

Under the terms of the General Data Protection Regulation and the Data Protection Act 2018, the University will ensure that it enables and responds to the following individual rights being exercised.

The purpose of this policy is to set out how the University will uphold the rights of data subjects under the General Data Protection Regulation and the Data Protection Act 2018 when processing personal data during the course of its business.

Individuals will be informed about the data the University processes about them by Privacy Notices that will be made available to them when their personal data is collected, or within one month of collection where the data is provided via another source. The University's Privacy notices can be accessed at www.abertay.ac.uk/legal .

Individuals have the right to request access to their personal data, either verbally or in writing.

In some circumstances, individuals have the right to have their personal data erased (also known as the right to be forgotten).

Individuals have the right to have their personal data erased where:

- the personal data is no longer necessary for the purpose for which it was originally collected or processed;
- consent was the lawful basis for holding the data, and the individual withdraws their consent;
- legitimate interests were the basis for processing, the individual objects to the processing of their data, and there is no overriding legitimate interest to continue this processing;
- the personal data is processed for direct marketing purposes and the individual objects to that processing;
- the personal data has been processed unlawfully;
- erasure is required to comply with a legal obligation; or
- the personal data has been processed to offer information society services to a child.

The right to erasure does not apply where the 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;
- for the performance of a task carried out in the public interest or in the exercise of official authority;
- 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; or
- for the establishment, exercise or defence of legal claims.

A request for erasure can be made verbally or in writing. The University will confirm the identity of the requester, clarify the request with the individual and confirm by email the detail of the request. The University will determine whether the request meets the criteria outlined above, and will respond to the request within one month to confirm that the data has been erased, or to explain why it cannot be erased. Normally no fee will be charged.

If the University considers that a request is manifestly unfounded or excessive, a reasonable fee may be charged to deal with the request, or the request may not be dealt with. In either instance a justification will be provided to the individual.

In some circumstances, individuals have the right to request the restriction or suppression of their personal data.

Individuals have the right to request that processing of their data be restricted in the following circumstances:

where they have contested the accuracy of the data, and the accuracy is being verified;
where the data has been unlawfully processed and the individual requests restriction rather than erasure;
where the data is no longer required for its original purpose but the individual wishes it to be retained in order to establish, exercise or defend a legal claim; or
where an individual has objected to the processing of their data and the legitimate grounds for processing are still being considered.

A request to restrict processing can be made verbally or in writing. The University will confirm the identity of the requester, clarify the request with the individual and confirm by email the

Where the personal data is used for direct marketing purposes, the right to object is absolute, and such requests will not be refused.