



Title	Data Subject Rights Procedure
Process Owner	Commercial Director
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Approved By	Management Team
Summary	This procedure is to be followed by all employees, workers, and contractors of Asset Remarketing Services in the event of receipt of a Data Subject rights request.
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## Data Subject Rights Procedure

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### 1. Introduction

- 1.1. This Data Subject Rights Procedure (this “procedure”) sets out guidance and the procedure to be followed by all employees, workers and contractors (“personnel”, “you”, “your”) of [Subject] (“Asset Remarketing Services”, “we”, “us”, “our”) in the event of receipt of a Data Subject rights request. This procedure relates to individuals whose Personal Data we collect and process (“Data Subjects”).
- 1.2. This procedure has been prepared with due regard to the data protection laws applicable to Asset Remarketing Services and our Personal Data Processing activities. These data protection laws include the UK GDPR and / or the EU GDPR (whichever is applicable) and the Data Protection Act 2018 (“DPA 2018”), (collectively referred to as the “Data Protection Law”).
- 1.3. This procedure should be read together with the following related documents:
  - a) Asset Remarketing Services Data Protection Policy

**Please note, that the definitions for any undefined terms in this document can be found in Asset Remarketing Services’s Data Protection Policy and are applicable to this procedure.**

### 2. Purpose of this Procedure

- 2.1. It is important to facilitate the exercise of Data Subject rights in the manner required by law. The purpose of this procedure is to set out what is required of Asset Remarketing Services when a Data Subject rights request (a “rights request”) is received from a Data Subject.
- 2.2. A Data Subject can make a rights request at any time and through any means of communication. It is important that all Asset Remarketing Services employees are aware of the rights available to Data Subjects and the steps to take upon receipt of a rights request.

### 3. Scope

- 3.1. This procedure applies to all Personal Data processed by Asset Remarketing Services, whether held in electronic form or in physical records, and regardless of the media on which that data is stored. It applies to Personal Data we process as a Data Controller and Personal Data we process as a Data Processor (on behalf of our customers).
- 3.2. Asset Remarketing Services is registered as a Data Controller with the Information Commissioner’s Office having registration number ZA309192.

### 4. Steps to Follow

- 4.1. The following steps and actions are to be taken in the order shown upon receipt of a rights request:



4.2. Always

No.	Step	Action
1.	A Data Subject submits a rights request. This can be by email, through our website, by letter, telephone or in person. It may be received by any Asset Remarketing Services employee or worker.	Communicate receipt of a request without delay, by sending an email with details of the request to DPO@asset-disposal.co.uk

4.3. Asset Remarketing Services as a Processor

2.	Notify the Data Controller where Asset Remarketing Services is a Data Processor.	If the Personal Data in question is processed by Asset Remarketing Services as a Data Processor, the request shall be forwarded to the Data Controller without delay and the Data Subject notified that Asset Remarketing Services is a Data Processor and the request should be submitted to the Data Controller. Notification must be provided to the Data Subject within one month of receipt of the request.
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4.4. Asset Remarketing Services as a Controller

2.	Use all reasonable efforts to verify the identity of the Data Subject.	If the Data Subject is known to Asset Remarketing Services and their identity is not in doubt, it will not be necessary to perform any additional verification checks. If further information is required, the Data Subject Rights Request Form template at Schedule 1 is to be used. This form can be amended as appropriate with the authorisation of the HSE Compliance Manager
3.	Evaluate the Data Subject request to determine how to respond.	Asset Remarketing Services will confirm receipt of the request and verification of the Data Subject's identity. The Line Manager will consult with the and will assess the request and the information provided by the Data Subject and determine whether (i) to reject the request and communicate this to the Data Subject; (ii) an extension of time is reasonably required to perform the request, and if so to communicate



		this to the Data Subject; or (iii) to move to the next step.
4.	Take the requested action or compile and provide the requested information.	The requested action is to be performed in the time limits laid down by law or, where an extended time period is required as permitted by law and communicated to the Data Subject, within the extended period.
5.	Record the rights request and the actions taken.	A record of all rights requests is to be kept to ensure the exercise of Data Subject rights has been facilitated. Also, to demonstrate compliance with the law, especially where the rights request has been rejected.

## 5. Facilitation of Data Subject Rights

### 5.1. Asset Remarketing Services as a Controller

5.2. The rights of Data Subjects shall be facilitated as follows:

#### 5.3. Right to be informed

5.3.1. Data subjects shall be informed about the processing of their Personal Data using privacy notices, in the manner set out in the Asset Remarketing Services Data Protection Policy.

#### 5.4. Right of access

5.4.1. A Data Subject may make a Subject Access Request (“SAR”) at any time to find out more about the Personal Data which Asset Remarketing Services holds about them. We will normally be required to respond to SARs within one month of receipt. This can be extended by up to two months in the case of complex and/or numerous requests and, in such cases, the Data Subject shall be informed of the need for the extension within one month of receipt of the request. The decision to inform the Data Subject that there is a need for an extension to the period for responding or to charge reasonable fees shall only be made by the HSE & Compliance Manager.

5.4.2. We do not charge a fee for the handling of normal SARs. We reserve the right to charge reasonable fees for additional copies of information that has already been supplied to a Data Subject, and for requests that are manifestly unfounded or excessive, particularly where such requests are repetitive.



## 5.5. Right to rectification

5.5.1. If a Data Subject informs us that Personal Data held by Asset Remarketing Services is inaccurate or incomplete, requesting that it be rectified, the Personal Data in question shall be rectified and the Data Subject informed of that rectification within one month of receipt the Data Subject's notice. This can be extended by up to two months in the case of complex requests and, in such cases, the Data Subject shall be informed of the need for the extension within one month of receipt of the request. The decision to inform the Data Subject that there is a need for an extension to the period required to carry out the rectification shall only be made by the HSE & Compliance Manager

5.5.2. If any affected Personal Data has been disclosed to third parties, those parties shall be informed of any rectification of that Personal Data, (unless it is impossible or would require disproportionate effort to do so).

## 5.6. The right to erasure (also referred to as the 'right to be forgotten')

5.6.1. ***Data subjects may request that Asset Remarketing Services erases the Personal Data it holds about them in the following circumstances:***

- it is no longer necessary for us to hold that Personal Data with respect to the purpose for which it was originally collected or processed;
- the Data Subject wishes to withdraw their consent to us holding and processing their Personal Data;
- the Data Subject objects to us holding and processing their Personal Data (and there is no overriding legitimate grounds to allow us to continue doing so);
- the Personal Data has been processed unlawfully; or
- the Personal Data needs to be erased for us to comply with a particular legal obligation.

5.6.2. Unless Asset Remarketing Services has reasonable grounds to refuse to erase Personal Data, all requests for erasure shall be complied with and the Data Subject informed of the erasure within one month of receipt of the Data Subject's request. This can be extended by up to two months in the case of complex requests and, in such cases, the Data Subject shall be informed of the need for the extension within one month of receipt of the request. The decision to inform the Data Subject that there is a need for an extension to the period required to erase the Personal Data shall only be made by the HSE & Compliance Manager.

5.6.3. If any Personal Data that is to be erased in response to a Data Subject request has been disclosed to third parties those parties shall be informed of the erasure (unless it is impossible or would require disproportionate effort to do so).

## 5.7. The right to restrict processing



5.7.1. Data subjects may request that Asset Remarketing Services ceases processing the Personal Data it holds about them. If a Data Subject makes such a request, we shall retain only the amount of Personal Data pertaining to that Data Subject that it is necessary to ensure that no further processing of their Personal Data takes place.

5.7.2. If any affected Personal Data has been disclosed to third parties those parties shall be informed of the applicable restrictions on processing it (unless it is impossible or would require disproportionate effort to do so).

## 5.8. The right to data portability

5.8.1. Where Data Subjects have given their consent to Asset Remarketing Services to process their Personal Data in such a manner or the processing is otherwise required for the performance of a contract between Asset Remarketing Services and the Data Subject, Data Subjects have the right to receive a copy of the Personal Data he or she has provided to Asset Remarketing Services in a structured, commonly used and machine-readable format and to transmit it to other Data Controllers (e.g. other organisations).

5.8.2. In exercising this right to data portability, the Data Subject shall have the right to have the Personal Data transmitted directly from one Data Controller to another, where technically feasible.

5.8.3. All requests for copies of Personal Data for the purposes of data portability shall be complied with within one month of the Data Subject's request. This can be extended by up to two months in the case of complex requests or numerous requests and, in such cases, the Data Subject shall be informed of the need for the extension within one month of receipt of the request. The decision to inform the Data Subject that there is a need for an extension to the period required to provide copies of the Personal Data shall only be made by the HSE & Compliance Manager

## 5.9. The right to object

5.9.1. Data subjects have the right to object to Asset Remarketing Services processing their personal if the processing is for:

- a task carried out in the public interest;
- the exercise of official authority vested in you; or
- your legitimate interests (including profiling) and direct marketing (including profiling).

5.9.2. Where a Data Subject objects to us processing their Personal Data based on its legitimate interests, Asset Remarketing Services shall cease such processing forthwith, unless it can be demonstrated that our legitimate grounds for such processing override the Data Subject's interests, rights and freedoms; or the processing is necessary for the conduct of legal claims.



5.9.3. Where a Data Subject objects to Asset Remarketing Services processing their Personal Data for direct marketing purposes, we shall cease such processing forthwith.

#### 5.10. Rights with respect to automated decision-making and profiling

5.10.1. In the event that we use Personal Data for the purposes of automated decision-making and those decisions have a legal (or similarly significant effect) on Data Subjects, Data Subjects have the right to challenge such decisions, to request human intervention, to express their own point of view, and to obtain an explanation of the decision from Asset Remarketing Services.

5.10.2. The right described immediately above does not apply in the following circumstances:

- the decision is necessary for the entry into, or performance of, a contract between Asset Remarketing Services and the Data Subject;
- the decision is authorised by law; or
- the Data Subject has given their explicit consent.

5.10.3. Where Asset Remarketing Services uses Personal Data for 'profiling' purposes, the following shall apply:

- clear information explaining the profiling will be provided, including its significance and the likely consequences;
- appropriate mathematical or statistical procedures will be used;
- technical and organisational measures necessary to minimise the risk of errors and to enable such errors to be easily corrected shall be implemented; and
- all Personal Data processed for profiling purposes shall be secured in order to prevent discriminatory effects arising out of profiling.

5.10.4. 'Profiling' means any form of automated processing of Personal Data consisting of the use of Personal Data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

## 6. Time Limit to Respond

6.1. In order to avoid any undue complications or confusion, Asset Remarketing Services considers one month to mean 28 calendar days.

6.2. All requests will be managed by HSE & Compliance Manager, who will record the date on which the request was originally received. The 28 days will be deemed to have started on the date the request was originally received. If this is not possible because the following month is shorter (and there is no corresponding calendar date), the date for response is the last day of



the following month. If the corresponding date falls on a weekend or a public holiday, you have until the next working day to respond.

- 6.3. The UK GDPR and DPA 18 have a provision to extend the period for the response by a further two months (considered by Asset Remarketing Services to be 56 days) if necessary, taking into account the complexity and the number of requests. It will be the responsibility HSE & Compliance Manager if such an extension is required together with the reasons for the delay. The requestor must also be notified of any delay no later than 28 days after the original request was received.

## **7. Implementation & Policy Management**

- 7.1. This procedure shall be deemed effective as of 1<sup>st</sup> June 2022. No part of this procedure shall have retroactive effect and shall thus apply only to matters occurring on or after this date.
- 7.2. This procedure will be reviewed by the HSE & Compliance Manager and Data Protection Officer annually and following any Personal Data breach.



## Schedule 1

### Data Subject Rights Request Form Template

This form can be amended as appropriate with the authorisation of the Asset Remarketing Services **Data Protection Officer**.

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#### Asset Remarketing Services Data Subject Rights Request Form

#### About this Form

This form is used by Asset Remarketing Services to confirm the identity of the Data Subject (of a third party acting on behalf of the Data Subject) making a rights request and the nature of the rights to be exercised.

Once completed, please send this form and any attachments to HSE & Compliance Manager

#### Data Subject's Details

Please confirm your contacts details:

<b>Title</b>	
<b>First Name</b>	
<b>Surname</b>	
<b>Address</b>	
<b>Telephone No.</b>	
<b>Email Address</b>	

#### Identity Verification

Please provide us with further information to enable us to verify your identity. If you provide additional documents for this purpose, please only send copies to us and not originals:

<b>Details of further information to enable us to verify your identity</b>	
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#### Third Parties Acting for the Data Subject

If you are acting on behalf of a Data Subject, please confirm the nature of your relationship with the Data Subject and provide us with proof that you are entitled to act on behalf of the Data Subject. If you provide additional documents for this purpose, please only send copies to us and not originals Please also provide us with your contact details:

<b>Details of your relationship with the</b>	
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<b>Data Subject and proof provided</b>	
<b>Your Title</b>	
<b>Your Surname</b>	
<b>Your Address</b>	
<b>Your Telephone No.</b>	
<b>Your Email Address</b>	

**Nature of Request**

Please confirm the type of request you are making and provide us with any further information to help us facilitate your request:

<b>Type of Request</b>	<input type="checkbox"/> Subject access right request	<input type="checkbox"/> Right to rectification request	<input type="checkbox"/> Right to erasure request	<input type="checkbox"/> Right to restrict processing request
	<input type="checkbox"/> Right of portability request	<input type="checkbox"/> Right to object request	<input type="checkbox"/> Automated decision-making request	<input type="checkbox"/> Withdrawal of consent
<b>Additional information related to your request</b>				

**Declaration**

I confirm I am the Data Subject named above:

<b>Signature</b>	
<b>Full Name</b>	
<b>Date</b>	

OR

I confirm I am the third party named above and that I am entitled to act on behalf of the Data Subject named above:

<b>Signature</b>	
<b>Full Name</b>	

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Classification Public



<b>Date</b>	
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