

Procedure for Accommodation of Inquiries

Introduction

This procedure describes how Xcelgo A/S complies with GDPR laws to accommodate the users right to insight into- and access to their own personal data when such an inquiry is made.

Each of the established rights has specific conditions and challenges for Xcelgo A/S in regard to accommodating them and doing so within the time limit.

In some instances, Xcelgo A/S must consider whether to accommodate an inquiry. This procedure establishes the considerations which should factor into the decision-making process.

Procedure for accommodation of inquiries

General Guidelines

The following general guidelines applies to all types of inquiries based on article 12 in GDPR:

1. The Inquirer has a right to be given information in a concise, transparent and readable language.
2. The information can be given orally, by post, digitally or by other means.
3. The inquirer can request information orally (over the phone or face-to-face) as long as there is no doubt as to their identity.
4. Xcelgo A/S must not accommodate an inquiry unless the inquirer is able to prove their identity.
5. If there is doubt about the identity of the inquirer, additional information will be requested.

6. Xcelgo A/S must accommodate inquiries without unnecessary delay and no later than a month after the reception of the inquiry.
7. The answering time can be prolonged with an additional two months if the inquiry has a high level of complexity or pertains to a large amount of information. The inquirer must be informed of any delay as well as the reason for it no later than a month after the inquiry has been placed.
8. If Xcelgo A/S decides not to accommodate the inquiry, the inquirer must be informed immediately and no later than a month after the inquiry has been made. The inquirer must be informed of the cause of this decision as well as their right to complain to the [Datatilsyn](#).
9. Inquiries are accommodated without payment unless the inquiry is “*manifestly unfounded or excessive*” (GDPR article 12). Xcelgo A/S will in such cases charge a reasonable fee or reject the inquiry.

Please see the precise wording of GDPR article 12 if any further clarification is necessary.

Necessary steps in the procedure

The individual steps in the inquiry procedure are elaborated in the table below.

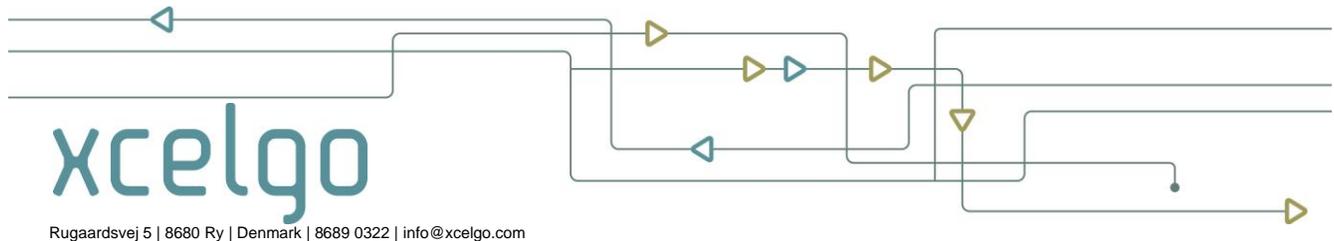
Step	Description	Responsible
Inquiry received	The inquirer sends an inquiry along with personal ID using the request form available on Xcelgo.com. The inquiry can also be placed via mail, phone or personal attendance. However, it is important that the inquirer can identify themselves and that Xcelgo A/S can document this subsequently.	
Confirm identity of the inquirer	The identity of the inquirer should be confirmed via an approved method, preferably in connection with the submission of the request form.	

	If the identity cannot be confirmed, the inquirer will be asked to give additional information. If the identity of the inquirer still cannot be confirmed, the inquiry will be rejected. The inquirer will be informed of the reason for this.	
Assess the validity of the inquiry	Assess if the inquiry is “ <i>manifestly unfounded or excessive</i> ”. If this is the case, Xcelgo A/S will either reject the inquiry or charge a reasonable fee to process the inquiry.	
Fees for inquiry	The inquirer must be informed before a fee is charged and given the chance to cancel the inquiry.	
Collect relevant information	The type of inquiry will decide which relevant information will be collected. This might include planning of how the requested action will be performed. The inquirer must be informed if it takes more than the permitted month to accommodate the inquiry (at most two additional months) as well as the reasons why.	
Fulfill the inquiry	The requested action will be performed and the wanted information will be delivered to the inquirer electronically or by other methods if this is preferred.	
Save the case on a secure server	The case information will be saved on a secure server and erased when there is no longer any need to save it.	

Table 1 – Procedure steps

Withdrawal of consent

The user has the right to withdraw their consent in any case where the legal authority for the processing is consent (This means where the processing is not based on another legal authority allowed under GDPR such as a contract or legitimate interest). Any



accommodation of an inquiry will thus begin with an assessment of whether consent is the legal authority for the processing of personal information. If this is not the case, the inquiry will be rejected based on the reason that the processing does not require the user's consent.

The right to be informed

When personal data is collected from a user or another source the user has the right to be informed of the purpose of data collection as well as their rights to their own data. Compliance with this is described in the document *Procedure for preparation of confidentiality statements* which also states which information the user must receive as well as how and when they must receive them.

Right to insight

A user has the right to know which of their data Xcelgo A/S processes, Gain access to said data and receive the following information:

1. The purpose of the processing
2. The type of personal data which is processed
3. If their data is shared with third parties and in this case who
4. If data is transferred to any third country or international organization, the user must receive information on security measures
5. How long personal data is stored (and the criteria for determining this period)
6. Where the personal data is collected from, if it is not collected directly from the user
7. If personal data is processed automatically, including profiling, and if so, the logical and potential consequences for the user

Right to rectification

The user has the right to request rectification if any of their personal data is incorrect. This rectification will be based on information the user delivers themselves. If necessary, Xcelgo A/S must validate the information given by the user before the data is corrected.

Right to erasure

Also known as the 'right to be forgotten'. The user has the right to demand that Xcelgo A/S deletes all personal information about them without undue delay if any of the following applies:

1. Personal data is no longer necessary for the purpose for which it was collected
2. The user withdraws their consent and there is no other legal ground for the processing of their data
3. The user objects to the processing of their personal data and there is no other legal ground for the processing
4. The personal data has been processed illegally
5. Personal data must be deleted to comply with a lawful obligation
6. If the personal data was only relevant for the user when they were a child

Xcelgo A/S must make reasonable efforts to ensure the erasure, if the personal data has been published by Xcelgo A/S.

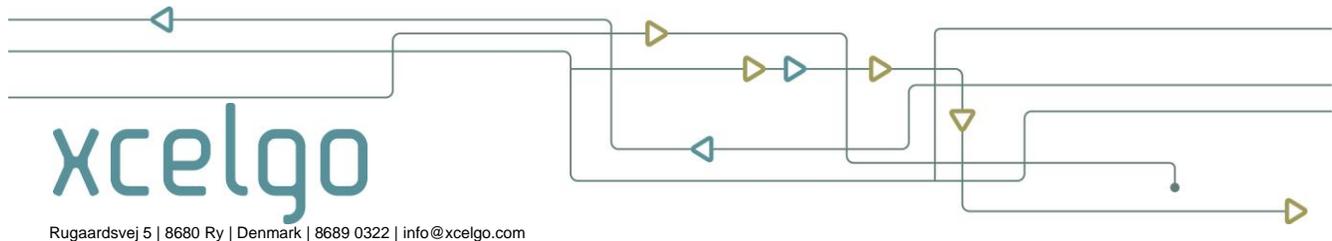
Xcelgo A/S must in every individual case assess whether the inquiry should be rejected based on the following:

1. Exercising the right to free speech and freedom of information
2. Compliance with lawful obligation
3. Consideration of societal interests in the field of public health
4. Archive purposes in the interest of the general public

Right to restriction of processing

The user has a right to restriction of processing of their personal data, if one of the following applies:

1. The accuracy of personal data is disputed by the user. The restriction applies until Xcelgo A/S has had the chance to establish if the personal data is correct.
2. The processing is illegal and the user objects to erasure of their personal data, instead requesting restriction of the processing.



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3. Xcelgo A/S no longer needs the personal data, but they are required for legal actions
4. A decision on objection to the processing is awaited

When the restriction of processing has been seen through, the data can be saved but not processed without the consent of the user unless there are legal reasons to do so (in which case the user must be informed). Any third party who processes the data on behalf of Xcelgo A/S must also be informed of the restrictions.

Right to data portability

The user has a right to request their personal data be available to them in a *'structured, commonly used and machine-readable format'* (GDPR article 20) and that the data be transferred to a third party if technically possible.

This only applies to personal data for which the legal basis is consent or contract as well as when the processing is automated.

The user can request that their personal data be transferred directly from Xcelgo A/S systems to another provider if possible.

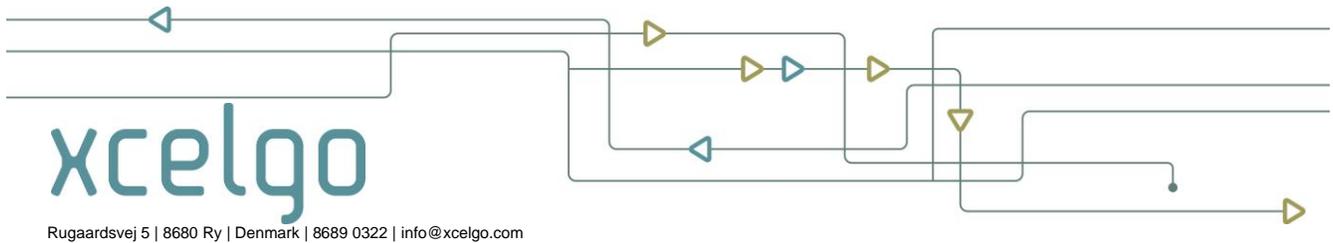
Right to object

The user has the right to object to processing based on the following legal ground at any time:

1. Implementation of assignments in the interest of the general public or under the exercise of public authority which Xcelgo A/S is encompassed by
2. Xcelgo A/S legitimate interests

When an objection has been received, Xcelgo A/S must justify which legal ground the processing is based on and restrict the processing until this has been done.

When the personal data is used for direct marketing purposes, Xcelgo A/S has no other choice than to stop processing the data.



Rights in relation to automated decision-making and profiling

The user has a right to not be the subject of an automated decision-making process where the decision will affect them considerably. The user may insist on a manual/human assessment if relevant.

The user has a right to express their point of view and contest decisions.

There are exceptions to this right if the processing is:

1. Necessary for the fulfillment or conclusion of a contract
2. Statutory
3. Based on the users express consent