

The Service Users Right to Erasure Policy

This policy sets out a service users 'right to erasure' or 'right to be forgotten' as per the General Data Protection Regulations 2018.

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, i.e. otherwise in breach of the GDPR.
- The personal data has to be erased in order to comply with a legal obligation.
- There are extra requirements when the request for erasure relates to children's personal data, reflecting the GDPR emphasis on the enhanced protection of such information, especially in online environments. If you process the personal data of children, you should pay special attention to existing situations where a child has given consent to processing and they later request the erasure of data (regardless of age at the time of the request), especially on social networking sites and internet forums. This is because a child may not have been fully aware of the risks involved in the processing at the time of consent. Consent for the processing of data of children requires consent from the parent of the child, plus the child themselves if they are over 13 years of age.

When can I refuse to comply with a request for erasure?

There can be a refusal to comply with a request for erasure where the personal data is processed for the following reasons:

- 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.
- Archiving purposes in the public interest, scientific research, historical research or statistical purposes.
- The exercise or defence of legal claims.

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

If you have disclosed the personal data in question to third parties, you must inform them about the erasure of personal data, unless it is impossible or involves disproportionate effort to do so. The GDPR reinforces the right to erasure by clarifying that organisations in the online environment who make personal data public should inform other organisations who process the personal data to erase links to, copies or replication of the personal data in question. While this might be challenging, if you process personal information online, for example on social networks, forums or websites, you must endeavour to comply with these requirements.