Microlink Right to erasure Policy

Version history

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# Purpose of the Policy

The purpose of this document is to outline Microlink’s policy in relation to the management of “right to erasure” (also known as “right to be forgotten”) requests. It promotes the right of data subjects to request the removal of personal data held about them, in electronic or hard copy form, by Microlink, as the data controller. It also outlines the procedure to be followed by data subjects when submitting a right to erasure request to MicrolinkPC.

This Right to erasure Policy document is part of a set of policy documents that together represent the policy of the Microlink organisational approach to data erasure. Therefore, this policy should be read in connection with the policies and procedures listed in Table 1.

Table 1 Related Policies and Procedures

|  |  |
| --- | --- |
| Title | Version |
| Microlink Security Policy | 1.6 |
| Microlink Security Procedures | 2.4 |
| Microlink HR Policy and procedures | 2022 |
| Microlink Business Continuity and Disaster Recovery Plans | 3.0 |
| Microlink Data subject Access request procedures | 5.1 |
| Microlink Privacy policy and procedures for clients | 5.0 |
| Microlink Data breach and Information Security Incidence Reporting procedures | 3.2 |
| Microlink Data Protection Policy and Procedures  | 4.2 |
| ISMS IT operations manual | 17.1 |
| Microlink Risk Management policy | 1.0 |

# Scope of this document

This policy outlines how MicrolinkPC will meet its legal obligations under Data Protection Act 2018 and Article 17 of the UK General Data Protection Regulation (UK GDPR) upon receipt of a right to erasure request.

# Ownership

The Right to Erasure Policy is maintained by MicrolinkPC’s Data Protection Officer (DPO), who is responsible for dealing with all right to erasure requests received by the organisation. All questions or comments related to this policy or a specific right to erasure requests should be directed to the DPO.

# What is personal information?

Personal information is any data, in both physical and electronical form, related to an identified or identifiable person. It includes anything that can be used to identify a person, directly or indirectly, by means of his or her physical, physiological, mental, economic, cultural or social identify.

# What is a right to erasure request?

A data subject right to erasure request is a written or verbal request for personal information (known as personal data) held about you by MicrolinkPC. Under Data Protection Act 2018 and Article 17 of the UK General Data Protection Regulation (UK GDPR) you have the right to request the removal of personal data stored by MicrolinkPC without undue delay. Data subjects have the right to have their personal data erased if:

• The controller no longer needs the data for the purpose that it was originally collected.

• The individual withdraws consent.

• The individual objects to the processing and the organisation have no overriding

 legitimate interest in the data.

• The controller or processor collected the data unlawfully.

• The data must be erased to comply with a legal obligation.

# Can a right to erasure request be refused?

MicrolinkPC can refuse to comply with a request for erasure if:

• Processing the data is necessary to comply with a legal obligation

• The processing is necessary to exercise or defend legal claims.

# How do you make a right to erasure request?

To allow us to respond promptly to any right to erasure request we ask you to:

• email the request to the DPO at dpo@microlinkpc.com

• DPO will send the data erasure request form

• Send the completed request form, along with the proof of identity explained in the

 form electronically to dpo@microlinkpc.com**.**

• if you have any questions regarding the form, please email the **DPO.**

# What do we do when we receive a valid right to erasure request?

We will first check that we have enough information to be sure of your identity. Usually, we will have no reason to doubt a person’s identity. However, in rare cases we may request additional evidence we reasonably need to confirm your identity. We do this to ensure that the correct data will be identified for erasure.

We will then check that we have enough information to find the records you requested for erasure. If we feel we need more information, then we will promptly ask you for this.

Next, we will conduct a full search of all our relevant databases and filing systems and locate all data relevant to the data subject. We will identify all third-party processors that may also have the personal data and instruct them to completely remove the data from their environments and confirm erasure. At this point we remove the personal data from our digital and physical environments.

Finally, we will respond to the data subject to confirm data erasure from our environment and all associated third parties.

# How soon will my right to erasure request be dealt with?

All valid right to erasure requests, accompanied by valid proof of identity, received by MicrolinkPC will be dealt with within 30 days of the latest of the following:

• Our receipt of your request with valid proof of IDs; or

• Our receipt of any further information we may ask you to provide to enable us to

 comply with your request.

# Review

This policy will be reviewed at least annually by the DPO to ensure alignment to appropriate risk management requirements and its continued relevance to current and planned operations, or legal developments and legislative obligations.