1.

1.1 Under data protection legislation[1], the University processes personal data relating to a number of individuals, such as our staff, students, research participants and other third parties. Under this legislation, those individuals have a number of rights in relation to how their personal data is processed.

1.2 This policy relates to the 'right to erasure', sometimes known as the right to be forgotten.

2.

2.1 This Policy applies to any individual who wishes to request erasure of their personal data held by the University, under Article 17 of the UK General Data Protection Regulation (GDPR). The right to erasure is not absolute and only applies in certain circumstances.

2.2 Individuals have the right to have personal data erased if:

the personal data is no longer necessary for the purpose which the University originally collected or processed it for;

the University relied on 'consent' as its lawful basis for processing the personal data, and the individual has withdrawn their consent;

the University relied on 'legitimate interests' as its lawful basis for processing the personal data, but the individual has objected to the processing and there is no overriding legitimate interest to continue the processing;

the personal data has been processed for direct marketing purposes and the individual objects to that;

the personal data has been processed unlawfully; or

the personal data has to be erased in order to comply with a legal obligation.

2.3 The right to erasure does not apply if processing is necessary for one of the following reasons:

to exercise the right of freedom of expression and information;

to comply with a legal obligation;

They act in accordance with any advice or request from the Data Protection Officer to respond to an individual's request for erasure.

4.

4.1

4.1.1 The UK GDPR sets out a number of principles relating to the processing of personal data including the following:

> Personal data shall be processed lawfully, fairly and in a transparent manner;
>
> Personal data shall be collected for specified, explicit and legitimate purposes and, generally, not used for other purposes; and
>
> Personal data should not be kept in a form that enables an individual to be identified for longer than is necessary for the purposes for which the personal data are processed.

4.1.2 The UK GDPR also provides a number of rights to individuals including the right to erasure (Article 17 of the Regulation): "

" where certain grounds apply.

4.2

4.2.1 An individual can request the erasure of some or all of their personal data or from a particular system or file. The request can be made verbally or in writing. It can be made to any part of the University and does not need to be made to a specific person or contact point. Proof of identity will be required by the University before a request will be considered valid.

4.2.2 The University publishes a *Right to erasure request form* (linked below) which assists individuals in making their request and enables the University to respond more quickly. However, individuals are not required to complete this form for their request to be valid.

4.2.3 The University will not generally charge a fee for complying with a request for erasure, unless the request is manifestly unfounded or excessive in which case a reasonable fee may be charged for the administrative costs of complying with the request.

4.3

4.3.1 On receipt of a request and proof of identity, the University will consider whether the individual has a right to erasure of their data. The right to erasure is not absolute and the University will take account of the limitations in the UK GDPR as well as the exemptions within the Data Protection Act 2018, in considering the request.

4.3.2 Where the individual has a right to erasure, the University may refuse to comply with the request if it is manifestly unfounded or excessive. The University will take into account whether the request is repetitive in nature. If the request is manifestly unfounded or excessive, the University may refuse to deal with the request or may ask for a reasonable fee to deal with the request.

4.3.3 Before the erasure of any personal data, the University will advise the individual as to what will happen to their data when their erasure request is fulfilled, including in respect of backup systems, and the impact on their other data rights under the UK GDPR, such as the right of access.

4.4

4.4.1 Where possible, the University will ensure the destruction of personal data, i.e. its irretrievable removal. This will mean physically d2.2 (in)2.2 ((h)2. (e)-31l2 (i)2.8 0px-2.9 ((s)-1.350 Tc y

The personal data has been made public in an online environment

4.5.2 Where the personal data has been disclosed to others, the University will contact each recipient and inform them of the erasure, unless that is not possible or involves disproportionate effort.