



Right to Erasure Policy

Purpose of the Policy

The purpose of this document is to outline The Hope Foundation's policy in relation to the management of "right to erasure" (also known as "right to be forgotten") requests. It promotes the right of data subjects to request the removal of personal data held about them, in electronic or hard copy form, by The Hope Foundation (HOPE), as the data controller. It also outlines the procedure to be followed by data subjects when submitting a right to erasure request to HOPE.

Scope of this document

This policy outlines how HOPE will meet its legal obligations under Article 17 of the European Union General Data Protection Regulation (GDPR) upon receipt of a right to erasure request.

Ownership

The Right to Erasure Policy is maintained by HOPE's Data Protection Officer (DPO), who is responsible for dealing with all right to erasure requests received by the organisation. All questions or comments related to this policy or a specific right to erasure requests should be directed to the DPO.

What is personal information?

Personal information is any data, in both physical and electronic form, related to an identified or identifiable person. It includes anything that can be used to identify a person, directly or indirectly, by means of his or her physical, physiological, mental, economic, cultural or social identify.

What is a right to erasure request?

A data subject right to erasure request is a written or verbal request for personal information (known as personal data) held about you by HOPE. Under Article 17 of the EU General Data Protection Regulation (GDPR) you have the right to request the removal of personal data stored by HOPE without undue delay. Data subjects have the right to have their personal data erased if:

- The controller no longer needs the data for the purpose that it was originally collected;

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- The individual withdraws consent;
- The individual objects to the processing and the organisation has no overriding legitimate interest in the data;
- The controller or processor collected the data unlawfully;
- The data must be erased to comply with a legal obligation; or
- The data was processed in relation to the offer of information society services to a child.

Can a right to erasure request be refused?

HOPE can refuse to comply with a request for erasure if:

- The processing is protected by the right to freedom of expression;
- Processing the data is necessary to comply with a legal obligation for the performance of a public interest task or exercise of official authority;
- The data is for health purposes in the public interest;
- The data is being used for archiving purposes in the public interest, scientific or historical research, or statistical purposes; or
- The processing is necessary to exercise or defend legal claims.

HOPE can also refuse to comply with a request for erasure if it is manifestly unfounded or excessive, taking into account whether the request is repetitive in nature. If we consider that a request is manifestly unfounded or excessive we reserve the right to:

- request a "reasonable fee" to deal with the request; or
- refuse to deal with the request.

How do you make a right to erasure request?

To allow us to respond promptly to any right to erasure request we ask you to:

- Download the Right to Erasure Request Form, available [here](#).
- Please complete, sign and date the form.
- Attach a photocopy of your proof of identity and address to the form.
- Send the completed request form, along with the proof of identity and address either electronically to dpo@hopefoundation.ie, or by post to: **DPO, The Hope Foundation, Silverdale Grove, Ballinlough, Cork.**
- Alternatively complete the online form available [here](#).
- If you cannot download the Right to Erasure Request Form from the internet or complete the online form please write to us requesting a form from: **DPO, The Hope**

Foundation, Silverdale Grove, Ballinlough, Cork and we shall send you a copy by return post.

Use of the Right to Erasure Request Form is not mandatory. However, completing the form should enable us to process your request more efficiently.

What do we do when we receive a valid right to erasure request?

We will first check that we have enough information to be sure of your identity. Usually we will have no reason to doubt a person's identity. However, in rare cases we may request additional evidence we reasonably need to confirm your identity. We do this to ensure that the correct data will be identified for erasure.

We will then check that we have enough information to find the records you requested for erasure. If we feel we need more information, then we will promptly ask you for this.

Next, we will conduct a full search of all our relevant databases and filing systems and locate all data relevant to the data subject. We will identify all third-party processors that may also have the personal data and instruct them to completely remove the data from their environments and confirm erasure. At this point we remove the personal data from our digital and physical environments.

Finally, we will respond to the data subject to confirm data erasure from our environment and all associated third parties.

Are there any fees payable?

While in most instances there is no charge we reserve the right, in accordance with Article 12 of the GDPR to charge a "reasonable fee" for administrative costs or refuse the request if it is considered to be "manifestly unfounded or excessive".

How soon will my right to erasure request be dealt with?

All valid right to erasure requests, accompanied by valid proof of identity, received by HOPE will be dealt with within 30 days of the latest of the following:

- Our receipt of your request; or
- Our receipt of any further information we may ask you to provide to enable us to comply with your request.

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Review

This policy will be reviewed at least annually by the DPO to ensure alignment to appropriate risk management requirements and its continued relevance to current and planned operations, or legal developments and legislative obligations.