the Dutch Data Protection Act (Wet bescherming persoonsgegevens, Wbp).
- Understand how the right of access impacts an organization.

**Background**

In the Netherlands, personal data is protected under the provisions of the Dutch Data Protection Act. This act contains obligations for so called ‘Data Controllers’ and rights for so called ‘Data Subjects’. Under the Dutch Data Protection Act<sup>1</sup>, a Data Subject is entitled to access to all the data collected that relate to him or her. Besides, Data Subjects have the right of correction and objection.

**Task**

From which company or institution (hereinafter: organization) would you (as a student, user of a website, client, citizen, patient etceteras) like to know whether it is collecting and recording any of your personal data? ***Ask that organization (in writing or by e-mail) whether it is collecting and recording any of your personal data, and if so, which data.***

Please note that an organization can charge you for the costs from handling your request for access. If you have to pay for the request and it exceeds the standard rate of 4,50 Euro, you can ask Erik Poll for a refund (provided you hand over the invoice or similar). Please ask for Erik’s approval before agreeing to the organization.

**Prepare a short memo.** Report on the following topics:

1. What should organizations do in order to make sure that the right of access is respected? Think about measures focused on people, process and technology. Describe these measures.
2. What are your findings on the following:
  - Did the organization respond to your request in writing or by e-mail?
  - Did the organization respond to your request in time (that is within a period of four weeks)?
  - Did the organization inform you in a clear and comprehensible manner (that is did they inform you on (a) which data is being used, (b) the purpose for which it is being used and (c) to which parties, if any, your data has been disclosed.
3. What advice could you give to the organization? (Relate your experience with your answer on question 1)

**For more information regarding the right of access, please check:**

- Dutch Data Protection Act, article 35
- Factsheet ‘Access to your personal data’ [http://www.dutchdpa.nl/Pages/en\\_inf\\_subj\\_Access\\_Data.aspx](http://www.dutchdpa.nl/Pages/en_inf_subj_Access_Data.aspx)
- Factsheet ‘Your rights as a patient’ [http://www.dutchdpa.nl/Pages/en\\_inf\\_subj\\_Rights\\_Patient.aspx](http://www.dutchdpa.nl/Pages/en_inf_subj_Rights_Patient.aspx)
- <http://www.mijnprivacy.nl/Vraag/Rechten/rechtopinzage/rechtinzage/Pages/inzage.aspx>
- [http://www.cbpweb.nl/downloads\\_modelbrieven/modelbrief\\_inzage.pdf](http://www.cbpweb.nl/downloads_modelbrieven/modelbrief_inzage.pdf)

Send the result to Gerhard de Koning Gans at [g.dekoninggans@cs.ru.nl](mailto:g.dekoninggans@cs.ru.nl)

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<sup>1</sup> Note: Besides the Wbp also the Wet op de geneeskundige behandelingsovereenkomst (Wgbo) (Medical Treatment Contracts Act) can apply when requesting access to your medical record.