



BARNETT BIOMECHANICS CLINIC
PRIVACY COMPLIANCE FRAMEWORK
Data Protection & Privacy Strategy

Statement of Intent: Data Subject Rights

**[In line with The General Data Protection Regulation
(GDPR) Date of publication: 1st November 2021
Version: 0.2]**

Introduction

-Data Subjects are living individuals in relation to whom we process personal data. This includes our staff and a variety of third parties who do business and/or come into contact with us.

-We set out further information and advice relating to these rights in this statement; specifically:

Your right to be informed about our collection and use of your personal data

Your right to access to your personal data

Your right to rectification of any inaccurate personal data

Your other rights that apply in only certain circumstances (i.e. your rights to data portability, data erasure, object to and/or restrict processing and in relation to automated decision-making, including profiling).

The right to be informed

-We provide information about the collection and use of your personal data through our Privacy Notices.

-We provide you with details of our purposes for processing your data, the length of time for which we intend to retain your data (i.e. our retention periods) and with whom we will share your data.

-We review the privacy information regularly and we will provide you with any necessary updates and/or amendments from time to time.

The right to access

-As a data subject, you have the right to access your personal data and certain supplementary information. This means that you have the right to:

Confirmation from us that we are processing your data; and

Access to that data (subject to exceptions/limitations); and

The details of information that is contained largely in our privacy notices (i.e. including details of the purposes of our processing, the categories of personal data concerned, the recipients of that data and (where possible) the proposed retention period).

-We will provide you with a copy of the information free of charge. However, we have the option to charge a reasonable fee if your request is manifestly unfounded, excessive or repetitive. We may also charge a reasonable fee for further copies of the same information.

-We will provide you with the information requested within one month of receipt of your request. However, we can extend this deadline in certain circumstances. In particular, we can extend the deadline by a further two months where the request is complex or numerous. If this is the case, we will inform you within one month of receipt of your request and explain our reasoning.

-We have the option to refuse to respond to manifestly unfounded, excessive and repetitive requests. If this is the case, we will explain our reasoning and inform you of your rights.

-To assist us to administer your request effectively and efficiently, we ask that you complete the Data Protection Subject Access Request Form and submit it via an email entitled clearly "Data Subject Access Request" to sue@barnettbiomechanics.co.uk. We will need to verify your identity before proceeding with your request. Where feasible, we will aim to provide the information in electronic format.

-The Data Protection Subject Access Request Form asks you to specify the information you require. The detail will help us deal promptly with your request but does not operate to limit or restrict the nature and extent of your request.

The right to rectification

-We must process and retain only accurate information. As a data subject, you have the right to have inaccurate personal data rectified (and, in some circumstances, incomplete personal data completed).

-You can make a request for rectification verbally or in writing (see below for further details). We will endeavour to deal with your request, free of charge, within one month of receipt. While we are considering your request, you have the additional right to request restriction of processing of your personal data (see below: the right to restrict processing). We can extend the time to respond by a further two months if your request is complex or we receive numerous requests from you. If this is the case, we will inform you within one month of receipt of your request and explain our reasoning.

-We have the option to refuse to comply with your request (or alternatively charge a reasonable fee to deal with it) if it is manifestly unfounded or excessive. If this is the case, we will explain our reasoning and inform you of your rights.

-To assist us to administer your request effectively and efficiently, we ask that you submit it via an email entitled clearly "Rectification of Personal Data Request" to sue@barnettbiomechanics.co.uk. If this is not possible then verbal requests can be made via the clinic director Dr Sue Barnett [Tel: 07774 849244]. We may need to verify your identity before proceeding with your request.

Other Data Subject Rights

As a data subject, you have the following rights that apply only in certain circumstances. If you are uncertain about these rights and/or require further guidance then as set out below, please submit your queries via an email entitled clearly “Other Data Subject Rights Query” to sue@barnettbiomechanics.co.uk

1. The right to data portability

-This allows you to obtain and reuse your personal data for your own purposes across different services. Where it applies, it allows you to move, copy or transfer your personal data from one IT environment to another in a safe and secure way.

-It applies only to the personal data that you have provided to us and where our processing is based on your consent or on the performance of a contract to which you are a party and where our processing is carried out by automated means (i.e. it excludes paper files). Your exercise of this right must not adversely affect the rights that third parties have to protection of their own personal data. Generally, you should seek further guidance as to the applicability or otherwise of this right to your particular circumstances (see below).

-Where it applies, we will provide the personal data to you in a structured, commonly used and machine-readable format.

-The right does not oblige us to retain your personal data for longer than is necessary or beyond any specified retention period.

-The right is without prejudice to your other rights. In particular, it does not automatically trigger erasure (see below) of your data from our systems and it does not affect our original retention period. You can exercise your rights as long as we are still processing your data.

-The information you are entitled to obtain and reuse under this right is more restricted than the information you could obtain under the right to access. Again, please seek further guidance in relation to your particular circumstances (see below).

-Generally (but subject to limited exceptions), we will respond to your request for portability within one month and free of charge.

-To make a request and/or enquire further about this particular right, please submit it via email entitled clearly “Data Portability Request or Query” to sue@barnettbiomechanics.co.uk

2. The right to erasure

-In certain limited circumstances, you are entitled to have your personal data erased. This right to erasure is sometimes known as “the right to be forgotten”.

-There are a variety of limited circumstances when the right applies. Generally, you should always seek further guidance as to the applicability or otherwise of this right to your

particular circumstances (see below). In our situation, it may apply where (1) your personal data is no longer necessary for the purpose for which we originally collected or processed it for or (2) we have relied upon our legitimate interests as the basis for processing your data, you now object to this and there is no overriding legitimate interest to continue this processing.

-Generally (but subject to limited exceptions), we will respond to your request for erasure within one month and free of charge. We can refuse to comply with your request or charge a reasonable fee for dealing with it if it is manifestly unfounded or excessive. In this case, we will explain our reasoning and inform you of your rights.

-You can make a request for erasure either verbally or in writing. To assist us to administer your request or any query relating to it effectively and efficiently, we ask that you submit it via an email entitled clearly "Erasure Request or Query" to sue@barnettbiomechanics.co.uk. If this is not possible then verbal requests can be made via the clinic director Dr Sue Barnett [Tel: 07774 849244].

3. The right to object to processing

-You can object to us processing your personal data in limited circumstances. Generally, you should always seek further guidance as to the applicability or otherwise of this right to your particular circumstances (see below). In our situation, it may apply where (1) we are processing your personal data based on our legitimate interests or in the performance of a task in the public interest and you object to the processing on "grounds relating to your particular situation" or (2) we are processing your personal data for research purposes and again you object to the processing on "grounds relating to your particular situation". In the latter case, we are not required to comply with your objection if we are conducting research where the processing of the personal data is necessary for the performance of a public interest task.

-While we consider your objection, you have the right to request we restrict processing your personal data (see below: the right to restrict processing).

-We can refuse to comply with your objection in certain circumstances.

-To assist us to administer your request or any query relating to this right effectively and efficiently, we ask that you submit it via an email entitled clearly "Objection Request or Query" to sue@barnettbiomechanics.co.uk

4. The right to restrict processing

-You can request us to restrict the processing of your personal data (e.g. store it but make it temporarily unavailable to users) in certain circumstances. Generally, you should always seek further guidance as to the applicability or otherwise of this right to your particular circumstances (see below). In our situation, it may apply where (1) you contest the accuracy

of your personal data (see above: the right to rectification) and we are in the process of verifying this or (2) we no longer need your personal data but you need us to keep it in order to establish, exercise or defend a legal claim or (3) you have objected to us processing your personal data (see above: the right to object) and we are considering whether or not we have grounds to refuse to comply with your objection.

-Generally (but subject to limited exceptions), we will respond to your request to restrict processing within one month and free of charge. We can refuse to comply with your request or charge a reasonable fee for dealing with it if it is manifestly unfounded or excessive. In this case, we will explain our reasoning and inform you of your rights.

-You can make a request to restrict processing either verbally or in writing. To assist us to administer your request or any query relating to it effectively and efficiently, we ask that you submit it via an email entitled clearly "Restrict Processing Request or Query" to sue@barnettbiomechanics.co.uk. If this is not possible then verbal requests can be made via the clinic director Dr Sue Barnett [Tel: 07774 849244]. We may need to verify your identity before proceeding with your request.

5. Rights related to automated decision making, including profiling

-Safeguards exist under Data Protection legislation to protect data subjects in relation to automated decision-making, including profiling.

-Automated decision-making involves making a decision solely by automated means without any human involvement (e.g. an online decision to award a loan). Profiling involves automated processing of personal data to evaluate certain things about an individual (e.g. obtaining information about an individual from a variety of sources and predicting behaviour for marketing purposes).

-We do not normally carry out automated decision-making and/or profiling. Should we engage in this kind of activity in relation to any personal data, we will provide you with all appropriate information and guidance, for example specific notification in advance of any automated decision-making activity and confirmation of your rights as a Data Subject.

-Generally, you should always seek further guidance as to the applicability or otherwise of these rights to your particular circumstances. To assist us to administer any query relating to these rights effectively and efficiently, we ask that you submit it via an email entitled clearly "Automated Decision Making/Profiling Query" to sue@barnettbiomechanics.co.uk

Please refer any questions about this statement to the Data Protection & Privacy Office via email (sue@barnettbiomechanics.co.uk).

We will review and update this statement at regularly and in accordance with any relevant legislative, regulatory and internal reviews.