

# INDIVIDUAL'S RIGHTS REQUEST

**This form can be used to exercise an individual's rights under the data protection legislation in relation to personal data held by PSAA.**

**Please read the Individual's Rights Request Guidance below before completing this form.**

**A separate form should be completed for each individual.**

This is not a mandatory form

Individual's Rights requests made in other formats will also be accepted but this form is designed to assist the process and, as a consequence, may speed the process up.

The information supplied in this form will be used only for the purposes of processing the request that you are making.

## Individual's Rights Request Guidance

### Please read before filling in the Individual's Rights Request Form

#### Which sections should I complete?

Sections 1, 2, 4, 5 and 6 should be completed for all applications.

Sections 3 should only be completed if the application is being made by a representative (that is someone other than the data subject themselves).

Section 2 (Proof of the applicant's identity) - if you do not have any of the forms of identity listed, we may in exceptional circumstances accept alternatives for consideration – please contact us.

#### What information will help with the processing of my request?

It will assist us to respond quickly if you are to specify the data about which your request is being made. If you cannot provide us with satisfactory proof of identity, your request may be rejected.

#### What information does PSAA hold?

PSAA collects personal information in the course of its business operations. Our privacy notice available at <https://www.psaa.co.uk/legal/privacy/> sets out in detail the information we collect about:

- individuals in specific posts at audited bodies that have opted into PSAA's national auditor appointment scheme, in connection with PSAA's responsibilities as a specified appointing person under the Local Audit and Accountability Act 2014;
- individuals in specific posts at audited bodies for which PSAA has appointed an auditor under the transitional arrangements made by the Secretary of State for Communities and Local Government;
- individuals in organisations that are key stakeholders for PSAA, in connection with its statutory responsibilities;
- individuals who are chairs of the audit committees for principal local government bodies who are subject to the requirements of the Local Audit and Accountability Act 2014;
- partners and employees of audit firms with which PSAA has, or has previously managed, audit contracts;
- individuals at suppliers of goods and services to PSAA;
- job applicants, current and former employees, current and former Board and audit committee members;
- members of the public making enquiries or complaints to PSAA; and

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- visitors to our website.

## How long will it take to process my request?

Once we are satisfied that you meet the criteria for making a request under the data protection laws, and have provided sufficient information, your request will be processed as shown below.

We will not acknowledge your application in writing but we will provide you with a reference number when we write to you.

If PSAA does not propose to take action in response to your request, we will explain why and provide information about how to complain to the ICO without undue delay and at the latest within one month.

## Right to rectification

- The right to rectification gives individuals the right to have personal data held about them by PSAA rectified if it is inaccurate or incomplete.
- PSAA will respond within one month, unless the request for rectification is complex where a response may take up to three months.
- Where PSAA has disclosed the personal data in question to third parties, we will inform the individuals of the third parties to whom the data has been disclosed where possible, and inform the third parties of the rectification.

## Right to erasure

- The right to erasure gives individuals the right to request the deletion or removal of personal data where there is no compelling reason for its continued processing. Individuals' rights to erasure do not apply if where processing is carried out on the basis of 'public task'. Therefore the right to erasure only applies to data held by PSAA in support of its non-statutory functions.
- The right to erasure does not provide an absolute 'right to be forgotten'. Individuals have a right to have personal data erased and to prevent processing in specific circumstances:
  - Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed;
  - When the individual withdraws consent;
  - When the individual objects to the processing and there is no overriding legitimate interest for continuing the processing;
  - The personal data was unlawfully processed (that is in breach of the GDPR);
  - The personal data has to be erased in order to comply with a legal obligation; and
  - The personal data is processed in relation to the offer of information society services to a child.
- PSAA will refuse to comply with a request for erasure where the personal data is processed for the following reasons:
  - to exercise the right of freedom of expression and information;
  - to comply with a legal obligation for the performance of a public interest task or exercise of official authority;
  - for public health purposes in the public interest;
  - archiving purposes in the public interest, scientific research historical research or statistical purposes; or

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- the exercise or defence of legal claims.
- Where PSAA has disclosed the personal data in question to third parties, we will inform them about the erasure of the personal data, unless it is impossible or involves disproportionate effort to do so.

## Right to restricted processing

- The right to restrict processing gives individuals the right to 'block' or suppress processing of personal data. Restricted processing means that PSAA is permitted to store the personal data, but not further process it.
- PSAA will apply the right to restrict processing as follows:
  - where the accuracy of the data is contested – PSAA will restrict processing until the accuracy of the personal data has been verified;
  - where an individual has objected to the processing (where it was necessary for the performance of a public interest task or purpose of legitimate interests), and PSAA is considering whether we have legitimate grounds that override those of the individual;
  - when processing is unlawful, and the individual opposes erasure and requests restriction instead.
  - where PSAA no longer needs the personal data but the individual requires the data to establish, exercise or defend a legal claim
- Where PSAA has disclosed the personal data in question to third parties, we will inform them about the restriction on the processing of the personal data, unless it is impossible or involves disproportionate effort to do so.
- PSAA will inform individuals when we decide to lift a restriction on processing.

## Right to data portability

- The right to portability gives individuals the right to obtain and reuse their personal data for their own purposes across different services. It allows them to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability.
- Individuals' rights to erasure do not apply if where processing is carried out on the basis of 'public task'. Therefore the right to erasure only applies to data held by PSAA in support of its non-statutory functions.
- The right to data portability only applies: to personal data an individual has provided to PSAA; where the processing is based on the individual's consent or for the performance of a contract; and when processing is carried out by automated means.
- PSAA will provide, free of charge, personal data in a structured, commonly used and machine readable form, most likely in CSV format.
- PSAA will respond within one month, unless the data portability request is complex, where a response may take up to three months.

## Right to object

- The right to object gives individuals the right to object to:
  - processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling);

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- direct marketing (including profiling); and
  - processing for purposes of scientific/historical research and statistics.
- Individuals must have an objection on “grounds relating to his or her particular situation”.
  - PSAA will inform individuals of their right to object “at the point of first communication” and through our privacy notice.
  - PSAA will comply with the right to object to data processing for the performance of a legal task or my organisation’s legitimate interests unless:
    - we can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of the individual; or
    - the processing is for the establishment, exercise or defence of legal claims.
  - PSAA will comply with the right to object to data processing for direct marketing purposes as soon as we receive an objection.

## Checklist

- Have you completed all relevant sections of the form?
- Have you enclosed two pieces of identification from the lists in Section 2? If you are acting on behalf of someone else, have you included a separate signed note of authority?
- Have you signed the declaration in Section 6?
- Have you provided as much information as possible to enable to consider and action your request?

## Please send your completed form and proof of identity to:

PSAA Limited, 18 Smith Square, London, SW1P 3HZ

Email: [generalenquiries@psaa.co.uk](mailto:generalenquiries@psaa.co.uk)

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## SECTION 1

Please provide details of the person making the request

Full name:	
Address:	
Postcode:	
Contact number:	
Email address:	

*If this request relates to you, please also tell us of any change of name, address, contact or other details which may have happened during your period of contact with PSAA to help us ensure we can identify all relevant data.*

Are there any previous names or details to take into account? **YES / NO**

*If **YES**, please tell us about change(s) of details below.*

Previous name/s:	
Previous address/es:	
Previous contact details:	
Contact number:	
Email address:	

Any other relevant change(s) you want to tell us about:

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## SECTION 2

Does this request relate to you? **YES / NO**

*We cannot grant your request if we do not receive sufficient evidence of identity.*

*Please select appropriate answer and follow to the correct section.*

### **YES: the request relates to you**

*Please supply evidence of your identity, either:*

- *your driving licence, passport, or national identity card;*
- and*
- *a recent letter or bill from a utility company (within the last 3 months) as evidence of address.*

*If you send us original documents, we will aim to return them by special delivery within 5 working days. (please go to Section 4)*

### **NO: you are acting on behalf of someone else to whom the data relates**

*Please supply written authority/letter from the person in question, for example a power of attorney document.*

*You must also supply evidence of your own identity,*

- *your driving licence, passport, or national identity card;*
- and*
- *a recent letter or bill from a utility company (within the last 3 months) as evidence of address.*

*If you send us original documents, we will aim to return them by special delivery within 5 working days. (please go to Section 3)*

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## SECTION 3

Details of the person on whom this request is being made - please complete if different from Section 1)

Full name:	
Address:	
Postcode:	
Contact number:	
Email address:	

*Please also tell us of any change of name, address, contact or other details for the person which may have happened during their period of contact with PSAA, to help us ensure we can identify all relevant data.*

Are there any previous names or details to take into account? **YES / NO**

If **YES**, please tell us about change(s) of details below.

Previous name/s:	
Previous address/es:	
Previous contact details:	
Contact number:	
Email address:	

## SECTION 4

Which of the rights under the Data Protection Act does your request relate to?

	delete as appropriate
Right to Rectification	Yes / No
Right to Erasure	Yes / No
Right to Restrict Processing	Yes / No
Right to Data Portability	Yes / No
Right to Object	Yes / No

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## SECTION 5

What is the action that you are requesting PSAA to take?

*Please describe the action you are seeking PSAA to take in as much detail as possible together with any other relevant information. This will help us to consider the action you require and respond to you quickly.*

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## SECTION 6

### **DECLARATION**

*Please note that any attempt to mislead by providing false information may result in prosecution*

I confirm that I have read and understood the terms of this request and certify that the information given is true and accurate. I understand that it is necessary for PSAA to confirm my/the data subject's identity and it may be necessary to obtain more detailed information in order to locate the correct data.

Signed..... Date .....

Print Name.....

Documents which must accompany this application:

1. Evidence of your identity (Section 2)
2. Evidence of the data subject's identity, if different from above (Section 3)
3. Authorisation from the data subject to act on their behalf, if applicable (Section 3)