

Data Processing Restriction Procedure

1. Scope of the Procedure

1.1 Purpose of the Procedure

Compliance with this procedure is required to ensure the University's compliance with data protection law and particularly the General Data Protection Regulation (EU) 2016/679, which gives data subjects the right to request the restriction of processing of their personal data, subject to certain limitations. Failure to comply with this legislation can result in financial penalties being levied against the University.

This procedure should be read in conjunction with the University's Data Protection Policy.

1.2 What is covered by the Procedure

This must be followed

- (a) when a data subject requests restriction of processing of their personal data, and
- (b) when a data subject notifies the University that they believe the personal data that we hold for them is inaccurate (in which case processing of their data must be restricted while this claim is investigated).

1.3 Who is covered by the Procedure

All those who access personal data held by the University, including staff, must familiarise themselves with this procedure and comply with it when dealing with personal data.

Non-compliance with the procedure will be dealt with in accordance with the Data Protection Policy and may involve disciplinary action.

2. Detailed Procedures Statement

2.1 Any request to restrict the processing of a data subject's personal data should be notified immediately to the Compliance Officer (dp_officer@aston.ac.uk) or the Head of Legal Services.

2.2 The Compliance Officer will log the request and will contact the relevant University colleagues to discuss what action needs to be taken, taking into account any relevant exemptions to the right to restrict processing. Where processing is to be restricted, the most appropriate method will be identified in consultation with the relevant University data processor.

2.3 While processing is restricted, the personal data will be stored but not used in any other way.

2.4 Where the restriction is temporary, for example, while the accuracy of the data is being verified, the data subject will be informed of this, and of the circumstances under which the restriction will be lifted. The data subject must also be informed before the restriction is lifted that this is going to occur.

2.5 Where the identity of the person making the request is in doubt, they may be asked to provide proof of identity. This must be done without undue delay and within one month of the original request.

- 2.6 The Compliance Officer will notify the data subject either (a) that processing of their personal data is being restricted, or (b) that processing will not be restricted, with reasons. The data subject will be informed of their right to make a complaint to the Information Commissioner's Office or another supervisory authority and their ability to seek to enforce their rights through a judicial remedy. The data subject will be informed without undue delay and within one month of receipt of their request.
- 2.7 The Compliance Officer may, with the approval of the Head of Legal Services, decide to treat the request as manifestly unfounded or excessive and to either (a) request a reasonable fee to deal with the request, or (b) refuse to deal with the request. In either case this decision will be communicated to the data subject, with reasons. The data subject will be informed without undue delay and within one month of receipt of their request.
- 2.8 The University employee responsible for dealing with the personal data must identify whether the personal data has been disclosed to any third parties and inform the Compliance Officer, who will inform any such third parties that the personal data has been rectified or completed. The data subject will be informed about this.
- 2.9 All communications and decisions will be logged by the Compliance Officer.

3. **Version Control**

Reference Number	Version Letter	Executive Sponsor	Officer Responsible for Policy/ Procedures	Consultation Process	Date of Approval and Committee and/or Executive Officer	Effective Date
DPCP001	1	Chief Financial Officer	Head of Legal Services	GDPR Working Party	30 April 2018	24 May 2018