



# Rights of Individuals Under the GDPR

The GDPR provides enhanced rights for individuals. Below we summarize the general principles companies must follow when interacting with individuals and we identify the specific rights granted to individuals under the GDPR. We also suggest some practical steps to assist your company's compliance with this portion of the GDPR.

## General Principles

Your information and communications with individuals must be **concise, transparent, intelligible, accessible and in clear/plain language.**

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Rights can be exercised **free of charge**, unless manifestly unfounded/excessive.

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You must respond to requests and provide information promptly and generally, **within one month** (exemptions may apply).

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## Individual Rights

**Right of access to personal data.** An individual has the right to access personal data held by an organization.

**Right of rectification.** An individual has the right to request the correction of personal data held by an organization to the extent that it is inaccurate or incomplete.

**Right to data portability.** An individual has the right (in certain circumstances) to obtain personal data in a format to allow them to transfer it from one organization to another.

**Right to withdraw consent.** An individual has the right to withdraw consent at any time, and the process to withdraw consent must be as easy as the process to give consent.

**Right to object.** An individual has the right to object to processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling). This right also applies to direct marketing and processing for purposes of scientific/historical research and statistics.

**Right to restrict processing.** An individual has the right (in certain circumstances) to "block" or suppress the processing of their personal data.

**Right to object to automated decision making (including profiling).** An individual has the right (in certain circumstances) to object to automated decisions (including profiling) based upon the processing of personal data and request human involvement.

**Right to erasure/to be forgotten.** An individual has the right (in certain circumstances) to request the deletion of personal data where there is no compelling reason for its continued processing.

**Other rights:** An individual has the right to: *complain to the data protection regulator; judicial remedy against a controller/processor; representation (by consumer bodies/watchdogs); and compensation from controller/processor.*

**Notification of rectification, erasure or restriction.** If an individual asks you to erase personal data, restrict processing, or rectify incomplete or inaccurate personal data, you must notify any other organizations who you disclose the individual's personal data to (unless this is impossible or involves disproportionate effort).

## Practical Steps

**1 Review, create and/or update protocols for dealing with individual rights.** Ask and answer questions such as: Can we respond to requests within a month? Will we need any assistance from our processors?

**2 Ensure existing and new internal systems (HR, IT, etc.) are designed to give effect to and comply with these rights.** Ask and answer questions such as: Do we have the ability to correct data? What is the process if an individual requests a copy of their data?

**3 Review and update your existing communications with individuals.** Ask and answer questions such as: Are our public facing policies (e.g., privacy policies) and communications concise, transparent, intelligible, accessible and in clear/plain language?

## Contact Us

If you have any questions about the guidance above or for additional information on the GDPR, contact [Matt Harris](mailto:matt.harris@wbd-uk.com) at +44 2380 20 8146 or [matt.harris@wbd-uk.com](mailto:matt.harris@wbd-uk.com) or [Orla O'Hannaidh](mailto:orla.ohannaidh@wbd-us.com) at 919.484.2339 or [orla.ohannaidh@wbd-us.com](mailto:orla.ohannaidh@wbd-us.com), or any member of our [GDPR Compliance Task Force](#).