

## **Data subject rights**

The General Data Protection Regulation (GDPR) gives individuals several rights regarding their personal information.

You will not always be able to exercise all the rights set out in the GDPR as they vary depending on why we collected the personal information. There are also some circumstances where your rights cannot be exercised because exemptions will apply. We will explain this in our response to you.

## **Your rights and requests**

The GDPR provides the following rights for individuals:

### **1. The right to be informed (Article 13 and 14)**

You have the right to be informed about the collection and use of your personal data. A privacy notice will be provided to you at the time your personal data is collected and will explain simply and clearly how and why we intend to process your data. This information will be on the website or will accompany the form you complete.

### **2. The right of access (Article 15)**

Individuals have the right to access their personal data. This is commonly referred to as subject access. Individuals can make a subject access request verbally or in writing. The CNC have one month to respond to a request and cannot charge a fee to deal with a request in most circumstances.

### **3. The right to rectification (Article 16)**

You have a right to rectification of inaccurate personal information and to update incomplete personal information.

If you believe that any of the information that we hold about you is inaccurate, you have a right to request that we restrict the processing of that information and to rectify the inaccurate personal information.

Rectification can be achieved by adding to the record or creating a supplementary record. Even if we decide that the information is correct, we will place a statement from you on the record with the data you believe to be correct or stating your dispute.

### **4. The right to erasure (Article 17)**

You may request that we delete your personal information if you believe that:

- we no longer need to process your information for the purposes for which it was provided
- we have requested your permission to process your personal information and you wish to withdraw your consent; or
- we are not using your information in a lawful manner

### **5. The right to restrict processing (Article 18)**

You have a right to request to restrict the processing of your personal information. You may request to restrict processing your personal information if you believe that:

- any of the information that we hold about you is inaccurate
- we no longer need to process your information for the purposes for which it was provided, but you require the information to establish, exercise or defend legal claims
- we are not using your information in a lawful manner

#### **6. The right to data portability (Article 20)**

Where we have requested your permission to process your personal information, you have a right to receive the personal information **you provided to us** in a portable format.

You may also request to provide it directly to a third party, if technically feasible. We're not responsible for any such third party's use of your information, which will be governed by their agreement with you and any privacy statement they provide to you.

Please note that this right only applies to data that is being processed electronically.

#### **7. The right to object (Article 21)**

You must tell us your circumstances justifying your objection to processing. Please be aware that we can still process personal information where there are compelling grounds, or it is necessary for legal claims.

#### **8. Rights in relation to automated decision making and profiling. (Article 22)**

You have three rights in relation to automated decision taking, including profiling, where the result will have legal or other significant effects on you.

The first is the right to prevent such a decision being taken. You can give written notice asking us not to take an automated decision.

The second right applies where no such notice has been given. You must be informed, as soon as is practicable in the circumstances, that an automated decision has been made.

The third right relates to the options available to you on receiving notification of an automated decision. If you are unhappy that an automated decision has been taken, you have 21 days to ask the CNC to reconsider the decision or to take a new decision on a different basis.

For all requests above please email [data.protection@cnc.police.uk](mailto:data.protection@cnc.police.uk)