

My Data Protection Rights



An Coimisiún um
Chosaint Sonraí
Data Protection
Commission

My data protection rights factsheet:

Why are data protection rights important?

We all have a number of rights when it comes to our personal data. **Adults and children have exactly the same rights**, and these rights apply both in the real world and the online world.

It's important that you know what your data protection rights are because **this will help you have control over your personal data** and will also help you spot if companies are not treating your data fairly.

Who is in charge of my data protection rights?

You can "exercise" your rights, in other words "use" your rights yourself, at any age but only if it's clear that you **understand your rights** and that **letting you use them yourself is the best thing for you and doesn't cause you any harm**.

Young children will likely need their parents or guardians to look after their data for them and the older you get, the more likely you are to use your rights yourself. But just because you're in charge of your personal data, doesn't mean you can't ask your parents for help. In fact, there might be some situations where it's best to ask your parent or guardian to help you use your data protection rights.

For example, your parents might have set up a savings account in your name so they can put away some money for you for when you're older. As the account holder, you can of course ask the bank to give you your data. However, some of this information might be very technical and difficult to understand.

In this case, **it's a good idea to ask your parent or guardian or an adult you trust to help you make this request**, to make sure that you fully understand everything and can talk to someone about it.

What data protection rights do I have?

You can find more information about all your data protection rights on the DPC's website: <https://www.dataprotection.ie/en/dpc-guidance/childrens-data-protection-rights>

My data protection rights factsheet: Knowing what's happening to your data

You have the right to know what's happening to your data and why. This means that you have the right to know when your personal data is being collected by someone else. This is known as **"the right to be informed"**. The right to be informed is one of the most important data protection rights because you can't control your data if you don't know who has it or what they're doing with it.

There are certain things that an organisation **must** tell you whenever they collect your data. For example, they have to tell you **who they are, what exactly they are doing with your data and why, how long they're going to keep your data**, and they must also tell you **what your data protection rights are and how you can get in touch** with them if you want to exercise your data protection rights.

The law says that organisations have to make sure that this information is really clear and easy for children to understand. It also has to be easy for children to find this information. It's also a good idea to get your parents to help you read them in case you have any questions.

Where can I find this information?

Organisations normally put all of this information in a document that's called a **privacy policy** which you can usually find on their website. Social media platforms and apps also use things like **pop-up notices** to remind you of this information at different times, so for example some information about what's happening to your data might pop up on your screen if you make changes to your account settings or if you're just about to post a photo or video.

Why is it important that I read this stuff?

It can be very tempting to just swipe past these notices because you want to get on with setting up your profile, chatting with your friends or posting your photos. And it doesn't help that privacy policies are often really long and not that fun to read. But it's a good idea for you to get into the habit of taking a look at them because they have a lot of important information that you need to know.

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My data protection rights factsheet: Getting a copy of your data

You have the right to get a copy of any information that an organisation holds about you. This is known as the right of access.

What do I do if I want a copy of the data that social media companies have about me?

Social media apps usually have an “access my data” or “download my data” tool in the account settings page which allows you to do this quickly and easily. However, you also have the right to ask for a copy of your data directly, for example by sending the organisation an email or by calling their helpdesk. The key thing is they have to make it EASY for you to ask for your data.

Are there any limits on what I can get?

Sometimes there are certain rules that might stop an organisation from giving you a full copy of your data. One reason for this is **data can often involve more than one person**. Think for example of group photos or instant messages between you and your friends on social media. If you ask for data involving other people, the organisation will have to think carefully about what’s fair for everyone, and may have to withhold some stuff. But they still have to answer you and give you as much data as they can!

Are there any special words I need to use to make my access request?

You don’t need to mention any laws or use any special words when asking for your data. All that matters is that it’s clear that you’re asking for a copy of your data.

Once you’ve made your request, the company needs to reply to you within one month. If you don’t hear anything within one month then you can complain to the Data Protection Commission (DPC).

You also have the right to **move your data from one company to another**. This is known as **the right to data portability**. You might use this right if you’re changing email providers and want to copy over all of your contacts. It’s important to note that there are some rules around when you can use this right, and it mightn’t always be possible to do it, but you can always ask the organisation or the DPC for advice if you’re unsure.

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My data protection rights factsheet:

Getting your data deleted

This is known as the right to erasure. This right can be important when somebody under 18 has provided their personal data to an online company like a social media platform but then they change their mind later on and now want to get the social media platform to delete their account. So **children have a special protection in this way.**

It's important to remember that just because you have asked a social media platform to delete a piece of your data like a photograph that you posted, this doesn't mean that the photo will be deleted on the phones of everyone who might have saved it or screenshotted it. So make sure to **think before you post.**

Does this mean I can make anyone delete all of my data whenever I want?

No, because **there will be some situations where you can't use your data protection rights.** There are lots of examples from daily life where an organisation needs to keep your personal data, whether you agree to it or not. For example, your school needs to keep certain information about you such as your name, where you live and who your parents are. You can't make them delete this information because it's necessary for the school to know these things.

You only have the right to delete your data in certain cases. For example, if you told an organisation they could use your data but you've now changed your mind, or if the organisation collected your personal data without a good reason in the first place then you normally have a right to get it deleted if you want.

Correcting mistakes in your data

On top of deleting your data, you also have the **right to ask organisations to fix it or update it** if you think there's a mistake in it or there's something missing or it's out of date. This is called the **right to rectification.** You might use this right if you've changed phone numbers and you want your sports club to update this information so you don't miss out on any important messages about matches or training.

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My data protection rights factsheet: Saying “no” to other people using your data

This is known as the right to object. This basically means that you have the **right to tell an organisation that you don't agree with them using your data and to ask them to stop**. There are certain times when you can use this right and when you can't. For example, if a company is using your personal data to send you information by email or post about products they're trying to sell to you, you can tell them to stop whenever you want.

I don't understand. If I don't want an organisation using my data then surely they need to stop?

It's important to understand that not all organisations need your permission to use your data. Some organisations have a duty to keep your data, like the government. Other organisations might have a really good reason to use your data without asking for your permission in some circumstances. An example might be the CCTV cameras at your local shopping centre. The shopping centre doesn't need to ask visitors for permission to record them through CCTV as the cameras are needed to prevent things like crime and keep customers and staff safe. When it comes to children, organisations have to take extra care and make sure that their reason for using personal data doesn't cause any harm whatsoever to children.

Saying “no” to important decisions being made only by computers

Decisions made entirely by computers happen so often when we go online that we barely notice them. For example, the content that we see when we're scrolling through social media feeds or the ads that we see when we open a new webpage are the result of decisions by computers that are made based on our personal data.

Why is this important?

Because data protection law says that **any important decisions that are made based on your personal data must have real people involved**. Examples of important decisions could be an application for a loan from a bank, a job application or a university application. If you are worried that an organisation has made an important decision about you using only computers with no humans involved, you have the right to have that decision explained to you, to ask questions about the decision and to have a real live person get involved in making the decision. If you are still not happy, you can complain to the DPC.

How do I make a complaint to the DPC?

The best way to make a complaint to the DPC is to fill out the “raise a concern” webform which you'll find on our website. A member of the DPC will then get in touch with you about your complaint. You can also call one of our helplines or send us your complaint by post if you prefer. You can find more information about how to contact us on our website at: <https://www.dataprotection.ie/en/contact/how-contact-us>

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