

Data Subject Deletion Request Procedure

for The Photographer's Foundation Limited

About this procedure

This procedure defines how **The Photographer's Foundation Limited** will manage data subject requests to delete (erase) data ('right to be forgotten') in accordance with the UK Data Protection Bill 2017. It should be read in conjunction with current information and guidance published by the UK Information Commissioner's Office (ICO – <http://ico.org.uk/>)

Note that once the UK leaves the European Union, additional requirements of the European Union General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) may continue to apply with respect to data processed relating to EU citizens, which may include youth members and volunteers. As **The Photographer's Foundation Limited** does not regularly process data relating to citizens of the EU as a matter of course, it is considered that the UK Data Protection Bill 2017 will meet the requirements of the EU GDPR regulation. Should this position change this procedure will be reviewed.

The general requirements for data protection are defined in **The Photographer's Foundation Limited** Data Protection Policy.

Note that the right to request data deletion ('right to be forgotten') is not absolute and applies when:

- The personal data is no longer necessary in relation to the purpose for which it was originally collected/processed (i.e. the data retention period defined in the Data Protection Policy has elapsed)
- The individual withdraws consent (e.g. terminates their membership)
- The individual objects to the processing and there is no overriding legitimate interest for continuing the processing (including storage)
- The personal data was unlawfully processed (i.e. otherwise in breach of the UK Data Protection Act).
- The personal data has to be erased in order to comply with a legal obligation.

The Photographer's Foundation Limited may choose not to delete the data for the following reasons:

- To exercise the right of freedom of expression and information (e.g., data contained in **The Photographer's Foundation Limited** newsletter, blog etc)
- To comply with a legal obligation for the performance of a public interest task or exercise of official authority (e.g. to retain safeguarding or safety data)
- For public health purposes in the public interest (e.g. medical records relating to an outbreak of illness on camps)
- Archiving purposes in the public interest, scientific research historical research or statistical purposes (e.g. data of historical significance to local or national scouting)
- The exercise or defence of legal claims (e.g. complaints data, employment records, financial records etc)

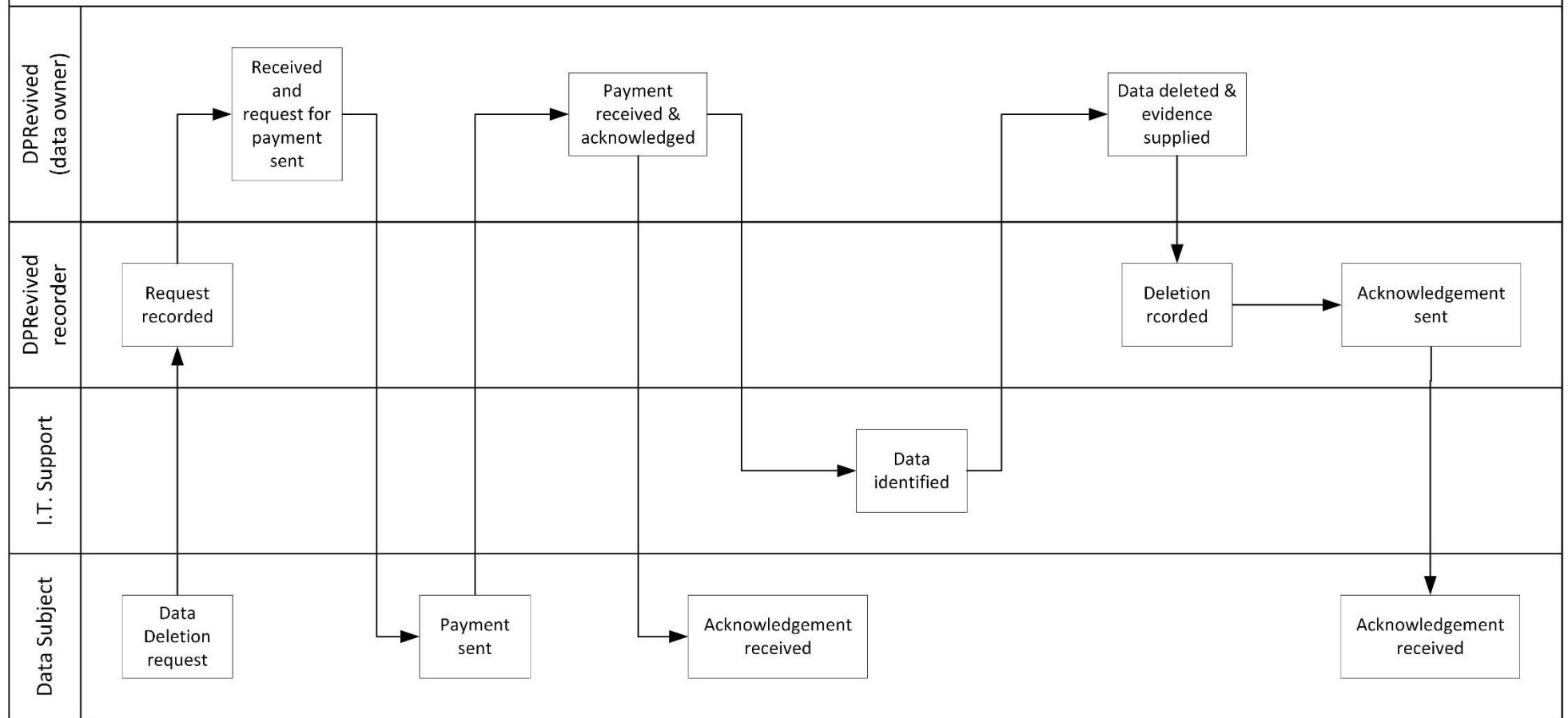
Where such requests are refused, **The Photographer's Foundation Limited** Recorder must advise the data subject of the reason why the request will not be complied with.

In considering that **The Photographer's Foundation Limited** is a not for profit organisation, **The Photographer's Foundation Limited** reserves the right to charge a reasonable fee (based upon a volunteer rate of £14.00/hr or

the applicable staff costs) for data subject access requests. This fee is initially set at £30 or €40 per request. Any which are considered excessive by way of the volume of data to be searched or the volume of data to be redacted and which exceed 10 hours of staff or volunteer time will have an additional cost to be agreed between the requestor and **The Photographer's Foundation Limited**.

The general process for implementing data subject correction requests is shown overleaf.

Data Subject Deletion Request



This process is described in more detail below

Step	Description
1. Data Deletion Request	<p>The Data Subject makes a data subject deletion request. This should be directed to The Photographer's Foundation Limited Recorder (any member of staff of any other volunteer, including the data owner (Responsible Officer) should direct the request to The Photographer's Foundation Limited Recorder).</p>
2. Accept and Acknowledge Data Deletion request	<p>The Photographer's Foundation Limited Recorder should immediately acknowledge receipt of the data subject deletion request.</p> <p>The Photographer's Foundation Limited Recorder should maintain a log of all requests including:</p> <ul style="list-style-type: none"> • Date request received • Data subject name and contact details • Scope of data subject deletion request • Date of request acknowledgement • Date data deletion confirmed <p>The Photographer's Foundation Limited Recorder may, in consultation with the Data Protection Officer, refuse a data deletion request as outlined above.</p> <p>Where the scope of the request is not specific, The Photographer's Foundation Limited Recorder should seek to clarify the scope of the request i.e., exactly what data should be deleted.</p> <p>The Photographer's Foundation Limited Recorder should inform the Data Protection Officer that a data subject deletion request has been received and the Data Protection Officer should provide support and guidance as needed.</p> <p>The Photographer's Foundation Limited Recorder should determine, with support from the Data Protection Officer, whether the data subject deletion request is complex or simple.</p> <p>If the request is considered complex (see Annex 1), The Photographer's Foundation Limited Recorder should inform the data subject that the request is complex and that the requested data will be deleted within 90 days.</p> <p>If the request is not considered complex (see Annex 1), The Photographer's Foundation Limited Recorder should inform the data subject that the data will be deleted within 1 month.</p> <p>The Photographer's Foundation Limited Recorder should inform the data owner(s) (Responsible officers) of the data subject deletion request.</p>
3. Acknowledge Request	<p>The data owner(s) (Responsible Officers) should acknowledge the data correction deletion to The Photographer's Foundation Limited Recorder and prioritise their activities accordingly</p>
4. Identify Data	<p>Based upon the defined scope of the data subject deletion request, the data owner(s) (Responsible Officers) should identify the specific datasets that need to be edited or deleted.</p>
5. Identify Information Assets	<p>Based upon the defined scope of the data subject deletion request, and the datasets identified by the data owner(s) (Responsible Officers), the data owner(s) and The Photographer's Foundation Limited IT Support will identify the appropriate IT Assets e.g.</p> <ul style="list-style-type: none"> • Hard copy folders or file store • Office 365 datastore (e.g. email account, OneDrive folders) • Other system or databases)

Step	Description
	Note that at this stage it may be discovered that data may have been shared with third parties. Where this is the case, the third party should be requested to also delete the data and provide evidence of compliance.
6. Delete Allowed Data	<p>Using appropriate search criteria (filters, date ranges, keywords etc) derived from the scope of the data subject correction request, the data owner(s) (Responsible Officers) and The Photographer's Foundation Limited IT Support will securely delete data and records within the scope of the request (as hard copies and/or a separate electronic copy).</p> <p>Where records contain personal data within the scope of the deletion request and other data (which may need to be retained for other purposes), consideration should be given to deleting only the personal data to pseudonymise the record.</p> <p>Hard copies should be shredded and disposed of as confidential waste. Electronic data should be permanently erased where possible (not just marked as deleted or moved to archive)</p> <p>If there are any queries with respect to the deletions to be made, these should be clarified with the data owner(s) (Responsible Officers), The Photographer's Foundation Limited Recorder or data subject as appropriate.</p>
7. Generate Evidence	<p>The data owner(s) (Responsible Officers), assisted by The Photographer's Foundation Limited IT Support will generate and retain evidence of the data deletion being made.</p> <p>Care should be taken to redact any evidence in accordance with step 7 of the data subject access request procedure to ensure that the evidence contains no personal, sensitive or confidential data.</p>
8. Prepare Evidence Package	<p>The data owner(s) (Responsible Officers) should prepare the necessary evidence package. This should be in a human accessible format (hard copy or electronic copy which is readable through readily available software e.g. PDF readers). Data should be organised in a logical order (e.g. dataset type, date order etc) although it is not necessary to provide a complete index or search facility.</p>
9. Supply Evidence Package	<p>The data owner(s) (Responsible Officers) should supply the evidence package to The Photographer's Foundation Limited Recorder in a suitable format (usually a hard copy folder with all contents secured, or a secure electronic store to which suitable access can be granted e.g. through the use of a temporary, read only The Photographer's Foundation Limited account and User ID).</p>
10. Supply Evidence Package	<p>The Photographer's Foundation Limited Recorder should supply the evidence package to the data subject in a suitable format as defined above, and request acknowledgement of receipt from the data subject.</p> <p>A record of transmittal should be retained and the data subject deletion request log updated.</p>
11. Receive Evidence Package	<p>The data subject receives the evidence package (or access to the evidence package) and should acknowledge receipt.</p>

Annex 1 – Complex Data Subject Deletion Requests

The Photographer's Foundation Limited considers the following data subject correction requests to be complex. Where this is the case, acknowledgement of the request should be provided to the data subject within 30 days of receiving the request and the evidence should be provided to the data subject as soon as possible, and always within 90 days of receiving the request.

- Any request involving a combination of electronic and hard copy data.
- Any request involving multiple data stores from within The Photographer's Foundation Limited Office 365 environment (e.g. email accounts, OneDrive folders)
- Any request involving a The Photographer's Foundation Limited Office 365 data store and any other systems.
- Any request involving data held by The Photographer's Foundation Limited volunteers in personal (secure) storage locations.

All other such requests are considered simple and the data should be corrected and evidence provided to the data subject within 30 days of receiving the request.

If in doubt, the Data Protection Officer, balancing the rights of the data subject and the ability of The Photographer's Foundation Limited to delete the data, will provide a definitive determination of whether a data subject deletion request is considered simple or complex.