

GDPR-Reality Check on the Right to Access Data

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Introduction

- Loyalty programs such as Payback over **29 million active cards** in Germany
- The exact algorithms for targeted advertising remain a **business-secret**
- The European Union has deployed the **General Data Protection Regulation (GDPR)** for granting customers new rights to review and manage their personal data two main questions need answering

- 1) How must companies design the process of claiming personal data
- 2) How must the data archives be provided, presented and explained to customers?

Method

- Our participant pool consisted of 13 participants (9f, 4m) with an average age of approximately 35. **Our empirical explorative study consists of three parts:**
 - 1) **Some demographic questions** on their tech-affinity as well as attitude and experience regarding data protection.
 - 2) **semi-structured interviews** about usage of Payback Cards, customer data collection by companies and how data information practices according to article 12 and 15 GDPR can be implied to serve them best.
 - 3) **Observation of the participants**, as they claimed their data from Payback and evaluation of the process and the results either in a feedback session.

Discussion

- Payback data directory **does not indicate the individual items** that have been purchased.
- The participants stated **they could not believe the Payback data takeouts**.
- Payback **does not provide any information regarding profiling** or classification itself.
- Since the Payback business model basically relies on selling personalized advertising, the **processing and analysis of the collected data by design would be necessary**. Noticeably, some of the participants were not aware of this fact.

Conclusion

- Data takeouts should deliver **more detailed information** and provide data subjects with the purpose of data collection to prevent mistrust.
- **Compliance checking** by an independent organization seems to be necessary for enterprises.
- **Users need to be informed** about their rights and the meaning of transparency to be able to judge if GDPR is a successful approach toward gaining more data protection or not.

"Now you want to know which data they exactly have and what they do with it, but you should continue using their service, because you don't have any other choice. I don't think I want this right at all." (P6)

"I expect from the law that there is an institution somewhere that can check that there will be a penalty if they don't abide by the regulations." (P3)

GDPR can lead to problems in many areas, which actually do nothing wrong with the data. but are imposed with additional bureaucracy and suddenly have to deal with these IT issues."(P1)

"I would imagine that somewhere on Payback's website there is a contact person whom I would contact and request to access the data." (P1)

"Data access would be transparent if users would get some information about the data collected at regular intervals, not only on their active demand." (P7)

"They probably use the data for advertising purposes." (P12)



<https://bequemling.de/perfekte-antwort-auf-die-payback-karte-frage/>

