

Summary Final Decision Art 60

Complaint

EDPBI:IE:OSS:D:2020:159

Background information

Date of final decision:	11 November 2020
Date of broadcast:	11 November 2020
LSA:	IE
CSAs:	All SAs
Legal Reference:	Right of access (Article 15), Transparent information, communication and modalities for the exercise of the rights of the data subject (Article 12)
Decision:	Reprimand
Key words:	Reprimand to controller, Data subject rights, Right of access

Summary of the Decision

Origin of the case

The data subject submitted an access request to the controller. The data in question was personal data relating to that person. The data subject then complained that the controller failed to comply with this request within the statutory timeframe.

Findings

The LSA considered that the controller failed to provide the copy of the personal data to the complainant within one month of the request and failed to provide an information on action taken on the request. The LSA established that the controller infringed, respectively, Article 15 GDPR and Article 12.3 GDPR.

The LSA found that the controller put in place certain remedial measures. The controller placed a notice on its website page where its contact numbers are located notifying users of this 90 day retention period for call recordings. The controller also put in place measures to ensure that an access request will not be overlooked due to human error.

Decision

In the light of the extent of the infringements, the LSA issued a reprimand to the controller.