

Rights of Individuals (Personal Data) Protocol

1. Introduction

- 1.1. In order to deliver our provision the college collects, processes and shares a large amount of personal data about our staff, students and other individuals who interact with us.
- 1.2. If the college processes any of your personal data the law gives you the right to be **informed** about how the college collects and uses it. The college must provide information about its purpose and legal basis for processing your data, how long the data will be retained and who, if anyone, it will be shared with. We do this through privacy notices which can be found at www.northern.ac.uk/dataprotection.
- 1.3. You also have the right to **access** your data, **rectify** it if it is inaccurate, **erase** it in certain circumstances or **restrict** its processing. You may also sometimes have the right to request your information in a **portable** format, **object** to its processing and not be subject to **automated decision making or profiling**.
- 1.4. This protocol sets out these rights in more detail and explains how you can exercise them.

2. The Right of Access

- 2.1. You have the right to access any personal data about you which is held by the college. This is to enable you to be aware of and verify the lawfulness of the processing of your data.
- 2.2. In most circumstances the college will provide a copy of the information held about you free of charge.
- 2.3. A reasonable fee based on the administrative cost of providing the information may be charged where a request is manifestly unfounded or excessive, particularly if it is repetitive, or where further copies of the same information are requested.
- 2.4. In most cases the information will be provided without delay and at the latest within one month of your request. This may be extended by a further two months where requests are complex or numerous. If this is the case we will inform you within one month of the receipt of your request and explain why the extension is necessary.
- 2.5. In very rare circumstances we may refuse your request. Where this is the case we will explain why without undue delay and at the latest within one month and inform you of how you may complain to the supervisory authority for a judicial remedy if you think our decision is unfair.
- 2.6. Your information will be provided in a commonly used electronic format.
- 2.7. To make a request to access your data please complete the attached form and submit it to the data protection officer at dpofficer@northern.ac.uk or the vice principal at dpozorski@northern.ac.uk.

3. The Right to Rectification

- 3.1. You have the right to have any data held about you that is inaccurate rectified, or in some circumstances completed if it is incomplete.
- 3.2. We will take any necessary steps to verify the accuracy of the data you provide, this may include asking you for further information. We may restrict the processing of the personal data in question whilst we are verifying its accuracy.

- 3.3. If for any reason we find that the original data is accurate we will let you know and inform you that we will not be amending the data. We will explain the reason for this decision and inform you of your right to make a complaint to the ICO or other supervisory authority.
- 3.4. We will also place a note on our systems indicating that you have challenged the accuracy of your data and your reasons for doing so.
- 3.5. In the unlikely situation where a request to rectify data is manifestly unfounded or excessive, or repetitive in nature we may impose a reasonable fee to deal with the request or refuse to deal with it. In either case we will explain why and how you can make a complaint to the ICO or other supervisory authority.
- 3.6. If we have shared your data with others we will contact them and inform them of the rectification or completion of the personal data, unless this proves impossible or involves disproportionate effort.
- 3.7. You can make a request to rectify your data either in writing or verbally to any relevant member of staff, or to the data protection officer at dpofficer@northern.ac.uk or vice principal at dpozorski@northern.ac.uk.
- 3.8. In most cases we will act on your request within 28 days.

4. The Right to Erasure

- 4.1. In some circumstances you have the right to have your personal data erased. This is also known as the 'right to be forgotten'.
- 4.2. This applies where:
 - 4.2.1. your data is no longer necessary for the purpose which the college originally collected or processed it;
 - 4.2.2. you previously were asked to provide your consent for your data to be processed and you now wish to withdraw that consent;
 - 4.2.3. you object to the processing of your data, and there is no overriding legitimate interest to continue the processing;
 - 4.2.4. you object to direct marketing;
 - 4.2.5. your data has been processed unlawfully;
 - 4.2.6. there is a legal obligation for the data to be erased.
- 4.3. If we have shared your data with others we will contact them and inform them of its erasure, unless this proves impossible or involves disproportionate effort.
- 4.4. The right to erasure does not apply where processing is:
 - 4.4.1. to exercise the right of freedom of expression and information;
 - 4.4.2. to comply with a legal obligation;
 - 4.4.3. for the performance of a task carried out in the public interest or in the exercise of official authority;
 - 4.4.4. for archiving purposes in the public interest, scientific research historical research or statistical purposes where erasure is likely to render impossible or seriously impair the achievement of that processing;
 - 4.4.5. for the establishment, exercise or defence of legal claims.
- 4.5. In very rare circumstances we may either request a reasonable fee to deal with the request or refuse to comply if it is manifestly unfounded or excessive or repetitive in nature. In such circumstances we will notify you without undue delay and within one month of receipt of the request indicating the reasons we are not taking action, your right to make a complaint to the ICO or other supervisory authority and your ability to seek to enforce this right through a judicial remedy.
- 4.6. You can make a request to have your data erased either in writing or verbally to any relevant member of staff, or to the data protection officer at dpofficer@northern.ac.uk or vice principal at dpozorski@northern.ac.uk.
- 4.7. In most cases we will act on your request within 28 days.

5. The Right to Restrict Processing

- 5.1. In some circumstances you have the right to restrict the processing of your personal data. This means that you may be able to limit the way that the college uses your data.
- 5.2. You have the right to restrict the processing of your data where you have a particular reason for wanting the restriction. This may be because you have issues with the content of the information we hold or how we have processed your data.
- 5.3. This applies where:
 - 5.3.1. you are contesting the accuracy of your data and the college is verifying its accuracy;
 - 5.3.2. your data has been unlawfully processed;
 - 5.3.3. the college no longer needs your data but you needs us to keep it in order to establish, exercise or defend a legal claim;
 - 5.3.4. you have objected to the college processing your data under Article 21(1) of the General Data Protection Regulation (GDPR), and the college is considering whether it has legitimate grounds to override this.
- 5.4. If we have shared your data with others we will contact them and inform them of restriction, unless this proves impossible or involves disproportionate effort.
- 5.5. In most cases the restriction will be temporary and we will notify you before any restriction is lifted.
- 5.6. In very rare circumstances we may either request a reasonable fee to deal with a request for restriction of processing or refuse to comply if it is manifestly unfounded or excessive or repetitive in nature. In such circumstances we will notify you without undue delay and within one month of receipt of the request indicating the reasons we are not taking action, your right to make a complaint to the ICO or other supervisory authority and your ability to seek to enforce this right through a judicial remedy.
- 5.7. You can make a request to have the processing of your data restricted either in writing or verbally to any relevant member of staff, or to the data protection officer at dpofficer@northern.ac.uk or vice principal at dpozorski@northern.ac.uk.
- 5.8. In most cases we will act on your request within 28 days.

6. The Right to Data Portability

- 6.1. In some circumstances you have the right to data portability. This means you may be able to receive a copy of the personal data we hold about which you can reuse for your own purposes across different services or request that we transmit your data directly to another data controller.
- 6.2. This only applies where you have been asked to provide your consent for us to process your data or where we are using it in the delivery of a contract and the processing is carried out by automated means, and only to personal data which you have provided to us.
- 6.3. You can make a request regarding data portability in writing or verbally to any relevant member of staff, or to the data protection officer at dpofficer@northern.ac.uk or vice principal at dpozorski@northern.ac.uk.

7. The Right to Object

- 7.1. You have the right to object to the processing of your data where the college's legal basis for processing it is legitimate interests or for the performance of a task in the public interest or exercise of an official authority. You may object on grounds relating to your particular situation. This includes direct marketing and processing for purposes of scientific/historical research and statistics.
- 7.2. Where you have a right to object to processing we will clearly tell you in the relevant privacy notice.

- 7.3. We will cease processing on request immediately unless there are compelling legitimate grounds for the processing to continue which override your interests, rights and freedoms or where the processing is for the establishment, exercise or defence of legal claims.
- 7.4. If you object to the processing of your data in relation to direct marketing we will stop as soon as you object in every circumstance.
- 7.5. You can object to the processing of your data either in writing or verbally to any relevant member of staff, or to the data protection officer at dpofficer@northern.ac.uk or the vice principal at dpozorski@northern.ac.uk.
- 7.6. Any direct marketing you receive from the college will always clearly include how you can object to receiving any further material.

8. Rights in Relation to Automated Decision Making and Profiling.

- 8.1. Data protection law gives you the right to object to any automated decision making and profiling. This is where a decision is made solely by automated means without any human involvement or where automated processing of personal data is used to evaluate certain things about you.
- 8.2. The college does not undertake any form of automated decision making or profiling of your data.

9. Further Information

- 9.1. If you have any questions or concerns about the processing of your personal data and your rights please contact the data protection officer at dpofficer@northern.ac.uk or by contacting 01226 776005.
- 9.2. Additional advice is available from the Information Commissioner's Office (ICO) at <https://ico.org.uk/for-the-public/>.

Area	Data Protection
Sub Area	Subject Access Rights Protocol
Prepared By	Sarah Johnson, Data Protection Officer
Approved By	Senior Leadership Team
Document Manager	Sarah Johnson, Data Protection
Last Updated	May 2018
Next Review Date	May 2020

Access to Personal Data Request Form

Your Name	
Your relationship to Northern College	staff/student/governor/other* If other please describe: * delete as appropriate
Please indicate below the information to which you wish to have access:	
Data that Northern College holds about me in the following categories:	
	Please ✓
Academic marks or course work details	
Academic or employment references	
Disciplinary records	
Health and medical matters	
Political, religious or trade union information	
Any statements of opinion about my abilities or performance	
Personal details including name, address, date of birth etc.	
Visual images e.g. from CCTV footage	
or	
All the data that Northern College currently has about me, either as part of an automated system or part of a relevant filing system	
Signature	
Date	
Please return this form to the data protection officer at dpofficer@northern.ac.uk . You may be asked to provide proof of your identity before information is released to you.	