

## **Guidance: Making a Request under the GDPR**

### **Your rights under the GDPR**

#### **The right to be informed**

You have the right to know what data the University holds about you and why. We set this information out in our Privacy Notices which are available on our website.

#### **The right of access**

Under the GDPR, you have the right to obtain the following:

- Confirmation that your data is being processed;
- Access to your personal data;
- Supplementary information – including the purposes of the processing, the categories of data processed, who the data will be shared with and where possible, the envisaged period for which the data will be stored.

Requesting the above information is known as a Subject Access Request (SAR).

#### **The right to rectification of data**

If you believe that the data the University holds about you is incorrect or incomplete, you can ask that it is rectified.

#### **The right to be forgotten**

In certain circumstances, you can ask the University to delete your personal data. These circumstances are:

- (a) You believe that the data is no longer required for the purpose that it was originally collected;
- (b) You wish to withdraw your consent to your data being processed;
- (c) You object to your data being processed (note: we may be unable to comply with this request if there is an overriding legitimate interest for continuing the processing);
- (d) You believe that your personal data was unlawfully processed;
- (e) Your personal data has to be erased to comply with a legal obligation.

#### **The right to data portability**

The right of data portability applies to any data which is:

- (1) processed by automated means;
- (2) has been provided by you to the University in a structured, commonly used and machine readable format (i.e. via i-Trent or Self-Service Banner); and
- (3) you have either consented to your data being processed or the processing is necessary to perform a contract e.g. your contract of employment.

Where these conditions apply, you can request that your data is given to you in a usable format or transferred to another data controller.

#### The right to restrict processing of your personal data

If you believe that there is no lawful basis for processing your personal data or if you contest the accuracy of the information being processed, you can request that processing is restricted until the matter is resolved.

#### The right to object to processing

You have the right to object to the following types of data processing:

- Direct marketing;
- Processing based on legitimate interests or the performance of a task in the public interest/exercise of an official function; and
- Processing for research or statistical purposes.

This right is not absolute and in some circumstances, the University will be unable to comply with this request. This will usually arise where it is necessary to process your data as part of a public interest task, in cases where there are compelling legitimate grounds for the processing or the processing is necessary for the establishment, exercise or defence of a legal complaint.

#### The right to object to automated decision making

Where a decision is taken using your personal data solely by automated means and that decision will have legal or other “significant” effects, you will have the following rights:

- To request that the University does not take an automated decision;
- To be informed of any automated decisions taken as soon as practicable;
- Within 21 days of being informed of an automated decision, you can request that we review the automated decision or take a new decision.

#### **How to make a request under the GDPR**

We would encourage all individuals to complete UWS' 'Personal Data Request Form' when making a request under the GDPR.

If you do not wish to complete this form, please submit your request in writing and ensure that you include the following information:

- Your name
- Your contact details (including home address, email address and contact number)
- Your relationship to UWS (i.e. an employee, student, former student etc.)
- For employees only – your department/School and job title
- Full details of your request (including the type of request that you are making, any relevant background information and whether it relates to all of the personal data that UWS holds about you)

Please send completed forms or written requests to [dataprotection@uws.ac.uk](mailto:dataprotection@uws.ac.uk). If you do not have access to email, please send a copy of this form by post to:

Legal Services  
The University of the West of Scotland  
High Street  
Paisley  
PA1 2BE

### **How UWS will respond to your request**

We will endeavour to comply with all requests within one month of receipt. It may be necessary to extend this response time to two months where a request is particularly complex or where multiple requests are made. In this case, we will inform you of this revised timescale.

In some cases, we may be unable to comply with your request. Most commonly, this will be where the University has a legal obligation to store or process your personal data. We will inform you in writing if we are unable to comply with your request and will provide you with reasons for this.

### **What can I do if I am unhappy with the way that UWS has dealt with my request?**

UWS is committed to responding to all requests under the GDPR in a fair and efficient manner. However, we recognise that, on occasion, individuals may have issues or concerns that they wish to raise. You can find out more about how to make a complaint to the University [here](#).