



Easily Accessible

INFORMATION

Données
& Design par **LINC**
CNIL.

Information must be **easy to access**.
the user must be able to find it easily,
whether in a digital environment or not
(information note, etc.).

The methods and techniques chosen to
make information accessible can vary,
depending on the context and interactions
with data subjects: pop-ins, tooltips,
dedicated pages, QR code, audio messag-
es, videos, display boards, paper docu-
mentation, information campaigns, etc.





Freely Given

CONSENT

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Consent must not be forced or influenced: the data subject must be offered a real choice, without suffering negative consequences in the case of refusal.

The data subject must be able to refuse the processing of their data that is not necessary for the operation of the service or product they want to use, without quality of use being negatively impacted.





Facilitating Access

RIGHTS

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When a data subject wants to exercise a right, they should **easily know to whom they should address a claim. Contact information should be easily accessible** and located in logical places, for example in the user account, in contextual information, privacy policies, FAQs, etc.





Simple & Clear

INFORMATION

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The information must be understood by most of the targeted public, expressed in clear and simple terms. This is expressed by the use of vocabulary adapted to the targeted public, short phrases and a direct style, avoiding complex legal or technical, abstract or ambiguous terms.

Special attention will be taken on this point if addressing children or vulnerable persons (eg. a patient or employee).





Specific

CONSENT

Consent must be **given for a determined purpose**. If data are used for several uses, the data subject must be able to specifically give their consent for each purpose.





Guided

RIGHTS

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Exercising a right can be an exceptional occurrence in the ordinary user journey of a service. It is thus even more important to guide them properly through a process which can appear intimidating: **proposing simple steps to make a request**, recalling the utility of rights and their results, **providing request templates**, etc. to facilitate the procedure.

Exercising a right can be **done through different means and formats chosen depending on the right and the context**.

A request related to rights can be filed in different ways: electronically (form, email, on-line accounts, etc.), paper mail...





Intellegible & Concise

INFORMATION

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Good information must be **effective and succinct**. To avoid the pitfall of information overload, it is necessary to **provide the most relevant information at the right time**. This approach of disseminating information in the user experience does not aim to replace privacy policies, but to **provide a first level of information and highlight the important characteristics of processing**.

Information related to data protection must be **kept separate from information that is not specifically linked to privacy** (eg. general terms and conditions of use), as it contributes to fair processing of data.





Unambiguous

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Consent requires a declaration or any other clear positive action from the data subject. She needs to take voluntary and active action to give her consent which demonstrates that she has really consented to the processing.

Consent is therefore not unambiguous in the presence of pre-ticked or pre-enabled boxes or an inaction (e.g. the absence of reply to an email requesting consent).





Feedback

RIGHTS

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Throughout the process, it is important to ensure that the data subject is informed about the status of her request.

She should be regularly informed about the effective reception of their request or on any decisions taken regarding it, in an accessible format, corresponding to the one used to contact the controller.





At the time

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Information must be given at the time of data collection or when a change in processing occurs.





Informed

CONSENT

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Providing information to the data subjects before obtaining their consent is necessary to allow them to take decisions with full knowledge of the facts, to understand what they are consenting to and to know how to withdraw their consent. If the controller does not provide accessible information, the user's control over her data may be insufficient.

The user must in particular know who is providing the service (data controller), the purposes of processing, the categories of collected data, the right to withdraw consent, etc.





Tracking

RIGHTS

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To provide a data subject with good continuity in the exercise of their right, and should they dispute the decision taken and refer it to a protective authority, it is recommended to allow the data subject to easily track their claim procedure. A system for printing or archiving requests, or downloading exchanges may for instance be set up.





Prior to processing

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Consent is gathered prior to processing and can be withdrawn at any time without deteriorating the service.

Consent guarantees that data subjects have strong control over their data. Always associated with an obligation to inform, consent allows data subjects to understand what will be done with their data, to choose without restriction whether to accept its processing or not and to freely change their minds afterward.





The 7 rights

RIGHTS

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GDPR provides data subjects with **up to seven rights**:

- The right of access;
- The right to rectification;
- The right to object;
- The right to erasure;
- The right to restriction of processing;
- The right to data portability;
- The right to human intervention.





Information to provide

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In any case, the following information have to be provided:

- Contact details of the controller and of the DPO, where applicable
- Purpose of processing
- Legal basis for processing
- Recipients of the personal data
- Storage period of the personal data
- Data subject rights (access, rectification, erasure, restriction of processing);
- Information on the right to fill a complaint to a data protection authority;

According to the context of processing, other information might be needed (eg. data transfer outside the UE).

