

**Data Protection** 

**Data Erasure Policy** 

**April 2018** 



### **DATA ERASURE POLICY**

#### **Version Control**

Version number	Date	Change	Person
0.1	19 March 2018	GDPR Introduction	Eugene Statnikov

### **Data Erasure**

People have a right to request that their personal information is deleted when there is no compelling reason for it to be retained. This right may override the SoR Retention Schedule.

## When does the right to erasure apply?

The right to erasure does not provide an absolute 'right to be forgotten'. Individuals have a right to have personal data erased and to prevent processing in specific circumstances:

- Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed.
- When the individual withdraws consent.
- When the individual objects to the processing and there is no overriding legitimate interest for continuing the processing.
- The personal data was unlawfully processed (ie otherwise in breach of the GDPR).
- The personal data has to be erased in order to comply with a legal obligation.
- The personal data is processed in relation to the offer of information society services to a child.

There are some specific circumstances where the right to erasure does not apply and you can refuse to deal with a request. For example,

- to exercise the right of freedom of expression and information;
- to comply with a legal obligation or for the performance of a public interest task or exercise of official authority;
- for public health purposes in the public interest;
- archiving purposes in the public interest, scientific research historical research or statistical purposes; or
- the exercise or defence of legal claims.

SCoR will erase personal data as requested unless it has a legitimate interest in retaining the personal data which does not override the interests of the data subject. For example, SCoR will always retain the core data necessary to prove someone was a member.



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# Do I have to tell other organisations about the erasure of personal data?

If the SCoR decides to erase personal data as requested, and the data has previously been disclosed to third parties, we will inform the relevant third party about the erasure of the personal data, unless it is impossible or involves disproportionate effort to do so.

# If someone asks you to delete their personal data

Please note the contact details of the person making the request and explain that you will forward the request to the SCoR Data Protection Officer. Please forward the details to the Data Protection Officer immediately dpo@sor.org. The Data Protection Officer is responsible for managing data erasure requests.