

**Subjects:** Data Access  
**Occupation:** Employee  
**Data type:** Professionals

## How far can customer service go, what can I collect from it?

The salesperson of a SMB, naturally curious and efficient is particularly friendly with the important clientele.

To satisfy her the best, he collects every information he judges useful to his commercial relationships, through different means.

On Mrs X's birthday, spouse of a recent client, he sends her a bouquet of flowers, as well as a personalized gift.

The husband, surprised, calls the company and asks the salesperson where he obtained his wife's birthday and her tastes. The salesperson then prides to have constituted a full register of not only his clients' personal data, but also of their relatives.

The husband, disgusted, contacts a lawyer who informs him of the illegality of this practice.

### Recommendations

The collection of personal data must rest namely on a dominating interest, be proportionate to the purpose to reach, and must not have been done unknown to the data subject. The spouse has not given her consent, and this information overtakes what is commercially acceptable to cosset the clientele. To celebrate the client's birthday himself, and not of his spouse, on the basis of his birthday collected with his consent is on the other hand acceptable.

### Basic principles

Art. 4 PDL

Lawfulness, proportionality, transparency of the collection

### Resources