

## **Right to Erasure Procedure**

The Data Protection legislation gives individuals the right to have personal data erased. This is also known as 'the right to be forgotten'. The Right to Erasure is not absolute and only applies in certain circumstances.

### **1. Right to Erasure**

Under the Right to Erasure, individuals have the right to have their personal data erased if one of the following applies:

- the personal data is no longer necessary for the purpose in which it was originally collected or processed;
- where the University is relying on consent as the lawful basis for holding the data, and the individual withdraws their consent;
- where the University is relying on legitimate interests as the basis for processing, the individual objects to the processing of their data, and there is no overriding legitimate interest to continue this processing;
- where the University is processing the personal data for direct marketing purposes and the individual objects to that processing;
- where the University has processed the personal data unlawfully (ie in breach of the lawfulness requirement of the 1st principle);
- where the University is required to erase the data in order to comply with a legal obligation; or
- where the University has processed the personal data to offer information society services to a child.

### **2. Right to Erasure Procedure**

Individuals submitted a request for erasure must follow this Procedure:

- a) Make a request in writing, using the form attached at Annex A, to the Information Compliance team at [compliance@lincoln.ac.uk](mailto:compliance@lincoln.ac.uk);
- b) The request should include documents confirming the identity of the Data Subject such as a driving licence, passport, staff/student ID card etc. This documentation will be used only for the purpose of validating the requestor's identity and will be securely destroyed upon completion of the request. If the team cannot verify your identity, the request will be closed after 30 days; and
- c) The request should provide detail about the information the Data Subject wishes to erase, including where and whom the information is believed to be held by. These details allow for the efficient location and erasure of the information requested.

Any queries about requests should be directed to the Information Compliance team at: [compliance@lincoln.ac.uk](mailto:compliance@lincoln.ac.uk)

### **3. Dealing with Requests**

Once the University receives a request, the Information Compliance team will issue a response within one month of receipt.

The Right to Erasure is not an absolute right and it is not guaranteed that the University will be able to comply with your request. Before making a request, you may wish to review the University's Records Retention Schedule and the relevant Privacy Notice

which applies to you. These can be found at the Information Compliance's portal at: <https://secretariat.blogs.lincoln.ac.uk/data-protection-information-compliance/>

#### **4. Refusing a Request**

Should a request be refused, the Data Subject will be informed of the reasons why it is refused and will be informed of their right to complain to the Regulatory Authority and to a judicial remedy, within one month of receipt of the request.

## Right to Erasure - Request Procedure Flowchart

