



**Erasure (Right to be Forgotten)  
(Article 17)  
Standard Operating  
Procedure (SOP)**

## Introduction

Under the General Data Protection Regulations (GDPR) a data subject is entitled to erasure of any personal data held by GCC (Article 17, GDPR). This standard operating procedure provides details about how service users and staff can make requests for the erasure of their personal data, the steps that are required to be taken to make an application to erase their personal data and the process for implemented by GCC to erase the data.

### Submitting your request

A data subject does not have to cite the GDPR or the Data Protection Acts when a submission is made seeking erasure to their data. A data subject should inform the Council that the data that they are seeking to erasure personal data held by GCC. A data subject can submit an erasure request in the following ways:

1. By e-mail to member of staff or the Data Protection Officer.
2. Orally on the phone or in person to a staff member
3. In writing by letter or post-it. A data subjects name and contact details are required.
4. On social media channels.
5. Through a local councillor/public representative. A consent form must be provided that the local councillor/public representative has been nominated to request personal data on your behalf.

When submitting via the above methods, please ensure that you indicate that you are seeking erasure of your personal data. You might also specify if it a particular type of personal data or all personal data held by GCC about you.

### Valid ID



When submitting an erasure request, you should provide valid identification. An ID should be certified by An Garda Siochana, a doctor, a Commissioner for Oaths. In some applications, a housing ID and PPS number will be sufficient forms of identification.

### Follow up communication



After receiving an erasure request, the Council will contact the data subject regarding the basis that the request has been made and to identify the documents that the data subject seeks to erase. The Council will also assist the data subject regarding the applicable grounds for the erasure request.

## Grounds for Erasing



1. No longer necessary.
2. Data subject withdraws consent under arts. 9(2) and 6(1)(a)
3. Data subject objects to processing and no legitimate grounds.
4. Personal data has been processed illegally
5. Must be erased to comply with legal obligations of state or EU.
6. Collected to offer information society services set out at art. 8(1)

## Review of the request



Once a data subject has indicated the grounds that they are seeking to erase the data, a review of the request will be conducted with staff within the section, with the director of service to determine whether the request is valid and if it is valid, whether the Council have legal basis for retaining the personal data.

## Decision to Erase



If a decision is made to erase the personal data, a log should be kept of detailing the date of the decision and type of data that was erased. This log should be held by the Data Protection Officer.

## Time limits



There is no time limit for the erasure of personal data. Article 17 indicates that GCC must erase the data without undue delay. Where a decision is made to erase, the Council will erase the personal data within 3-weeks.

## Confirmation of erasure



After the personal data has been erased, the data subject will be informed that their personal data has been erased.

## Post release queries



If you are dissatisfied with the outcome of your erasure request, you can contact the Data Protection Officer at [dpo@galwaycity.ie](mailto:dpo@galwaycity.ie). A review will be conducted of your file to determine whether the issue(s) can be resolved.

## Complaints to DPC



If you are dissatisfied with the post release queries or the outcome of your erasure request, you have the right to complain to the Data Protection Commission at 21 Fitzwilliam Square South, Dublin 2, D02 RD28, [info@dataprotection.ie](mailto:info@dataprotection.ie), [www.dataprotection.ie](http://www.dataprotection.ie), +353 (0)761 104 800, +353 (0)57 868 4800