

Insight into daughter information

Date: 19-11-2019

Decision

Private companies

It was in a specific case, in accordance with the data protection rules, that a sports association refused to give a father insight into information about his daughter.

Journal number: 2018-31-0972

Summary

On 19 November 2019, the Danish Data Protection Agency made a decision in a case in which a citizen complained that a sports association refused to give him insight into information that the sports association processed about his daughter.

The Danish Data Protection Agency found that the sports association was not obliged to provide the complainants with insight and that the association had acted in accordance with Article 15 of the Data Protection Ordinance. safeguard her rights under the data protection rules. The Danish Data Protection Agency further emphasized that the complainant had not requested access on behalf of his daughter to check the accuracy of the information, but the purpose of the request for access according to the complainants was solely to obtain information about the daughter's dance training.

Decision

The Danish Data Protection Agency hereby returns to the case, where on 1 November 2018 you complained to the Authority that sports association X has refused to give you insight into information that X processes about your daughter pursuant to the Data Protection Ordinance.

Decision

After reviewing the case, the Danish Data Protection Agency finds that X's processing of personal data has taken place in accordance with the rules in the Data Protection Regulation¹, cf. Article 15.

Below is a more detailed review of the case and a justification for the Danish Data Protection Agency's decision.

2. Case presentation

It appears from the case that by e-mail of 31 October 2018, you requested X to send all e-mails regarding your daughter Y's dance training in X since the start of the season.

X replied that the association can not send out separate information and that information may only be sent to the members through their administration program. X encouraged you to log in to your daughter's member profile and add an email address. You then requested full and ongoing insight into data regarding your daughter.

X then replied that as the association has understood it, you would like information about your daughter, which you can get by adding an email address.

You then replied that the reason why you want insight and ongoing insight into information about your daughter is that pt. all information comes from third parties and that this is not satisfactory as it goes beyond your daughter.

X then stated, among other things, that X does not have the opportunity to know whether it is in fact a parent who is applying, and that the association does not have knowledge about possible custody.

2.1. Your comments

You have stated to the Danish Data Protection Agency that X will not hand over data about your daughter's registration, and that the association will not inform you about, for example, extra training and performances.

You have also stated that you have requested insight into data that X has registered about your daughter, information about events, training, etc., as this information is currently comes from third parties at random every now and then. X has refused ongoing insight, which you do not think the association can.

You have stated that there is joint custody of your daughter and that you have offered to submit proof of this, which according to the association's business manager does not make any difference.

2.2. X's remarks

X has stated that the association cannot immediately accommodate your request for insight.

X has further stated that you have not submitted documentation that you are a legal parent and that the association's business manager has never claimed that it will not make a difference whether you submit proof of joint custody.

Justification for the Danish Data Protection Agency's decision

Pursuant to Article 15 of the Data Protection Regulation, the data subject has the right of access to the processing of information about him / herself (own access).

The purpose of the right of access is to ensure the protection of the data subject's right to privacy. This can be done, for example, in the form of the data subject's checking the accuracy of the information with a view to a possible correction and the

need for their storage, as well as checking the legality of the processing.

The Danish Data Protection Agency is of the opinion that the rights that follow from the data protection rules, including the right of access, are personal, and that others in principle cannot exercise these rights on behalf of the data subject. This means, for example, that a parent alone supports and helps a child to exercise the child's rights.

After a review of the case, the Danish Data Protection Agency finds that X is not obliged to provide you with insight.

The Danish Data Protection Agency has emphasized in particular that you have requested insight into the processing of information about your daughter, and that your daughter's mother is seen to be able to exercise her rights under the data protection rules.

The Danish Data Protection Agency has further emphasized that you have not requested insight on behalf of your daughter to check the accuracy of the information, as your purpose with the insight request is only seen to be to obtain ongoing information about your daughter's dance training.

Against this background, the Danish Data Protection Agency finds that X has not acted in violation of Article 15 of the Data Protection Regulation.

The Danish Data Protection Agency has also noted that X has stated that you can log in to your daughter's member profile and add your e-mail address.

[1] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46 / EC (General data protection regulation).