

Summary Final Decision Art 60

Complaint

EDPBI:BE:OSS:D:2022:317

Violation identified ; Compliance order

Background information

Date of final decision:	17 January 2022
Date of broadcast:	19 January 2022
LSA:	BE
CSAs:	SK, EE, IE, IT, SE
Legal Reference(s):	Article 17 (Right to erasure ('right to be forgotten')), Article 12 (Transparent information, communication and modalities for the exercise of the rights of the data subject)
Decision:	Violation identified, Compliance order
Key words:	Right to erasure, Exercise of data subject rights

Summary of the Decision

Origin of the case

The data subject complained about the failure of the data controller to comply with the data subject's request for erasure of personal data. After several requests, the data controller confirmed that the data subject's account had been deleted, but the data subject's realised that the erasure request had not been fully complied with and the data subject's name was still present on the data controller's website.

Findings

On the basis of its investigation, the LSA established that the data subject had exercised the right to data erasure pursuant to Article 17.1 GDPR and this request was well-grounded, but the data controller had not fully complied with it. In particular, the complainant's name and surname still appeared on the data controller's website.

Decision

The LSA concluded that the data controller had committed an infringement of the provisions of the GDPR, which justified ordering the data controller to comply with the data subject's request to exercise their rights, in particular the right to erasure (Article 17.1 of the GDPR), and to proceed with the erasure of the personal data concerned.