

Meeting the Requirements Right to Object, Erasure, Rectification and Portability



Introduction

Right to object

Under the UK GDPR individuals have the right to object to the processing of their personal information at any time. However, the right to object only applies in certain circumstances. Whether it applies depends on your purpose and lawful basis for processing. Individuals have the absolute right to object to the processing of their personal information if it is for direct marketing purposes.

Right to erasure

Individuals have the right to have personal information erased. This is also known as the 'right to be forgotten'. The right is not absolute and only applies in certain circumstances. Individuals have the absolute right to have their personal information erased if it is for direct marketing purposes.

Right to rectification

The UK GDPR includes a right for individuals to have inaccurate personal information rectified or completed if incomplete – although this will depend on the purposes for the processing. This right has close links to the accuracy principle. However, although you may have already taken steps to ensure that the personal information was accurate when you obtained it, this right imposes a specific obligation to reconsider the accuracy upon request.

Right to portability

The right to data portability allows individuals to obtain and reuse their personal information for their own purposes across different services. This right is unlikely to apply to processing health information in a health setting as it only applies to processing by automated means and refers to the ability to move data among different application programmes, computing environments or cloud services.

See '[Table One](#)' which provides a summary of the above rights.

How do we reach Attainment Level 1?

The organisation must have policies, procedures and guidance in place which set out the organisations process for these specific rights. These can form part of an overall document set covering all 'Individuals Rights and Obligations' or in standalone documents. Processes should be in place to ensure that staff are made aware of the policies and procedures and are made aware of how to recognise a request. Individuals should be informed of these rights.

How do we reach Attainment Level 2?



The organisation should maintain a register / log of requests received under these rights in any format; verbally or in writing. The register should detail things such as timelines, actions and responses to help track the request and ensure meeting the request is compliant with the law.

Training should be available to the appropriate staff to ensure they understand how to recognise a request under these rights, when these rights can and cannot be exercised by individuals, how to respond to such requests, timescales provided by legislation and when time limits can be extended.

How do we reach Attainment Level 3?

The organisation should ensure processes are in place for dealing with any complaints and appeals regarding these requests. Performance figures should be presented to the relevant forum i.e. Management Team/Committee/Board on a regular basis.

Supporting Resources

[ICO: Guidance on Right to Object](#)

[ICO: Guidance on Right to Erasure](#)

[ICO: Guidance on Right to Rectification](#)

[ICO: Guidance on Right to Portability](#)

Summary Requirement

Attainment Level	Summary Requirement
1	There are documented procedures and guidance in place to manage objections and requests for rectification, erasure and portability that sets out clear responsibilities for responding to information requests efficiently and in accordance with the law
2	Procedures have been implemented by all staff members and those who manage requests have been appropriately trained. A register of requests is maintained
3	There is a review process in place for all requests in relation to erasure, rectification, portability and the objection to processing including a robust process for internal reviews, complaints and appeals. Performance figures in relation to submitted requests are regularly reported to the relevant forum

