

# DATA SUBJECT RIGHTS PROCEDURE

## 1. INTRODUCTION

Under data protection law, individuals have a number of rights in respect of the personal information we hold about them. These data protection rights have been enhanced by the introduction of the UK General Data Protection Regulation (**UK GDPR**) and the Data Protection Act 2018.

The UK GDPR puts tighter controls on the ability of individuals to exercise these rights, introduces new rights, removes standard fees and gives us 1 month to respond to requests.

This procedure is to ensure Luton Rising can comply with these requests in a quick, efficient and compliant manner.

## 2. SCOPE

This procedure applies to individuals whose personal information is processed by Luton Rising. That is people we process information about, whether that's collecting, archiving, storing or actively processing on a day-to-day basis. This includes members of the public, consultation participants, employees, workers, consultants, beneficiaries, campaigners, or partners, people across all business areas.

This procedure applies to requests made by individuals under the UK GDPR including:

- Requests to rectify personal information;
- Requests to erase personal information;
- Requests to restrict the processing of personal information;
- Requests to transfer personal information to another organisation;
- Requests objecting to our use of personal information; and
- Requests not to be subject to automated decision making.

This procedure does not apply to subject access requests. Please see the Subject Access Request Procedure for further information.

## 3. RESPONSIBILITY

This procedure is managed by the Data Protection Officer (DPO), who is also responsible for ensuring requests to exercise rights under the UK GDPR are recorded and monitored to ensure they comply with the required timeframes.

All members of staff are responsible for requests to exercise rights under the UK GDPR and reporting them to the DPO (within 1 working day of receipt) by email to [DataProtection@lutonrising.org.uk](mailto:DataProtection@lutonrising.org.uk).

## 4. REQUESTS TO RECTIFY INFORMATION

- (a) Individuals have the right to have their inaccurate personal information rectified. Rectification can include having incomplete personal information completed. Where such a request is made, we shall, unless there is an exemption (see Section 10 below), rectify the personal information without undue delay.
- (b) We shall also communicate the rectification of the personal information to each recipient to whom the personal information has been disclosed (for example, our third-party service providers who process the information on our behalf), unless this is impossible or involves disproportionate effort.

## **5. REQUESTS TO ERASE PERSONAL INFORMATION**

### **5.1 RECOGNISING A REQUEST FOR ERASURE**

- (a) In certain circumstances, individuals have the right to request that an organisation erases their personal information. A request for erasure is a request from an individual that their personal information is deleted, erased or removed. A request for erasure may be made in relation to a complaint, a grievance or following a request to unsubscribe from marketing material. Any request for erasure will need considering on a case by case basis. If you are unsure whether a request is an erasure request, consult the DPO.
- (b) A request for erasure can come in any form either written, via phone, or electronic means including email, social media etc.

### **5.2 ACKNOWLEDGING AND RECORDING THE REQUEST**

- (a) An email or similar communication should be made to acknowledge receipt of the request, within 2 working days of receipt of the request. This should include details in relation to the areas regarding: response time, requirements for personal identification and if appropriate refusal to process. Please see **Appendix One** in relation to handling each matter.
- (b) A record of the request should be made on the Data Subject Rights Log by the DPO.

### **5.3 CONSIDER THE VALIDITY OF THE REQUEST**

- (a) You will then need to consider whether or not the request for the erasure of personal information is valid. The right to erasure does not provide an absolute right for individuals to have all the personal information we hold about them deleted. Individuals have the right to have their personal information deleted and to prevent us from using their personal information in the following specific circumstances:
- Where the personal information is no longer required for the purpose for which it was originally collected/processed;
  - Where the individual withdraws their consent for us to use their personal information;
  - When the individual objects to us using their personal information and there is no overriding legitimate interest for continuing the processing;
  - Where the personal information was unlawfully obtained or used (i.e. in breach of data protection law);
  - The personal information has to be deleted in order to comply with a legal obligation;
  - or
  - The personal information is used in relation to the offer of online services
- (b) Generally speaking, an individual may have the right to erasure if we hold their personal information purely for marketing or promotional purposes. If we hold their details for some other reason (e.g. if they have been identified as an interested party in our expansion consultation or are a member of staff) then it is unlikely that the individual will have a right to erasure.

### **5.4 CONSIDER THE POSSIBLE EXEMPTIONS**

- (a) In the event that an individual does have the right to erasure, there are also a number of circumstances where we can refuse to comply with a request for the erasure of personal information. These exemptions apply where our use of the personal information is necessary:
- to exercise the right of freedom of expression and information;
  - to comply with a legal obligation for the performance of a public interest task or exercise of official authority.
  - for public health purposes in the public interest;

- for archiving purposes in the public interest, scientific research historical research or statistical purposes; or
- the exercise or defence of legal claims.

(b) In addition to the exemptions listed at 5.4(a) above, we can also refuse the requests if any of the exemptions set out in Section 10 below apply.

## **5.5 COMMUNICATE THE DECISION TO THE INDIVIDUAL**

- (a) Once you have determined whether or not the individual is entitled to make a request for erasure, confirmation of the decision should be sent in writing to the individual.
- (b) If the request for the erasure is not valid, you should write to the individual explaining the reasons why their request cannot be complied with and advise them of their right to lodge a complaint with the Information Commissioner's Office (ICO) and their ability to seek to enforce their right through judicial remedy (see **Standard response letters – Letter 1** below).
- (c) You will also need to update the Data Subject Rights Log to this effect.
- (d) If the request for the erasure is valid and there are no circumstances in which we can refuse to deal with the request, you will need to write to the individual and confirm that their request will be dealt with promptly (see **Standard response letters – Letter 2** below).

## **5.6 DELETION**

- (a) If the request for the erasure is valid and there are no circumstances in which we can refuse to deal with the request, the Shared Services team must request the OT provider to search all databases, systems, applications and other places where the personal information may be held and then delete the data we hold about the individual. This must be done within 1 month of the date of the request.
- (b) If the request is complex, it is possible to extend the 1-month time period by a further 2 months. If we are extending the time period, we must communicate this to the individual within 1 month of the date of their request and explain the reason for the delay.

## **5.7 CONTACT ANY RECIPIENTS OF PERSONAL INFORMATION**

- (a) If we have made the personal information subject to the request public or published it online, we must take reasonable steps, including technical measures, to inform those who are processing the personal information that the individual has requested that any links to, or copies or replications of, the personal information to be erased. For example, if we have used the individual's photographs on websites, brochures or in promotional material we would need to contact the publisher to make them aware of the request that has been made.
- (b) We must also communicate the erasure of the personal information to any recipient/third party who the personal information has been disclosed to unless this is impossible or involves disproportionate effort.

# **6. REQUESTS TO RESTRICT PROCESSING OF PERSONAL INFORMATION**

## **6.1 RECOGNISING A REQUEST TO RESTRICT PROCESSING OF PERSONAL INFORMATION**

- (a) In certain circumstances, individuals have the right to restrict the processing of their personal information. This right enables individuals to limit the way in which an organisation uses their personal information if they are concerned about the accuracy of the data or how it is being used.

- (b) A request for restriction can come in any form either written, via phone, or electronic means including email, social media etc.

## **6.2 ACKNOWLEDGING AND RECORDING THE REQUEST**

- (a) An email or similar communication should be made to acknowledge receipt of the request, within 2 working days of receipt of the request. This should include details in relation to the areas regarding: response time, requirements for personal identification and if appropriate refusal to process. Please see **Appendix One** in relation to handling each matter.
- (b) A record of the request should be made on the Data Subject Rights Log by the DPO.

## **6.3 CONSIDER THE VALIDITY OF THE REQUEST**

- (a) You will then need to consider whether or not the request to restrict processing of personal information is valid. The right to restriction does not provide an absolute right for individuals to have all the personal information we hold about them restricted. Individuals have the right to have our use of their personal information restricted and to prevent us from using their personal information in the following specific circumstances:
- Where the individual contests the accuracy of the personal information, for a period to allow us to verify the accuracy of the personal information;
  - Where our processing is unlawful but the individual opposes the erasure of the personal information and requests the restriction of its use instead;
  - Where we no longer need the personal information for the purposes we collected it, but it is required by the individual for the establishment, exercise or defence of legal claims; or
  - The individual has objected to the processing, pending verification of whether we have legitimate grounds to override the individual's objection.

## **6.4 CONSIDER THE POSSIBLE EXEMPTIONS**

- (a) If the individual does have the right to make a request to restrict the processing of their personal information as set out in 6.3 above, you must then consider whether any of the exemptions set out in Section 10 below apply.

## **6.5 COMMUNICATE THE DECISION TO THE INDIVIDUAL**

- (a) Once you have determined whether or not the individual is entitled to make a request to restrict processing of their personal information, confirmation of the decision should be sent in writing to the individual.
- (b) If the request to restrict processing of personal information is not valid, you should write to the individual explaining the reasons why their request cannot be complied with and advise them of their right to lodge a complaint with the Information Commissioner's Office (ICO) and their ability to seek to enforce their right through judicial remedy (see **Standard response letters – Letter 3** below).
- (c) You will also need to update the Data Subject Rights Log to this effect.
- (d) If the request to restrict processing of personal information is valid and there are no circumstances in which we can refuse to deal with the request, you will need to write to the individual and confirm that their request will be dealt with promptly (see **Standard response letters – Letter 4** below).

## **6.6 RESTRICTION**

- (a) If the request for restriction is valid and there are no circumstances in which we can refuse to deal with the request, the Shared Services team must request the IT provider to search all

databases, systems, applications and other places where the personal information may be held and then restrict the processing of that information. This must be done within 1 month of the date of the request.

- (b) The method of restriction will depend on the personal information the individual has requested to restrict and how we process that personal information. However, this may include:
- temporarily moving the data to another processing system so that the information cannot be changed whilst the restriction is in place;
  - temporarily making the personal information unavailable to use by members of staff; or
  - temporarily removing the personal information from our website or other online platforms.
- (b) Once personal information has been restricted, we may only process (excluding storing) that personal information further:
- if we obtain the individual's consent to process the personal information;
  - For the establishment, exercise or defence of legal claims;
  - For the protection of the rights of another person; or
  - For reasons of important public interest.
- (c) Before lifting the restriction, we must inform the individual of the lifting of the restriction.

## **6.7 CONTACT ANY RECIPIENTS OF PERSONAL INFORMATION**

- (a) We must communicate the restriction of the processing personal information to any recipient/third party who the personal information has been disclosed to unless this is impossible or involves disproportionate effort.

## **7. REQUESTS FOR DATA PORTABILITY**

### **7.1 RECOGNISING A REQUEST FOR DATA PORTABILITY**

- (a) In certain circumstances, individuals have the right to receive the personal information that they have provided to us in a structured, commonly used and machine-readable format that they can then transmit to another organisation. This right is also known as a request for 'data portability'.
- (b) A request for data portability can come in any form either written, via phone, or electronic means including email, social media etc.

### **7.2 ACKNOWLEDGING AND RECORDING THE REQUEST**

- (a) An email or similar communication should be made to acknowledge receipt of the request, within 2 working days of receipt of the request. This should include details in relation to the areas regarding: response time, requirements for personal identification and if appropriate refusal to process. Please see **Appendix One** in relation to handling each matter.
- (b) A record of the request should be made on the Data Subject Rights Log by the DPO.

### **7.3 CONSIDER THE VALIDITY OF THE REQUEST**

- (a) You will then need to consider whether or not the request to transfer personal information is valid. The right to data portability does not provide an absolute right for individuals to have all the personal information we hold about them transferred. Individuals only have the right to make this request in the following specific circumstances:

- Where the legal basis for the processing of the personal information is consent or pursuant to a contract; **and**
- our processing of that information is automated.

#### **7.4 CONSIDER THE POSSIBLE EXEMPTIONS**

- (a) If the individual does have the right to make a request to restrict the processing of their personal information as set out in 7.3 above, you must then consider whether any of the exemptions set out in Section 10 below apply.

#### **7.5 COMMUNICATE THE DECISION TO THE INDIVIDUAL**

- (a) Once you have determined whether or not the individual is entitled to make a request to transfer their personal information to another organisation, confirmation of the decision should be sent in writing to the individual.
- (b) If the request to transfer personal information is not valid, you should write to the individual explaining the reasons why their request cannot be complied with and advise them of their right to lodge a complaint with ICO and their ability to seek to enforce their right through judicial remedy (see **Standard response letters – Letter 5** below).
- (c) You will also need to update the Data Subject Rights Log to this effect.
- (d) If the request to transfer personal information to another organisation is valid and there are no circumstances in which we can refuse to deal with the request, you will need to write to the individual and confirm that their request will be dealt with promptly (see **Standard response letters – Letter 6** below).

#### **7.6 TRANSFER OF PERSONAL INFORMATION**

- (a) If the request for transfer of personal information is valid and there are no circumstances in which we can refuse to deal with the request, the Shared Services team must request the IT provider to search databases, systems, applications and other places where the personal information which is the subject of the request may be held and provide the individual with that information or, at the individual's request, transmit the personal information directly to another organisation, where technically feasible) within one month of receipt of the request
- (b) When providing the information, it must be in a structured, commonly-used and machine readable format. This may include providing the personal information using open formats such as CSV, XML and JSON
- (c) CSV, XML and JSON are examples of structured, commonly used and machine-readable formats that are appropriate for requests for data portability. However, other formats may exist that also meet the requirements of being structured, commonly used and machine readable.

### **8. OBJECTIONS TO THE PROCESSING OF PERSONAL INFORMATION**

#### **8.1 RECOGNISING AN OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION**

- (a) In certain circumstances, individuals have the right to object to our processing of their personal information. An objection may be in relation to all of the personal information we hold about an individual or only to certain information. It may also only relate to a particular purpose you are processing the information for.
- (b) An objection can come in any form either written, via phone, or electronic means including email, social media etc.

#### **8.2 ACKNOWLEDGING AND RECORDING THE OBJECTION**

- (a) An email or similar communication should be made to acknowledge receipt of the request, within 2 working days of receipt of the request. This should include details in relation to the areas regarding: response time, requirements for personal identification and if appropriate refusal to process. Please see **Appendix One** in relation to handling each of these matters.
- (b) A record of the request should be made on the Data Subject Rights Log by the DPO.

### **8.3 CONSIDER THE VALIDITY OF THE OBJECTION**

- (a) You will then need to consider whether or not the objection to processing personal information is valid. The right to object is not absolute and individuals only have the right to object to the processing of their personal information where that processing is on the basis of our performance of a task carried out in the public interest or in the exercise of official authority vested in us, or on the basis of our legitimate interests which override the individual's interests or fundamental rights and freedoms, unless we either:
  - can show compelling legitimate grounds for the processing which override those interests, rights and freedoms; or
  - are processing the personal information for the establishment, exercise or defence of legal claims.
- (b) Individuals may also have the right to object to the processing of their personal information for scientific or historical research purposes, or statistical purposes, unless the processing is necessary for the performance of a task carried out for reasons of public interest.
- (c) Where personal information is processed for direct marketing purposes, individuals have the right to object at any time to the processing of their personal information for that marketing. If an individual makes such a request, we shall stop processing the personal information for those purposes.

### **8.4 CONSIDER THE POSSIBLE EXEMPTIONS**

- (a) If the individual does have the right to object to the processing of their personal information as set out in 8.3 above, you must then consider whether any of the exemptions set out in Section 10 below apply.

### **8.5 COMMUNICATE THE DECISION TO THE INDIVIDUAL**

- (a) Once you have determined whether or not the individual is entitled to object to the processing their personal information, confirmation of the decision should be sent in writing to the individual.
- (b) If the objection is not valid, you should write to the individual explaining the reasons why their request cannot be complied with and advise them of their right to lodge a complaint with ICO and their ability to seek to enforce their right through judicial remedy (see **Standard response letters – Letter 7** below).
- (c) You will also need to update the Data Subject Rights Log to this effect.
- (d) If the objection is valid and there are no circumstances in which we can refuse to deal with the request, you will need to write to the individual and confirm that their request will be dealt with promptly (see **Standard response letters – Letter 8** below).

### **8.6 COMPLYING WITH THE OBJECTION**

- (a) If the objection is valid and there are no applicable exemptions, we must stop processing the personal information subject to the request or not begin processing the personal information subject to the request.

- (b) How to comply with the objection raised will largely depend on the nature of the objection that is made. It may be appropriate to erase or restrict access to the personal information or prevent the personal information from being used for direct marketing purposes.

## **9. REQUESTS TO NOT BE SUBJECT TO AUTOMATED DECISION MAKING**

### **9.1 RECOGNISING A REQUEST TO NOT BE SUBJECT TO AUTOMATED DECISION MAKING**

- (a) In certain circumstances, individuals have the right not to be subject to a decision based solely on the automated processing of their personal information, if that decision produces legal effects concerning them or similarly significantly affects them.
- (b) A request can come in any form either written, via phone, or electronic means including email, social media etc.

### **9.2 ACKNOWLEDGING AND RECORDING THE REQUEST**

- (a) An email or similar communication should be made to acknowledge receipt of the request, within 2 working days of receipt of the request. This should include details in relation to the areas regarding: response time, requirements for personal identification and if appropriate refusal to process. Please see **Appendix One** in relation to handling each of these matters.
- (b) A record of the request should be made on the Data Subject Rights Log by the DPO.

### **9.3 CONSIDER THE VALIDITY OF THE REQUEST**

- (a) You will then need to consider whether or not the request not to be subject to automated processing is valid. Where such a request is made it should be complied with unless:
- it is necessary for entering into, or the performance of, a contract between us and the individual;
  - it is authorised by applicable law which lays down suitable measures to safeguard the individual's rights, freedoms and legitimate interests; or
  - it is based on the individual's explicit consent.
- (b) If the automated processing is necessary for the performance of a contract or is authorised by applicable law as set out at 9.3(a) above, we shall implement suitable measures to safeguard the individual's rights, freedoms and legitimate interests, including the right to obtain human intervention, to express their point of view and to contest the decision.

### **9.4 CONSIDER THE POSSIBLE EXEMPTIONS**

- (a) If the individual does have the right to request not to be subject to automated decision making as set out in 9.3 above, you must then consider whether any of the exemptions set out in Section 10 below apply.

### **9.5 COMMUNICATE THE DECISION TO THE INDIVIDUAL**

- (a) Once you have determined whether or not the individual is entitled to request not to be subject to automated processing, confirmation of the decision should be sent in writing to the individual.
- (b) If the request not to be subject to automated processing is not valid, you should write to the individual explaining the reasons why their request cannot be complied with and advise them of their right to lodge a complaint with ICO and their ability to seek to enforce their right through judicial remedy (see **Standard response letters – Letter 9** below).
- (c) You will also need to update the Data Subject Rights Log to this effect.
- (d) If the request not to be subject to automated processing is valid and there are no circumstances in which we can refuse to deal with the request, you will need to write to the individual and



confirm that their request will be dealt with promptly (see **Standard response letters – Letter 10** below).

## **9.6 COMPLYING WITH THE REQUEST**

- (a) If the request not to be subject to automated processing is valid and there are no applicable exemptions, we must stop the automated processing subject to the request or not begin the automated processing the personal information subject to the request.

## **10. EXEMPTIONS**

- (a) Before responding to any request described in this procedure, we shall check whether there are any exemptions that apply to the personal information that is the subject of the request. Exemptions may apply where it is necessary and proportionate not to comply with the requests described above in relation to matters such as national security and other important objectives of general national public interest.
- (b) These exemptions are set out in the Data Protection Act 2018 and include:
- processing for the prevention or detection of crime or the apprehension or prosecution of offenders, or in relation to assessment or collection of tax;
  - immigration control;
  - disclosures required by law or made in connection with legal proceedings;
  - certain regulatory or public interest functions, parliamentary privilege, judicial matters and other similar activities;
  - protection of the rights of others;
  - legal professional privilege;
  - corporate finance, management forecasting and planning;
  - negotiations with the individuals and confidential references;
  - exam scripts and marks;
  - research, statistics and archiving;
  - health, education, social work and child abuse data; and
  - disclosure prohibited by law.
- (c) The exemptions most likely to be relevant to Luton Rising include processing for the prevention or detection of crime, protection of the rights of others and legal professional privilege.

## **11. CHANGES TO THIS PROCEDURE**

We keep this procedure under regular review and will be reviewed every 2 years, unless there is a change in the law which requires this procedure to be reviewed earlier.

## **APPENDIX ONE – ACKNOWLEDGEMENT OF REQUESTS**

### **1. ACKNOWLEDGEMENT**

An email or similar communication should be made to acknowledge receipt of the request, within 2 working days of the receipt. This should include details in relation to the areas below (Sections 2 – 7) regarding: potential charges, response time, requirements for personal identification and if appropriate refusal to process. Please see the below areas in relation to handling each matter.

### **2. CHARGES**

- (a) We cannot charge for a request made under data protection law unless it is believed to be excessive or of a repetitive nature. If we proceed and want to charge, this should be relative to the administration cost of complying with the request. Any such calculated fee should be approved by the Data Protection Officer.

### **3. RESPONSE TIMES**

- (a) We must respond to a request made under data protection law within 1 month from the day the request is received.
- (b) If this falls on a non-working day the response can be submitted on the next working day after the target date (i.e. if it falls on a weekend or bank holiday).
- (c) We may defer the start date if we need to ensure identification of the individual as per section 4 of this Appendix One below.
- (d) The response date may additionally be extended by up to a maximum of 2 additional months, but this is dependent on the complexity and number of requests from the individual. If it is to be extended, we must have documented reasoning, and inform the individual within the first month of the request, including our reasoning for extending the response time.

### **4. IDENTIFICATION**

- (a) We may carry out additional identification for the requester, if we cannot easily identify them, i.e. we do not have an active relationship with them or the request has come through unverifiable means (e.g. an email address we do not have on file). Verification may take place via alternative communication methods and should be thorough enough to identify the individual, proportionate to the data we hold on them.
- (b) Where a request is made on behalf of someone, it should be established whether there is an appropriate legal basis to disclose our response to the request to the third party, such as a power of attorney or consent deferred to the third party. It is the third party's responsibility to provide this evidence.
- (c) When responding to a third party request, if we think the individual may not understand the scope, importance or nature of the information disclosed (especially in consideration to

sensitive or special category information), we may send our response to the request directly to the data subject for them to review and pass to the third party if they so wish. In such a situation, we should explain this decision to the individual when sending our response.

## **5. REQUESTS BY CHILDREN**

- (a) We may accept a request under data protection law from a parent or guardian of a child (under 16 years of age), on the child's behalf.
- (b) Where a child (anyone under 16 years), makes a direct request under data protection law to Luton Rising (i.e. not via a parent or guardian), this should be handled as normal, subject to 5(c) of this Appendix below. Consideration should be given to the 'additional information' provided to ensure it is in a manner a child would understand.
- (c) An assessment of the age and maturity of the child to understand their rights should be carried out. If it is felt the child is mature enough to understand their rights then a response should be issued to them directly. (As a guide, the rules relating to consent to access 'information society services' under the UK GDPR, where 13 years is the age of consent, should be an appropriate benchmark). In such a scenario, consult the Data Protection Officer for advice.

## **6. RECORDING THE REQUEST**

- (a) A record of the request should be made on the rights request spreadsheet by the DPO to record details of the individual making the request, date the request was received (which will calculate the target submission date) and any additional information at the point of collection, or as the request progresses.
- (b) If a request is cancelled or rescinded for any reason, this should be recorded in the spreadsheet and evidence retained of the request to cancel.
- (c) If we decide it is inappropriate to comply with the request, the decision and evidence of our response should also be recorded here.

## **7. REFUSING UNFOUNDED OR REPETITIVE REQUESTS**

- (a) We may refuse to process a request on the grounds of it being unfounded (i.e. we do not hold data on the individual) or it is of a repetitive nature (i.e. a subject makes the same request straight after receiving a request or within an unreasonable period afterwards).
- (b) We may charge for a repetitive request if we still wish to proceed, and charge a relative administrative cost proportionate to the work required. We can defer the start date for the request until the fee is paid. The fee should be approved by the Data Protection Officer.
- (c) If we refuse a request or request a fee on the basis it is unfounded or repetitive, we must inform the individual who made the request as soon as possible informing them of: The reason for taking this action; their right to complain to the ICO; and their ability to seek to enforce their right through judicial remedy.
- (d) We may also refuse a request on the basis the request does not apply to the individual or there is an applicable exemption. Further details of these reasons for refusing a request can be found within the main body of this procedure.

## APPENDIX TWO – STANDARD RESPONSE LETTERS

### LETTER ONE

#### Strictly Private and Confidential

[ADDRESSEE]

[ADDRESS LINE 1]

[ADDRESS LINE 2]

[ADDRESS LINE 3]

[POSTCODE]

[DATE]

Dear [NAME]

#### Re: Right to Erasure Request

We write further to your right to erasure request which was received on [DATE].

Following careful consideration, we regret to inform you that we cannot comply with your request. This is because [the reason we hold your personal information is because [INSERT REASON WHY WE CANNOT DEAL WITH REQUEST]].

Under the terms of the UK General Data Protection Regulation, you have the right to lodge a complaint with the Information Commissioner's Office if you are dissatisfied with the decision made in relation to your request. The Information Commissioner's Office does have an expectation that a complaint will be made to us and dealt with internally first. If you are still dissatisfied following our internal review, then a complaint can be to the Information Commissioner using the details below: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. 0303 123 1113 (local rate) or 01625 545 745

You also have the right to take legal advice on your ability to seek to enforce your data protection rights through the courts.

If you have any further queries, then please contact [NAME].

Yours sincerely

[NAME OF SENDER]

For and on behalf of Luton Rising

## **APPENDIX TWO – STANDARD RESPONSE LETTERS**

### **LETTER TWO**

#### **Strictly Private and Confidential**

[ADDRESSEE]

[ADDRESS LINE 1]

[ADDRESS LINE 2]

[ADDRESS LINE 3]

[POSTCODE]

[DATE]

Dear [NAME]

#### **Re: Right to Erasure Request**

We write further to your right to erasure request which was received on [DATE].

Following careful consideration, we are pleased to inform you that your request for erasure has been upheld. We have instructed our IT Department to delete your information from our systems within [INSERT PERIOD OF TIME I.E. SEVEN DAYS].

This means that your details will be permanently deleted from our systems and you will not receive any further correspondence from us.

If you have any further queries then please contact [NAME].

Yours sincerely

[NAME OF SENDER]

For and on behalf of Luton Rising

## APPENDIX TWO – STANDARD RESPONSE LETTERS

### LETTER THREE

#### Strictly Private and Confidential

[ADDRESSEE]

[ADDRESS LINE 1]

[ADDRESS LINE 2]

[ADDRESS LINE 3]

[POSTCODE]

[DATE]

Dear [NAME]

#### Re: Request to Restrict Processing of Personal Data

We write further to your right to erasure request which was received on [DATE].

Following careful consideration, we regret to inform you that we cannot comply with your request. This is because [the reason we hold your personal information is because [INSERT REASON WHY WE CANNOT DEAL WITH REQUEST]].

Under the terms of the UK General Data Protection Regulation, you have the right to lodge a complaint with the Information Commissioner's Office if you are dissatisfied with the decision made in relation to your request. The Information Commissioner's Office does have an expectation that a complaint will be made to us and dealt with internally first. If you are still dissatisfied following our internal review, then a complaint can be to the Information Commissioner using the details below: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. 0303 123 1113 (local rate) or 01625 545 745.

You also have the right to take legal advice on your ability to seek to enforce your data protection rights through the courts.

If you have any further queries, then please contact [NAME].

Yours sincerely

[NAME OF SENDER]

For and on behalf of Luton Rising

## APPENDIX TWO – STANDARD RESPONSE LETTERS

### LETTER FOUR

#### **Strictly Private and Confidential**

[ADDRESSEE]

[ADDRESS LINE 1]

[ADDRESS LINE 2]

[ADDRESS LINE 3]

[POSTCODE]

[DATE]

Dear [NAME]

#### **Re: Request to Restrict Processing of Personal Data**

We write further to your right to erasure request which was received on [DATE].

Following careful consideration, we are pleased to inform you that your request to restrict the processing of your personal has been upheld and we have restricted the processing of your personal information.

We will notify you in the event we are required to lift the processing restriction. During the restriction period we will only process your personal information to establish, exercise, or defend legal claims, to protect the rights of others, for reasons of important public interest, or with your consent. [We have communicated the processing restriction to each recipient to whom we disclosed the personal information, except where this is impossible or involves disproportionate effort.]

If you have any further queries then please contact [NAME].

Yours sincerely

[NAME OF SENDER]

For and on behalf of Luton Rising

## APPENDIX TWO – STANDARD RESPONSE LETTERS

### LETTER FIVE

#### Strictly Private and Confidential

[ADDRESSEE]

[ADDRESS LINE 1]

[ADDRESS LINE 2]

[ADDRESS LINE 3]

[POSTCODE]

[DATE]

Dear [NAME]

#### Re: Data Portability Request

We write further to your data portability request which was received on [DATE].

Following careful consideration, we regret to inform you that we cannot comply with your request. In order for a data portability request to be valid, we must be processing your personal information because you have given us your consent to do so or the information was required in order for us to perform a contract with you. In addition, the processing of your personal information must be automated.

[In your case, the personal information you have requested to be transferred is processed by us pursuant to a contract but we do not carry out any automated processing of that personal information.]

#### OR

[In your case, the personal information you have requested to be transferred is processed by us on the basis that you gave consent for us to do so but we do not carry out any automated processing of that personal information.]

Under the terms of the UK General Data Protection Regulation, you have the right to lodge a complaint with the Information Commissioner's Office if you are dissatisfied with the decision made in relation to your request. The Information Commissioner's Office does have an expectation that a complaint will be made to us and dealt with internally first. If you are still dissatisfied following our internal review, then a complaint can be to the Information Commissioner using the details below: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. 0303 123 1113 (local rate) or 01625 545 745.

You also have the right to take legal advice on your ability to seek to enforce your data protection rights through the courts.



If you have any further queries, then please contact [NAME].

Yours sincerely

[NAME OF SENDER]

For and on behalf of Luton Rising

## APPENDIX TWO – STANDARD RESPONSE LETTERS

### LETTER SIX

#### **Strictly Private and Confidential**

[ADDRESSEE]

[ADDRESS LINE 1]

[ADDRESS LINE 2]

[ADDRESS LINE 3]

[POSTCODE]

[DATE]

Dear [NAME]

#### **Re: Data Portability Request**

We write further to your data portability request which was received on [DATE].

Following careful consideration, we are pleased to inform you that your data portability request has been upheld. We have instructed our IT Department to transfer your personal information via [CSV, XML or JSON file] within [INSERT PERIOD OF TIME I.E. SEVEN DAYS] to [INSERT DETAILS].

If you have any further queries then please contact [NAME].

Yours sincerely

[NAME OF SENDER]

For and on behalf of Luton Rising

## APPENDIX TWO – STANDARD RESPONSE LETTERS

### LETTER SEVEN

#### Strictly Private and Confidential

[ADDRESSEE]

[ADDRESS LINE 1]

[ADDRESS LINE 2]

[ADDRESS LINE 3]

[POSTCODE]

[DATE]

Dear [NAME]

#### Re: Your Objection to Processing of Personal Data

We write further to your objection of our processing of your personal which was received on [DATE].

Following careful consideration, we regret to inform you that we cannot comply with your request. This is because [INSERT REASON WHY WE CANNOT DEAL WITH REQUEST].

Under the terms of the UK General Data Protection Regulation, you have the right to lodge a complaint with the Information Commissioner's Office if you are dissatisfied with the decision made in relation to your request. The Information Commissioner's Office does have an expectation that a complaint will be made to us and dealt with internally first. If you are still dissatisfied following our internal review, then a complaint can be to the Information Commissioner using the details below: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. 0303 123 1113 (local rate) or 01625 545 745.

You also have the right to take legal advice on your ability to seek to enforce your data protection rights through the courts.

If you have any further queries, then please contact [NAME].

Yours sincerely

[NAME OF SENDER]

For and on behalf of Luton Rising

## APPENDIX TWO – STANDARD RESPONSE LETTERS

### LETTER EIGHT

#### **Strictly Private and Confidential**

[ADDRESSEE]

[ADDRESS LINE 1]

[ADDRESS LINE 2]

[ADDRESS LINE 3]

[POSTCODE]

[DATE]

Dear [NAME]

#### **Re: Your Objection to Processing of Personal Data**

We write further to your objection of our processing of your personal which was received on [DATE].

Following careful consideration, we are pleased to inform you that your objection to our processing of your personal information has been upheld and we have stopped processing the personal information for [direct marketing purposes, including profiling, and erased [and **OR** or] suppressed the relevant personal information].

If you have any further queries then please contact [NAME].

Yours sincerely

[NAME OF SENDER]

For and on behalf of Luton Rising

## APPENDIX TWO – STANDARD RESPONSE LETTERS

### LETTER NINE

#### Strictly Private and Confidential

[ADDRESSEE]

[ADDRESS LINE 1]

[ADDRESS LINE 2]

[ADDRESS LINE 3]

[POSTCODE]

[DATE]

Dear [NAME]

#### **Re: Right not to be subject to automated decision making**

We write further to your request not to be subject to automated decision making which was received on [DATE].

Following careful consideration, we regret to inform you that we cannot comply with your request. This is because we do not carry out any automated decision making and therefore we are unable to comply with your request **OR** [INSERT ANY OTHER REASON WHY WE CANNOT DEAL WITH REQUEST].

Under the terms of the UK General Data Protection Regulation, you have the right to lodge a complaint with the Information Commissioner's Office if you are dissatisfied with the decision made in relation to your request. The Information Commissioner's Office does have an expectation that a complaint will be made to us and dealt with internally first. If you are still dissatisfied following our internal review, then a complaint can be to the Information Commissioner using the details below: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. 0303 123 1113 (local rate) or 01625 545 745.

You also have the right to take legal advice on your ability to seek to enforce your data protection rights through the courts.

If you have any further queries, then please contact [NAME].

Yours sincerely

[NAME OF SENDER]

For and on behalf of Luton Rising

## APPENDIX TWO – STANDARD RESPONSE LETTERS

### LETTER TEN

#### **Strictly Private and Confidential**

[ADDRESSEE]

[ADDRESS LINE 1]

[ADDRESS LINE 2]

[ADDRESS LINE 3]

[POSTCODE]

[DATE]

Dear [NAME]

#### **Re: Your right not to be subject to automated decision making**

We write further to your request not to be subject to automated decision making which was received on [DATE].

Following careful consideration, we are pleased to inform you that your request has been upheld and we have stopped performing the automated decision making to which you objected.

If you have any further queries, then please contact [NAME].

Yours sincerely

[NAME OF SENDER]

For and on behalf of Luton Rising