

Answers



Concepts

Question 1

You might run out of data on your phone. But what does data really mean?

1a. The pupils must pick all the right answers. The question has two right answers.

1b. The right answer(s)

- It is the information sent to and from your computer or phone
- Data is all kinds of information regardless of the format

1c. Comments

This question is intended to give the pupils an overall understanding of what the concept of 'data' covers.

The Danish Data Protection Agency notes that the word 'data' is generally used for all kinds of information regardless of format. The answer: *'It is the information that is sent to and from your computer or phone'* has therefore been chosen to make the example more tangible for the pupils.

Question 2

What protects information about you if you and your friends make a story on Snapchat?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- The data protection rules

1c. Comments

This question asks the pupils to identify the rules that protect their personal information.

Question 3

Click on one type of personal data at a time and select the right category.

1a. The pupils must place the personal information in the right category.

1b. The right answer(s)

- Race, health, religion = Sensitive information
- Family matters, photo, e-mail = Non-sensitive information

1c. Comments

This question asks the pupils to distinguish between various categories of personal data. The example is based on 'non-sensitive' information and 'sensitive information' (special categories of personal data).

The Danish Data Protection Agency notes that the example is based on the information that e.g.: 'photo' is an ordinary photo and thus not a photo that contains information covered by Article 9(1).

Question 4

Joseph uploads a video of himself and some friends on YouTube. Who is the data subject?

1a. The pupils must pick the right answer. This question has one right answer.

1b. The right answer(s)

- Everyone in the video

1c. Comments

The question teaches the pupils what is meant by 'the data subject' in terms of data protection law. 'The data subject' means an identified or identifiable natural person. An identifiable natural person means a natural person who can be identified directly or indirectly under Article 4(1) of the General Data Protection Regulation.

Question 5

Camilla's football club processes information about her. Which role does the football club have?

1a. The pupils must pick the right answer. This question has one right answer.

1b. The right answer(s)

- Data controller

1c. Comments

The question teaches the pupils who 'the data controller' typically is in terms of data protection law.

Article 4(7) of the General Data Protection Regulation defines data controller as a natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the data controller or the specific criteria for its nomination may be provided for by Union or Member State law.

Question 6

Camilla's football club is the data controller. What does that mean?

1a. The pupils must pick a statement and click true or false. The question has two true statements.

1b. The right answer(s)

- They are responsible for protecting her data = true
- They are responsible for complying with all rules relating to Camilla's personal data = true

1c. Comments

This question teaches the pupils what it means when someone is the data controller, including that it is the data controller who must comply with the data protection rules and thus ensure that the data subject's personal data is processed according to the data protection rules.

Question 7

What is a cookie?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- It is a small data file that collects your digital whereabouts when you are online.

1c. Comments

This question asks the pupils to identify what is meant by 'cookie' in terms of data protection law and teaches them that a cookie collects information about you.

The Danish Data Protection Agency refers to preamble no. 30 of the General Data Protection Regulation, which specifies that: *'Natural persons may be associated with online identifiers provided by their devices, applications, tools and protocols, such as internet protocol addresses, cookie identifiers or other identifiers such as radio frequency identification tags. This may leave traces which, in particular when combined with unique identifiers and other information received by the servers, may be used to create profiles of the natural persons and identify them.'*

Question 8

What does consent mean?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- You give someone permission to do something

1c. Comments

This question teaches the pupils that the concept of 'consent' in terms of data protection law basically requires an action and that it is something you permit someone else to do (and thus not something others can do on your behalf).

The Danish Data Protection Agency notes that the question about when a child can give a valid consent in terms of data protection law must be assessed individually based on the maturity of the individual child. This means that it must be assessed in each case whether the individual child is capable of understanding and foreseeing the consequences of his/her consent.

The question applies a highly simplified concept of consent and reference is made to Article 4(11) and Article 7 of the General Data Protection Regulation for the correct data protection law definition and for the specific provisions of when a consent constitutes a valid basis for processing under the regulation.

Furthermore, the Danish Data Protection Agency refers to preamble no. 38 of the General Data Protection Regulation, which specifies that children merit special protection with regard to their personal data, as they may be less aware of the risks, consequences and safeguards concerned and their rights in relation to the processing of personal data. Such specific protection should, in particular, apply to the use of personal data of children for the purposes of marketing or creating personality or user profiles and the collection of personal information with regard to children when using services offered directly to a child (e.g. Snapchat). In this respect, the Danish Data Protection Agency notes that in this context a valid consent can – according to Danish law - only be given if the child is 13 years old, unless consent can be obtained from the holder of parental responsibility. Reference is made to Article 8 of the regulation as well as Section 6(2)-(3) of the Danish Data Protection Act.

Question 9

Select the right and description that belong together.

1a. The pupils must combine a right with the correct description of the right.

1b. The right answer(s)

- Right of access + You have the right to see your personal data handled by the data controller = match
- Right to be informed + You have the right to know which of your information is being processed = match

- Right to erasure + You have the right to have your personal data deleted = match
- Right to rectification + You have the right to have inaccurate information about you corrected = match

1c. Comments

This question asks the pupils to distinguish between various categories of rights.

The example is based on Article 15 of the General Data Protection Regulation concerning the 'right of access', Articles 13 and 14 of the General Data Protection Regulation concerning 'information to be provided where personal data are collected from the data subject' and 'information to be provided where personal data have not been obtained from the data subject', Article 16 'right to rectification' as well as Article 17 of the General Data Protection Regulation concerning 'right to erasure'.

The Danish Data Protection Agency notes that 'the right to be informed' is not mentioned directly as a right in the regulation (contrary to the right of access, rectification and erasure), but that it is specified as a duty imposed on the data controller. Even so, for the sake of understanding, the Agency has chosen to call it 'the right to information'.

Question 10

Josef has started playing hockey. Josef's coach has collected information about Josef's name, e-mail and address. Is the coach allowed to do that?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- Yes, if he has a good reason

1c. Comments

This question teaches the pupils that a consent is not always needed to collect information. The question is therefore about the data controller being allowed to apply a different basis for processing.

In the example, the Danish Data Protection Agency assumes that the hockey coach processes the information based on point (f) of Article 6(1) of the General Data Protection Regulation. However, this has been simplified to 'a good reason'.

Question 11

Josef's older brother sends a photo to Josef. The photo shows that he has qualified as a doctor. Can Josef post the photo on Facebook?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- Yes he can. But it is a good idea to ask first.

1c. Comments

This question teaches the pupils that the data protection rules generally do not apply to private contexts. The Danish Data Protection Agency notes that according to point (c) of Article 2(2) of the General Data Protection Regulation, the regulation does not apply to processing of personal data by a natural person in the course of a purely personal or household activity.

Question 12

Camilla has allowed her football club to post a photo of her on the club's website. But now she regrets and wants it removed. Can she do that?

1a. The pupils must pick all the right answers. The question has one right answer.

1b. The right answer(s)

- Yes, you can change your mind.

1c. Comments

This question makes the pupils aware that a consent given under data protection law can always be withdrawn, see Article 7(3) of the General Data Protection Regulation.

Question 13

Today has been sports day. Your teacher has posted a photo of you and your classmates on the school's website. Is your teacher allowed to do that?

1a. The pupils must pick all the right answers. The question has three right answers.

1b. The right answer(s)

- Yes, if you have given permission
- Yes, if the school has a good reason
- Yes, if your parents have given permission

1c. Comments

This question teaches the pupils that different bases for processing exist for legal processing of personal data. In the example, the Danish Data Protection Agency assumes that the wording: 'Yes, if you have given permission' means consent as basis of processing, see point (a) of Article 6(1) of the General Data Protection Regulation. The wording: 'Yes, if the school has a good reason' refers to point (f) of Article 6(1) or point (e) of Article 6(1) of the General Data Protection Regulation as basis for processing. The Danish Data Protection Agency notes that the question of whether 'consent' can be given by a child is subject to a specific assessment of the maturity of the child. See also question 8.

It should be noted that the answer: "Yes, if the school has a good reason", only can be used if the picture is harmless. As a starting point, publishing a picture of a larger number of pupils where none of the pupils is particularly focused (e.g. if the picture shows a lot of students from a distance playing football on the school's sports field) would be to consider a harmless picture, but the data controller should always consider whether another basis for processing is better suited (for example consent).

Question 14

Camilla has a Hotmail account and wants to change to G-mail. She wants her contacts to be moved to the new account. Can she demand that?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- Yes, she can do that via data portability

1c. Comments

This question makes the pupils identify the correct right. The purpose of this question is to make the pupils aware of what they can use their rights provided by the regulation for. This relates to Article 20 of the General Data Protection Regulation. The data subject only has this right if it is technically feasible, see Article 20(2) of the General Data Protection Regulation.

Rights

Question 1

What statements are true and false about 'the right to information'?

1a. The pupils must pick a statement and click true or false.

1b. The right answer(s)

- You can get information about your parents or others who can make decisions about your life = false
- You must be notified when someone receives information about you = true
- You must be notified about what your personal data is used for = true

1c. Comments

The purpose of this question is to teach the pupils that the 'right to be informed' is a right stating that you only have a right to get information about processing being made when it is your own personal data.

The Danish Data Protection Agency refers to Articles 13 and 14 of the General Data Protection Regulation for a more detailed description of this right. Article 13 deals with the situation where information about the data subject has been collected from the data subject. Article 14 deals with the situation where information about the data subject has been collected from others than the data subject.

Question 2

Camilla is wondering why her football club has not told her what they need her personal data for. Is the football club required to do that?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- Yes, they are obligated to inform her what they are doing with her personal data without her having to ask.

1c. Comments

The purpose of this question is to teach the pupils about the data controller's duty to inform, which, conversely, involves a right for the data subject to be told what his/her information is being used for, see Article 13 of the General Data Protection Regulation.

The Danish Data Protection Agency notes that this example assumes that Camilla already is aware of information, see Article 13(4) of the General Data Protection Regulation.

Question 3

Camilla has visited a holiday resort. She participated in a competition and had to enter her information. The competition is now over. Camilla wants them to erase her personal data. Can she demand that?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- Yes, she can always write to the holiday resort and ask them to erase her information.

1c. Comments

The purpose of this question is to teach the pupils that you can ask to have your personal data erased at any time, see Article 17 of the General Data Protection Regulation.

Question 4

Camilla has stopped playing football. She wants her personal data to be erased from the club's system. Can she do that?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- Yes. If the club no longer has a good reason for processing Camilla's personal data

1c. Comments

The purpose of this question is to teach the pupils that the data controller is only allowed to keep the personal data for no longer than is necessary for the purposes for which the personal data are processed, see point (e) of Article 5(1) of the General Data Protection Regulation.

The Danish Data Protection Agency notes that the example assumes that the club's purpose for processing data is no longer relevant since the purpose for processing only existed for as long as Camilla played for the club.

Question 5

Camilla's older sister Siska has been out shopping. Siska comes home and says that the shop filmed her. Can Camilla get access to the film?

1a. The pupils must pick all the right answers. The question has two right answers.

1b. The right answer(s)

- No, she cannot.
- Camilla cannot get the video, but Siska can ask the shop to give it to her.

1c. Comments

The purpose of this question is to make the pupils understand that you can only exercise your rights if you are the data subject, which is why Camilla in this example cannot ask to get the video on her older sister's behalf. The example is based on the right of access specified in Article 15 of the General Data Protection Regulation.

Question 6

Josef finds out that his school keeps his phone number and address in the system. He does not like that. Does he have the right to have them erased?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- No, the school has a good reason to keep the information since he is a pupil at the school.

1c. Comments

The purpose of this question is to make the pupils understand that the data controller may have a basis other than consent for processing. The example assumes that the school has another basis for processing, e.g. point (e) or (f) of Article 6(1). If the data controller does not have a legitimate ground for the processing, the data subject is entitled to have his/her personal information erased, cf. point (c) of Article 17(1).

Question 7

Josef got a C in sports. He does not think it is fair. He thinks he should have had a B. Does he have the right to have the mark changed?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- No, because it is the teacher's assessment

1c. Comments

The purpose of this question is to make the pupils understand that they do not have the right to have subjective assessments rectified simply because they disagree.

Question 8

Josef is starting swimming lessons. The swimming club asks for his personal data. What should Josef do if he wants to know what they need his personal data for?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- Nothing. The club has an obligation to tell him.

1c. Comments

The purpose of this question is to teach the pupils that the data controller has an obligation to – of its own accord – to disclose what they are using the data subject's personal data for, see Article 13 of the General Data Protection Regulation.

Question 9

Josef plays Fortnite. Josef wants to know how much playtime he has? Is Josef entitled to that under the data protection rules?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- Yes, that is part of the rights of the data subject.

1c. Comments

The purpose of this question is to make the pupils identify that they have a right of access, see Article 15 of the General Data Protection Regulation. The Danish Data Protection Agency notes that the example assumes that Fortnite processes data about playtime.

Question 10

Camilla's hobby is family history research. She has found a professional website where a researcher has written Camilla's grandmother's name in the wrong family tree. Can Camilla have the name erased?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- No. But Camilla's grandmother can get the name erased, since the information is about her.

1c. Comments

The purpose of this question is to make the pupils understand that the right to erasure can only be used by the person whose personal data is being processed (the data subject). The Danish Data Protection Agency notes that the example assumes that the information is not being processed in a private context.

Question 11

Camilla is eating cereal. The package says that they are made of real chocolate. Camilla's mother says that it is not true. Can they have the information rectified if it is wrong?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- No, this is not personal data

1c. Comments

The purpose of this question is to enable the pupils to identify that the example does not involve personal data as specified in Article 4(1) of the General Data Protection Regulation, which is any information relating to an identified or identifiable natural person.

Advanced

Question 1

Camilla's mother thinks that Camilla is playing too much Candy Crush. Camilla wants to show her mother that it is not true. Can Camilla get information about her playtime under the data protection rules?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- Yes, that is the right of access

1c. Comments

The purpose of this question is to make the pupils identify that the relevant right is the right of access, see Article 15 of the General Data Protection Regulation.

Question 2

Josef's parents have posted a note on the refrigerator stating the chores that Josef has to do. Josef's name is on the list. Is that against the data protection rules?

1a. The pupils must pick all the right answers. The question has two right answers.

1b. The right answer(s)

- No. His parents are allowed to write Josef's name on the note, since it is for private purposes.
- The data protection rules do not apply in private contexts.

1c. Comments

This question teaches the pupils that the data protection rules generally do not apply to private contexts. The Danish Data Protection Agency is aware that according to point (c) of Article 2(2) of the General Data Protection Regulation, the regulation does not apply to processing of personal data by a natural person in the course of a purely personal or household activity.

Question 3

Josef finds a letter in the family's driveway. The letter has the name and address of the neighbour on it. Josef gets angry that the neighbour's information lies on the ground like that. He wants to complain to the national Data Protection Agency. How do they respond?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- You can only make a complaint if the information is about yourself.

1c. Comments

This question teaches the pupils that only the person whose information is being processed can make a complaint, see Article 77 of the General Data Protection Regulation.

Question 4

The school has a project week focusing on food. The teacher asks the children to write in a table what they cannot eat and why. Josef does not eat pork because he is a Muslim and Camilla is allergic to nuts. What kind of information is that?

1a. The pupils must pick all the right answers. The question has three right answers.

1b. The right answer(s)

- Health information
- Information about religion
- Sensitive information

1c. Comments

This question makes the pupils identify what constitutes sensitive personal information under Article 9(1) of the General Data Protection Regulation.

Question 5

Camilla is on TikTok. She uploads a video of her and her friends dancing. Do the data protection rules apply?

1a. The pupils must pick all the right answers. This question has one right answer.

1b. The right answer(s)

- Yes, because it involves processing of personal data

1c. Comments

This question makes the pupils identify that a video containing identifiable natural persons, see Article 4(1) of the General Data Protection Regulation, also involves processing of personal data.

Question 6

Josef loves ballet. His favourite ballet dancer is Valdorf Jensen and he watches many videos of him on YouTube. Josef has noticed that videos of Valdorf Jensen automatically pop up. He is wondering about that. Are Josef's online activities covered by the data protection rules?

1a. The pupils must pick a statement and click true or false.

1b. The right answer(s)

- No, YouTube is not covered by the rules because the company is located in the USA = false
- No, because YouTube is not a person = false
- Yes, because YouTube collects information about what Josef likes to search for = true

1c. Comments

This question teaches the pupils about profiling on the Internet. The concept of 'profiling' covers cases where collected information is used to make 'profiles' to predict e.g. consumption habits or future needs. However, profiling is also a special type of processing of personal information that is expressly defined in the General Data Protection Regulation as '*processing includes 'profiling' that consists of any form of automated processing of personal data evaluating the personal aspects relating to a natural person.*'

Question 7

The football club posts photos of the players on their homepage. Do they always have to ask for permission?

1a. The pupils must pick a statement and click true or false.

1b. The right answer(s)

- Yes, they must always ask for permission = false
- No. If they have a good reason, they do not need to ask for permission = true

1c. Comments

This question teaches the pupils that other bases for processing than consent exist, see point (f) of the Article 6(1) of the General Data Protection Regulation. It should be noted that the answer: "No. If they have a good reason, they do not need to ask for permission" will only be used if the image is harmless.

Question 8

The school photographer came by. A class photo was taken of 5.A. Who are the data subjects?

1a. The pupils must pick a statement and click true or false.

1b. The right answer(s)

- Only the teachers because they are adults = false
- All children in the photo = true
- The school photographer = false
- Everyone in the photo = true

1c. Legal comments

This question makes the pupils identify that the data subjects are anyone whose personal data is being processed, see Article 4(1) of the General Data Protection Regulation. It is assumed that it is a (harmless) 'situation photo'.

Question 9

Camilla loves frogs. On the Internet, Camilla reads that frogs can become up to 1 metre long and weigh up to 100 kg. She knows that it is wrong. Which right can Camilla exercise?

1a. The pupils must pick a statement and click true or false.

1b. The right answer(s)

- The right to rectification, because the information is wrong = false
- The right to erasure, because the information is wrong = false
- The data protection rules do not apply because it is not personal data = true

1c. Comments

This question makes the pupils recognise that this is not about personal information. So the data protection rules do not apply, see Article 2(1) of the General Data Protection Regulation.

Question 10

Camilla and Josef are playing Pokemon Go. A question pops up on the screen: "May we use your location?" Josef and Camilla give permission. Is location registration personal data?

1a. The pupils must pick a statement and click true or false.

1b. The right answer(s)

- Yes, when it can be attributed to a person = true
- No, because location is not personal data = false
- Yes, because everything you give permission to is personal data = false

1c. Comments

This question makes the pupils recognise that location information can also be personal data, see Article 4(1) of the General Data Protection Regulation.

Question 11

Camilla's older sister Siska has created a Snapchat account. Snapchat asks for permission to collect information about Siska's location to improve her experience. They collect the information via GPS. Is that personal data?

1a. The pupils must pick a statement and click true or false.

1b. The right answer(s)

- No, not when the information is collected via GPS = false
- Yes. It is personal data because it tells where Siska is = true
- Yes. Personal data is any information that can be attributed to a person = true

1c. Comments

This question makes the pupils recognise that location information is also personal data see Article 4(1) of the General Data Protection Regulation.