

RIGHT TO OBJECT

THE RIGHT TO OBJECT is one of 8 rights in the General Data Protection Regulation (GDPR). The GDPR comes into force in the UK on the 25th May 2018. Along with the new Data Protection Bill, the GDPR is the biggest shake up of data protection law in the UK since 1998.

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What is the right to object?

The right to object is:

- your right to tell an organisation or business who are using your personal data to stop.
- important because it gives you some control over who can use your data and why.

If you **don't agree** with how your data is being used you now have the right to prevent it being processed and used any further.

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When can I object?

You **cannot** make a general objection to your data being processed.

You **can only object** to your data being used for specific purposes.

There are **three** types of data processing you can object to:

- when your data is being used by an official authority, for a legal purpose or in the public interest.
- when your data is being used for scientific, historical or statistical research.
- your data is being used for direct marketing.

All these types of processing include the right to object if you believe your data is being used to create a profile of you (see our [Automated Decision Making and Profiling Factsheet](#)).

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Objecting to data being used for official or research purposes

You **will need to** clearly demonstrate what your particular situation is and what your reasons are if you wish to object to your data being used for:

- an official or legal purpose.
- scientific, historical or statistical research.

The **organisation** will need to prove to you that your data is needed for a legitimate purpose such as:

- It is necessary in the public interest.
- It is necessary in an official capacity.
- It is necessary for a legal purpose.

The **data controller** (the person at the organisation responsible for data protection) will then decide whether your concern about how your personal data is being used outweighs the purpose they are using it for.

There is **no guarantee** that your objection will be approved.

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Objecting to data being used for direct marketing purposes

If you **object** to your personal data being used to send you direct marketing you will not need to explain your reasons why.

As soon as you raise an objection the organisation, business or company must stop processing and using your data immediately and investigate your concern.

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How will you know you have the right to object?

Official and legal organisations must inform you that you have the right to object.

Direct marketing companies must tell you your personal data is being used and that you have the right to object.

Any online service will need to make clear on the website that you have the right to object. They must provide an automated way for you to raise an objection by making clear who you can contact and/or provide an online form for you to complete to raise your objection.

Researchers and statisticians do not need to tell you your data is being used, which makes objecting more difficult.

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Why is the right to object important?

The right to object gives you a little more control over how your personal data is used.

Because direct marketing can be very intrusive it is helpful to know you can say no.

Using the right to object will help you to stop companies target adverts or services to you based on your lifestyle, personality, characteristics or other personal information.

Objecting to data being used for research purposes can be important if you are in a vulnerable position or are concerned that the research may lead to a negative outcome.

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Don't forget

- Only direct marketing companies have to immediately stop processing your data if you object.
- Research and statistical organisations do not have to inform you of your right to object.
- If you object to a legal or official use of your data you will need to explain why.
- The right to object is important if you believe a company is profiling you for direct marketing purposes.