



What You Need to Know About Addressing GDPR Data Subject Rights in Ulrichsweb™

Version 1.1



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Disclaimer

This paper is based on Ex Libris' understanding of certain requirements of the GDPR. However, the application of the requirements of the GDPR is highly fact specific, and many aspects and interpretations of GDPR are not well-settled.

As a result, this paper is provided for informational purposes only and should not be relied upon as legal advice or to determine how GDPR might apply to you and your organization. We encourage you to work with a qualified legal professional to discuss GDPR, how it applies specifically to your organization, and how best to ensure compliance.

Introduction

On May 25, 2018, a new privacy law called the General Data Protection Regulation (GDPR) takes effect in the European Union (EU). It replaces the Data Protection Directive (Directive"), which has been in effect since 1995. While the GDPR preserves many of the principles established in the Directive, the GDPR gives individuals greater control over their personal data and imposes many new obligations on organizations that collect, handle, or process personal data.

Ex Libris is committed to GDPR compliance across all of our products and services. We have closely analyzed the requirements of the GDPR, and our engineering, product, security and legal teams have been working to align our procedures, documentation, contracts and services to support compliance with the GDPR. We also support our customers with their GDPR compliance journey with our strong foundation of certified security and privacy controls.

The name "Ulrichsweb" refers to the hosted software products known individually as Ulrichsweb™ and Ulrich's™ Serials Analysis System (an add-on module of Ulrichsweb).

This paper describes tools and capabilities built into Ulrichsweb that can assist your organization in addressing data subject rights and requests as a *controller* under the GDPR of personal data processed in Ulrichsweb.

Definitions

Personal Data means any information relating to an identified or an identifiable natural person (**Data Subject**); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person.

Controller means the 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 controller or the specific criteria for its nomination may be provided for by Union or Member State law. With respect to the use of Ulrich's Services, the customer is the **controller**.

Processor means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller. With respect to the use of Ulrich's Services, Ex Libris is the **processor**.

Data Subject is an identified or an identifiable natural person to whom personal data relates (e.g., library patrons and library staff).

As you read through this paper, keep in mind that your compliance with the GDPR involves your role as the **controller** and Ex Libris as the **processor**.

Summary of Data Subject Rights

The rights of data subjects provided by the GDPR include the following:

1. ***Right to be Informed (Article 13, 14 GDPR)***

The right to be informed encompasses your obligation to provide '*fair processing information*', typically through a privacy notice. It emphasizes the need for transparency over how you use personal data.

2. ***Right of Access (Article 15 GDPR)***

Under the GDPR, individuals have the right to obtain:

- Confirmation that their data is being processed
- Access to their personal data; and
- Other categories of information - some of which should be provided by the controller in a privacy notice (see Article 15).

3. ***Right to Rectification (Article 16 GDPR)***

Individuals are entitled to have their personal data rectified if it is inaccurate or incomplete without undue delay. If you have disclosed the personal data in question to third parties, you must inform such third parties of the rectification unless this proves impossible or involves disproportionate effort. You must also inform the individuals about the third parties to whom the data has been disclosed where requested.

4. ***Right to Erasure (Article 17 GDPR)***

This right is also known as the *Right to be Forgotten*. It enables an individual to request the deletion or removal of personal data where there is no compelling reason for its continued processing.

Individuals have the right to have their personal data erased and to prevent further processing of their personal data in specific circumstances delineated in the GDPR, such as:

- Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed.

- When the processing was based on consent, and the individual has now withdrawn their consent.
- When the individual objects to processing and there are no overriding legitimate grounds for continuing the processing.
- The personal data was unlawfully processed.
- The personal data has to be erased in order to comply with a legal obligation in Union or Member State law to which the controller is subject.

There are circumstances described in the GDPR where the right to erasure may not apply and a controller can resist a request for erasure.

5. *Right to Restrict Processing (Article 18 GDPR)*

When this right is exercised you are permitted to store the personal data but not further process it. The *Right to Restrict Processing* applies in the specific circumstances set forth in the GDPR, including:

- Where an individual contests the accuracy of the personal data, then processing should be restricted for a period enabling the controller to verify the accuracy of the personal data.
- When processing is unlawful and the individual opposes erasure and requests restriction instead.
- If you no longer need the personal data but are required by the individual to establish, exercise or defend a legal claim.
- Where an individual has objected to processing for reasons specified in the GDPR, pending the verification whether the legitimate grounds of the controller override those of the individual.

6. *Right to Data Portability (Article 20 GDPR)*

This right allows individuals to receive the personal data the individual provided to a controller in a structured, commonly used and machine-readable format and to transmit such data to another controller, without hindrance from the original controller. In exercising this right, the individual shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible.

The *Right to Data Portability* applies where the individual has given consent to the processing of their personal data for one or more specific purposes, or where processing is carried out by automated means or in other circumstances specified in the GDPR.

7. *Right to Object (Article 21 GDPR)*

Individuals have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data which is based on certain specified provisions of the GDPR, including profiling based on those provisions.

8. *Right Related to Automated Decision Making and Profiling (Article 22 GDPR)*

The GDPR provides safeguards for individuals against the risk that a potentially damaging decision is taken without human intervention.

Individuals have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning the individual or similarly significantly affects the individual. The GDPR provides certain exceptions and conditions to this right.

9. *Right Related to Data Breach Notification (Article 34 GDPR)*

The GDPR introduces a duty on controllers to report certain types of data breaches to the relevant supervisory authority, and in some cases to the individuals affected by the breach.

A personal data breach is a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed. Where a breach is likely to result in a high risk to the rights and freedoms of natural persons, the controller is required to communicate the personal data breach to the data subjects without undue delay.

Addressing GDPR Data Subject Rights with Ulrichsweb

The following section describes the capabilities of Ulrichsweb that can assist customers in complying with the rights of data subjects.

The only component of Ulrichsweb that includes library patron (“Patron”) data is the “My Ulrich’s” feature, in which the patron as the Data Subject can opt-in to enable saved preferences and settings for the Ulrichsweb user interface. For this reason, we have provided information once for Patrons as the Data Subject and once for library staff users (“Staff”) as the Data Subject.

All features described in this document are available through existing functionality unless denoted with an asterisk (*) as a 2018 Development Roadmap item.

1. Rights of Data Subjects – Patrons

Data Subject Right	Corresponding Ulrich’s Services Functionality
Right to be Informed	<p>Ex Libris provides comprehensive documentation regarding Ulrichsweb and Ulrich’s Serials Analysis System in the Ex Libris Customer Knowledge Center here.</p> <p>Detail of the privacy rights relevant to addressing the Right to be Informed is available here.</p>
Right of Access	<p>As Data Subject, the Patron opts-in, consents, and receives automated confirmation of the creation of a personal account (“My Ulrich’s”) that is used in Ulrichsweb to save the individual’s preferences for display settings, alert notifications, and sets of Ulrich’s records.</p> <p>The individual has access to all of his or her personal data through the My Ulrich’s feature.</p> <p>In Ulrichsweb, the customer administrator (a Staff member with relevant privileges) may also manage My Ulrich’s accounts*, their users and their information via Admin functionality. The customer administrator can view* all of the personal data associated with the Patron.</p> <p>In the case of Patron requests to identify what categories of personal data are stored in Ulrichsweb, the individual has two options:</p> <ul style="list-style-type: none"> • 1) The individual Patron can log into to his/her My Ulrich’s account and view the data; • 2) The customer administrator can use the Ulrichsweb Admin feature to look up* the Patron’s My Account data to determine if they are used or not (e.g. if they are present in the data or null). <ul style="list-style-type: none"> • The customer administrator accesses Ulrichsweb > Admin > Client Center > Ulrichsweb Administration Console > Admin

	<ul style="list-style-type: none"> • The personal information presented can be copied and pasted from the web page to Microsoft Excel, Microsoft Word, or similar program and given to the data subject. • For more details, see here: 'Ulrichsweb: Administration Console – Admin'
Right to Rectification	<p>Patrons can edit and correct inaccurate personal information in Ulrichsweb at any time.</p> <ul style="list-style-type: none"> • The individual accesses Ulrichsweb > Login to MyUlrich's > Update Account, and edits the data; • Ulrichsweb automatically confirms to the individual that the account has been updated. <p>The customer administrator can edit and correct* inaccurate Patron personal data in Ulrichsweb via Admin functionality.</p> <ul style="list-style-type: none"> • The customer administrator accesses Ulrichsweb > Admin > Client Center > Ulrichsweb Administration Console > Admin • For more details see here: 'Ulrichsweb: Administration Console – Admin'.
Right to Erasure (Right to be Forgotten)	<p>Ulrichsweb offers the option for the Patron and for the customer administrator to delete Patron personal information.</p> <p>Deleting a User (Patron) from Ulrichsweb</p> <p>The individual has full capability to delete his or her My Ulrich's account and all of its associated personal information.</p> <ul style="list-style-type: none"> • The Patron accesses Ulrichsweb > Login to MyUlrich's > Delete Account. • Ulrichsweb confirms to the individual that the account has been deleted. <p>The customer administrator can delete* a user's My Ulrich's account and information in Ulrichsweb.</p> <ul style="list-style-type: none"> • The customer administrator accesses Ulrichsweb > Admin > Client Center > Ulrichsweb Administration Console > Admin • For more details see here: 'Ulrichsweb: Administration Console – Admin'.

	<p>After the expiration or termination of the customer's Ulrichsweb subscription, Ex Libris will make available any personal data associated with remaining My Ulrich's accounts, and delete existing copies of user personal data unless legally prohibited. Unless required by applicable law, deletion of personal data from Ulrichsweb is generally completed within 120 days following final termination of the customer's Ulrichsweb subscription.</p>
<p>Right to Restrict Processing</p>	<p>Patron user account data is processed solely for establishing, accessing, updating, and carrying out the alert notifications of the individual's My Ulrich's account.</p> <p>Patron data is not processed or used in any statistical information generated in Ulrichsweb.</p> <p>Patron user account data is not processed if the account is not used or is inactive. In these cases, the data in the Patron user account is retained for the customer but not processed.</p> <p>Should a Patron as Data Subject wish to object to the processing of their personal data, the individual's Ulrichsweb My Account record can be deleted as described above.</p>
<p>Right to Data Portability</p>	<p>Ulrichsweb offers the customer administrator the ability to export* Patron personal data in standard formats.</p> <ul style="list-style-type: none"> • The customer administrator can access Ulrichsweb > Admin > Client Center > Ulrichsweb Administration Console > Admin • The personal information presented can be copied and pasted from the web page to Microsoft Excel, Microsoft Word, or similar program and given to the Data Subject.
<p>Right to Object</p>	<p>The customer administrator has the full ability to determine which Patrons to retain* in the data stored in Ulrichsweb.</p> <p>The customer administrator can delete* personal data for any Patron users that exercise their "right to object", by deleting the user's account as described above.</p>
<p>Right related to Automated</p>	<p>Patrons that choose to enable saved preferences and settings for the Ulrichsweb application interface by means of a My Ulrich's account can modify their settings at any time.</p>

<p>Decision Making and Profiling</p>	<p>The individual can opt-in to enable notification alerts based on the individual's My Ulrich's preferences and settings for certain types of content. The individual may update or cancel their alert notifications at any time.</p> <p>See here: 'Ulrichsweb: Cancel Your Ulrich's Alerts'</p> <p>No automated profiling is done using Patron personal data. Patron personal data is not used for automated decision making, or in any statistical information generated by Ulrichsweb.</p>
<p>Right related to Data Breach Notification</p>	<p>Ex Libris has procedures for data breach handling including notification. In the case of a personal data breach, Ex Libris will, as soon as possible and within 72 hours after having become aware of it, notify the customer.</p> <p>The notification will:</p> <ul style="list-style-type: none"> • Describe the nature of the personal data breach • Communicate the name and contact details of the data protection officer • Describe the likely consequences of the personal data breach • Describe the measures taken or proposed to be taken by Ex Libris <p>When required by the GDPR, the institution/library as Data Controller, is responsible for notifying the Supervisory Authorities and the affected data subjects.</p> <p>Ex Libris Security Incident Response Policy is available in the Ex Libris Knowledge Center - here</p>

2. Rights of Data Subjects – Staff

The following section describes the capabilities of Ulrichsweb that can assist customers in complying with the rights of the data subjects with respect to its Staff (usually library personnel). The information in this section applies to Ulrichsweb and Ulrich's Serials Analysis System under separate headings within each Data Subject Right section.

Data Subject Right	Corresponding Ulrichsweb Functionality
<p>Right to be Informed</p>	<p>Ex Libris provides comprehensive documentation regarding Ulrichsweb and Ulrich’s Serials Analysis System in the Ex Libris Customer Knowledge Center here.</p> <p>Detail of the privacy rights relevant to addressing the Right to be Informed is available here.</p>
<p>Right of Access</p>	<p>The customer remains in control of its data. Ulrichsweb enables customers to provide the required information to the Data Subject (Patron or Staff).</p> <p>Staff data stored is dependent on the roles and activities of the staff user:</p> <ul style="list-style-type: none"> • Personal information • Audit on staff user activity in the system <p>In the case of an individual’s request to identify what categories of personal data are stored in Ulrichsweb, the customer administrator can look up information to determine if they are used or not (e.g. if they are present in the data or null).</p> <ul style="list-style-type: none"> • For Staff information related to Login, the customer administrator accesses Ulrichsweb > Admin > Client Center > Account Details > General • For Staff information related to My Ulrich’s*, the customer administrator accesses Ulrichsweb > Admin > Client Center > Ulrichsweb Administration Console > Admin • In both cases, <ul style="list-style-type: none"> ○ The personal information presented can be copied and pasted from the web page to Microsoft Excel, Microsoft Word, or similar program and given to the data subject. ○ The personal data presented can be printed (e.g., as a PDF) from the browser page and given to the individual.

In the case of an individual's request to identify what categories of personal data are stored in Ulrich's Serials Analysis System, the customer administrator can look up information to determine if they are used or not (e.g. if they are present in the data or null).

- For Staff data related to login, the customer administrator accesses Home > Admin > Detailed Account Information > Access & Permissions
- For Staff data related to contacts for Staff questions, the customer administrator accesses Home > Create/Modify > List Name > Edit
- In both cases,
 - The personal information presented can be copied and pasted from the web page to Microsoft Excel, Microsoft Word, or similar program and given to the data subject.
 - The personal data presented can be printed (e.g., as a PDF) from the browser page and given to the individual.
- For more details see [here](#): 'Ulrich's Serials Analysis System: User Guide.

Right to Rectification

The customer administrator or a staff user with the requisite privileges can edit and correct inaccurate personal data in Ulrichsweb and Ulrich's Serials Analysis System.

In Ulrichsweb:

Staff can edit and correct inaccurate personal information in their own My Ulrich's accounts using standard functionality.

- The individual accesses Ulrichsweb > Login to MyUlrich's > Update Account, and edits the data;
- Ulrichsweb automatically confirms to the individual that the account has been updated.

The customer administrator can edit and correct inaccurate personal data for Staff using Admin functionality.

- The customer administrator accesses Ulrichsweb > Admin > Client Center > Account Details > General, and edits the data

The customer administrator can edit and correct inaccurate personal data for the Staff My Ulrich's accounts* using Admin functionality.

- The customer administrator accesses Ulrichsweb > Admin > Client Center > Ulrichsweb Administration Console > Admin, and edits the data
- For more details, see [here](#): 'Ulrichsweb: Administration Console – Admin'

In Ulrich's Serials Analysis System:

The customer administrator can edit and correct inaccurate personal data for Staff using Admin functionality.

- The customer administrator accesses Home > Admin > Detailed Account Information > Access & Permissions, and edits the data.

The customer administrator and individual Staff with requisite privileges can edit and correct inaccurate personal data for Staff using standard functionality.

- The individual or customer administrator accesses Home > Create/Modify > List Name > Edit, and edits the data.

For more details see [here](#): 'Ulrich's Serials Analysis System: User Guide'

Right to Erasure (Right to be Forgotten)

The customer administrator can delete a Staff user account in Ulrichsweb and in Ulrich's Serials Analysis System.

In Ulrichsweb:

- The customer administrator accesses Ulrichsweb > Admin > Client Center > Account List to delete the staff user account.
- The customer administrator can delete a Staff My Ulrich's account.
 - The customer administrator accesses Ulrichsweb > Admin > Client Center > Ulrichsweb Administration Console > Admin

In Ulrich's Serials Analysis System:

	<ul style="list-style-type: none"> The customer administrator accesses Home > Admin > Detailed Account Information > Access & Permissions to delete the staff user account.
Right to Restrict Processing	<p>Staff user account data is not processed if the individual's account is not used or is inactive. In this case, the data in the Staff user account will be retained but not processed and the Data Controller does not need to take action to restrict processing.</p> <p>Should a staff user wish to restrict the processing of their personal data, the individual's user record could be deleted.</p>
Right to Data Portability	<p>Ulrichsweb and Ulrich's Serials Analysis offer the ability to export Staff personal data in standard formats.</p> <p>In Ulrichsweb: The customer administrator can access Ulrichsweb > Admin > Client Center > Account Details > General</p> <ul style="list-style-type: none"> The personal information presented can be copied and pasted from the web page to Microsoft Excel, Microsoft Word, or similar program and give to the Data Subject. <p>The customer administrator can export* personal data for Staff who also have My Ulrich's accounts using Admin functionality.</p> <ul style="list-style-type: none"> The customer administrator accesses Ulrichsweb > Admin > Client Center > Ulrichsweb Administration Console > Admin, and edits the data For more details, see here: 'Ulrichsweb: Administration Console – Admin' <p>In Ulrich's Serials Analysis System: For Staff data related to login, the customer administrator accesses Home > Admin > Detailed Account Information > Access & Permissions</p> <ul style="list-style-type: none"> The personal information presented can be copied and pasted from the web page to Microsoft Excel, Microsoft Word, or similar program and given to the data subject. <p>For Staff data related to contacts for Staff questions, the customer administrator accesses Home > Create/Modify > List Name > Edit</p>

	<ul style="list-style-type: none"> The personal information presented can be copied and pasted from the web page to Microsoft Excel, Microsoft Word, or similar program and given to the data subject. <p>For more details see here: 'Ulrich's Serials Analysis System: User Guide'</p>
Right to Object	<p>Staff user account data is not processed if the account is not used or is inactive.</p> <p>Should a staff user wish to object to the processing of their personal data, the individual's Staff user record could be deleted.</p>
Right related to Automated Decision Making and Profiling	<p>No automated profiling or automated decision-making is done by Ulrichsweb or Ulrich's Serials Analysis System using Staff personal data.</p> <p>Staff that choose to enable saved preferences and settings for the Ulrichsweb application interface by means of a My Ulrich's account are in control of their own profiles and can update or delete their alert-profile settings at any time.</p> <ul style="list-style-type: none"> The individual may cancel the alert profiles and notifications at any time. For more details, see these Ulrichsweb articles: <ul style="list-style-type: none"> 'Ulrichsweb: Setting up Ulrich's Alerts' 'Ulrichsweb: Cancel Your Ulrich's Alerts'
Right related to Data Breach Notification	<p>Ex Libris has procedures for data breach handling including notification. In the case of a personal data breach, Ex Libris will, as soon as possible and within 72 hours after having become aware of it, notify the customer.</p> <p>The notification will:</p> <ul style="list-style-type: none"> Describe the nature of the personal data breach Communicate the name and contact details of the data protection officer Describe the likely consequences of the personal data breach Describe the measures taken or proposed to be taken by Ex Libris

When required by the GDPR, the institution/library as Data Controller, is responsible for notifying the Supervisory Authorities and the affected data subjects.

Ex Libris Security Incident Response Policy is available in the Ex Libris Knowledge Center - [here](#)

*Notes regarding 2018 Roadmap Development

As denoted by the asterisk (*) symbol in the information above, the following Admin features will be implemented in Ulrichsweb by the end of 2018:

- Manage My Ulrich's accounts on behalf of Patrons and Staff
 - Look up personal information
 - Update/Edit/Correct personal information
 - Delete personal information
 - Export personal information

Data Fields used in Ulrichsweb

Patron data used in Ulrichsweb includes the following fields:

Field	Mandatory	Use
Username	Yes	Establish account; login
First Name	No	Establish account; on-screen name
Last Name	No	Establish account
Email Address	Yes	Establish account; login; alerts notifications

In Ulrichsweb Personal information for Staff consists of the following fields:

Field	Mandatory	Use
Username	Yes	My Ulrich's
Salutation	No	Admin
Email	Yes	Login ID Admin My Ulrich's
First Name	Yes	Admin
	No	My Ulrich's
Last Name	Yes	Admin
	No	My Ulrich's
Title	No	Admin
Phone Number	No	Admin
FAX Number	No	Admin
Address Details (multiple fields)	No	Admin

In **Ulrich's Serials Analysis System** Personal information for Staff consists of the following fields:

Field	Mandatory	Use
Username/ID	Yes	Login ID
Email	No	Identifies contact for questions from other Staff; may also be used as Login ID
First Name	No	Identifies contact for questions from other Staff

Last Name	No	Identifies contact for questions from other Staff
Job Function	No	Identifies contact for questions from other Staff
Phone Number	No	Identifies contact for Staff questions