

Personal 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 Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 ("the UK GDPR"), which give data subjects the right to request the restriction of processing of their personal data, subject to certain limitations ("Personal Data Processing Restriction Request"). 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 Privacy 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 personal 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 Privacy Policy and may involve disciplinary action.

2. Detailed Procedures Statement

2.1 Any Personal Data Processing Restriction Request should be notified immediately to the Data Protection Officer at dp_officer@aston.ac.uk.

2.2 The Data Protection Officer (or their nominee) will log the Personal Data Processing Restriction 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 personal 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. During the verification process, all processing of the relevant personal data will be restricted and the University will identify whether the personal data has been processed by any authorised third parties. Any rectification will include reference to those third parties as required.

- 2.5 The data subject has a right of appeal in relation to the outcome of the Personal Data Restriction Request. If the data subject remains dissatisfied of the outcome of the appeal, the data subject will be has the 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 University will inform the data subject of this right without undue delay and within one month of receipt of their Personal Data Restriction Request.
- 2.6 It may be that the data subject is required to provide proof of identity. The University will not be able to process the Personal Data Processing Restriction Request if the data subject fails to provide proof of identity for whatsoever reason.
- 2.7 The Data Protection Officer (or their nominee) 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.
- 2.8 The Data Protection Officer may decide to treat the Personal Data Restriction Request as manifestly unfounded or excessive and to either:
- request a reasonable fee to deal with the Personal Data Restriction Request, or
 - refuse to process the Personal Data Restriction Request in accordance with the University’s statutory rights.

In either case this will be communicated to the data subject in accordance with the law. The data subject will be informed without undue delay and within one month of receipt of their Personal Data Restriction Request.

- 2.9 The Data Protection Officer (or their nominee) records Personal Data Processing Restriction Requests and their outcomes on the Register of Personal Data Restriction Requests.

3. Version Control

Reference No.	Version	Executive Sponsor	Officer Responsible	Consultation Process	Effective Date
DPCP001	1	Chief Financial Officer	Head of Legal Services	GDPR Working Party	24 May 2018
DPCP001	1.1	Chief Operating Officer	General Counsel	Chief Operating Officer	1 February 2019
DPCP001	1.2	Chief Operating Officer	General Counsel	Information Security & Compliance Group	February 2021