

# Data Subject Access Rights @ Digidentity

Manage your Personal Data

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## Revisions

Version	Date	Author	Changes Made (*)
2018-v1	11 May 2020	Sander Remmerswaal	Initial version
2022-v1	1 July 2022	Sander Remmerswaal	Removed DDY as processor, updated DDY branding, minor updates, added compliance section
2023-v1	21 September 2023	Sander Remmerswaal	Added information on all access rights

(\*) All changes are marked in grey highlight.

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## Introduction

The Regulation (EU) 2016/679 – General Data Protection Regulation (GDPR) defines the rights of the data subject. A data subject is a natural person whose personal data is processed. In articles 15 to article 22, the rights of the data subject are defined.

The data subject has the right to:

- \* Access to personal data (article 15)
- \* Rectification of personal data (article 16)
- \* Erasure of personal data (article 17)
- \* Restriction of processing (article 18)
- \* Notification in case of rectification, erasure and restriction of processing (article 19)
- \* Portability of personal data (article 20)
- \* Object to process personal data (article 21)
- \* Not to be subject of automated processing including profiling (article 22)

Digidentity processes personal data based on a contractual agreement between the data subject (customers) and Digidentity (controller). Based on the processing of personal data in the contract, the rights defined in article 18 (restriction), article 20 (portability), article 21 (objection) are not applicable as Digidentity cannot provide the service as defined in the contract. Digidentity does use automated processing when customers register for a service but does not use automated processing for purposes such as profiling.

In this document, the procedure for the data subject rights for access, rectification, erasure, notification, portability, objection and object to automated processing is defined.

When Digidentity processes personal data as a processor on behalf of a controller, data subject access right can be executed by contacting the controller.

## Right to access personal data (Article 15)

The data subject has the right to access their own personal data that Digidentity processes. The data subject can access personal data in their account and may access this information by logging into their account (my.digidentity.eu) or via the Digidentity Wallet (mobile app) with two-factor authentication. The process of logging in with second factor authenticator provides Digidentity a level of assurance that the access request is by the rightful data subject. The account shows all personal data processed by Digidentity.



Figure 1 - Account Activity - More details

### Activity Details

Details of your latest account activity

On this page you can see the recent activity of your account. If there is activity on your account that you do not recognise, please report it to [our service desk](#) immediately. You can download this data for your own administration. If you require more information on the data that we store, please see [Privacy Statement](#) or contact us at [privacy](#).

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⦿	11:39	Successfully authenticated
⦿	11:39	Logged in to My Digidentity with a smart card
⦿	11:39	Logged in to Unknown
⦿	10:58	Successfully authenticated
⦿	10:58	First periodic login
⦿	10:50	Successfully authenticated
⦿	10:50	First periodic login
⦿	10:45	Successfully authenticated
⦿	10:45	First periodic login
⦿	10:43	Successfully authenticated

[Next](#)

Download details

Figure 2 - Activity Details - Download details

A download function is available in my.digidentity.eu for the data subject to download all personal data in a .html file. The generated .html file will be download via a secure channel to the data subject. If a data subject has contact with the Digidentity Service Desk via chat, a transcript of the chat is sent to the data subject after the chat has ended.

## Right to rectification of personal data (Article 16)

The data subject has the right to rectify their own personal data. The data subject is able to rectify personal data in their profile. The data subject should log into their profile ([my.digidentity.eu](https://my.digidentity.eu)) with two factor authentication. The process of logging in with second factor authenticator provides Digidentity a level of assurance that the rectification request is by the rightful data subject. The profile shows all personal data processed by Digidentity.

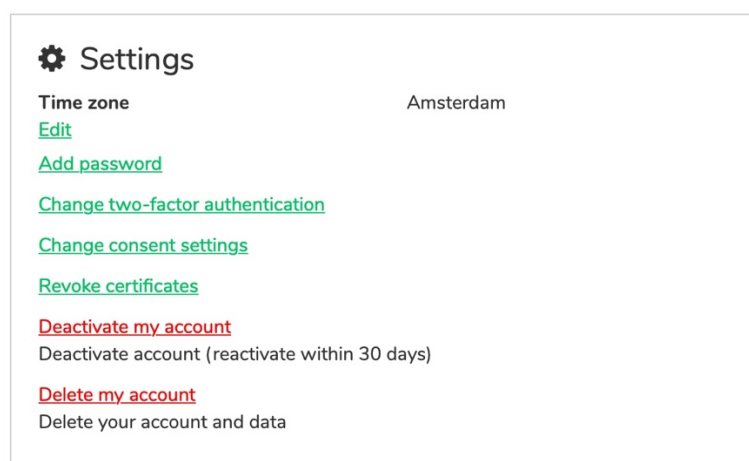
The data subject can rectify personal data in their profile. Digidentity will request evidence of rectified data to verify the data is correct and valid. This will result in reidentification of the data subject to verify updated personal data.

A notification of the rectification will be sent to the email address in the data subject profile (defined in GDPR article 19).

## Right to erasure of personal data (right to be forgotten) (Article 17)

The data subject has the right to erase their own personal data. The data subject is able to erase personal data in their account. The data subject should log into their account ([my.digidentity.eu](https://my.digidentity.eu)) with two factor authentication. The process of logging in with second factor authenticator provides Digidentity a level of assurance that the deletion request is by the rightful data subject.

A delete function is available for the data subject to delete the account and all personal data held by Digidentity (retention period permitting). Pressing the delete button in the account will require an authentication to confirm deletion and log the request in our systems. A notification will be sent to the data subject confirming deletion of the personal data (after which the email address is deleted) (defined in GDPR article 19).



*Figure 3 - Delete account option in my.digidentity.eu*

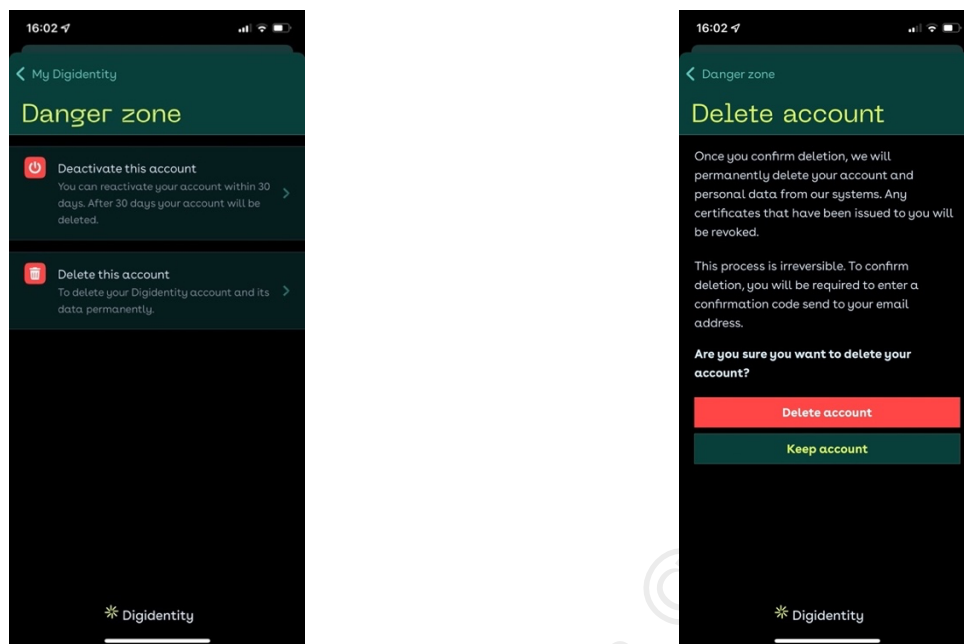


Figure 4 - Delete account option in Digidentity Wallet

## Restriction of processing (article 18)

Digidentity processes personal data only for the purpose of delivering the product to the data subject.

A data subject can request restriction of processing personal data when:

- [1] the accuracy of the personal data is contested by the data subject
- [2] the processing is unlawful
- [3] the controller no longer needs the personal data
- [4] the data subject has objected to processing of personal data in accordance with Article 21

Digidentity only uses personal data that has been verified using authoritative sources as evidence. Contesting the accuracy of the personal data would contest the accuracy of the evidence provided such as government issued identity documents. If the data subject wants to restrict the processing of personal data, the data subject can delete their account including all personal data.

In the event the data subject requests restriction of processing their personal data by deleting the account, Digidentity can no longer deliver the product to the data subject.

## Notification in case of rectification or erasure (article 19)

Digidentity will notify the data subject by e-mail when personal data is rectified by the data subject and the updated personal data is verified (evidence is provided).

Digidentity will notify the data subject by e-mail in the event the account containing personal data is deleted by the data subject or when the account is automatically deleted according to the retention policy (see Privacy Statement on <https://www.digidentity.eu/documentation>).

## Portability of personal data (article 20)

The data subject (end-user) can download all personal data in my.digidentity.eu. The generated file will be download via a secure channel to the data subject.

## Object to process personal data (article 21)

The data subject can object to the processing of personal data. As Digidentity only processes personal data required for the product the data subject requires, Digidentity cannot deliver the product(s) when the data subject object to processing of personal data.

Objecting to processing of personal data is possible by not accepting the terms and conditions or deleting the data subject account in my.digidentity.eu.

## Not to be subject of automated processing (article 22)

Digidentity does use automated decision making during the identification process for several products. The automated decision making is necessary for entering into, or the performance of, the contract between the data subject and Digidentity (article 22, 2.a) therefor objection to automated processing does not apply.

Digidentity does not process personal data for profiling.

## GDPR Compliance

Digidentity has implemented technical and organisational controls to protect personal data of customers. In case of an incident, the account holder will be informed. Digidentity is audited annually by independent auditors and government supervisory bodies to verify compliance to GDPR.

Digidentity protects personal data and has implemented a management system for security and privacy which has been certified against ISO27001:2013, ISO27017:2015, ISO27018:2019 and IS27701:2019 (<https://www.digidentity.eu/certifications>).

Digidentity is Privacy (GDPR) Certified by ICT Recht ([www.ictrecht.nl](http://www.ictrecht.nl)). ICT Recht is an independent legal advisory firm specialised in privacy law and regulations ([www.privacyverified.nl/en/company-certification/](http://www.privacyverified.nl/en/company-certification/)).

