

N Gauge Society Ltd

General Data Protection Regulation – Compliance Documentation

Rights Available to Individuals

Document description

This document forms part of a set of recommended documents laid down by the General Data Protection Regulation (GDPR) and is used to demonstrate the N Gauge Society Ltd (NGS) is compliant with the requirements of the GDPR.

Purpose of this document

The purpose of this document is to record the rights available to individual members of the NGS in relation to their own personal data and demonstrates compliance in line with accountability obligations under Articles 12, 15 and Recital 63. This document is to be made available to all members and those individuals who are considering membership.

Record

The GDPR lays down eight rights of individuals relating to their personal data and that the individuals must be informed of their rights. The following documents the rights available to NGS members.

1. The right to be informed

Members of the NGS have the right to be informed about the collection and use of their personal data. This is a key transparency requirement under the GDPR.

Members of the NGS have the right to be informed about the purposes for processing their personal data, the retention periods for that personal data, and who it will be shared with. This is called the 'privacy information'.

Members of the NGS have the right to be provided with privacy information at the time it is collected from them, i.e. on application to join or renew membership.

The NGS does not collect privacy information from anyone except the members themselves and others applying for membership.

2. The right of access

Members of the NGS have the right to access their personal data and supplementary information.

Members of the NGS have the right to be aware of and verify the lawfulness of the processing.

3. The right to rectification

Members of the NGS have the right to have inaccurate personal data rectified or completed if it is incomplete.

Members of the NGS have the right to make a request for rectification verbally or in writing.

The NGS is required to respond within one calendar month to any such request.

4. The right to erasure

Members of the NGS have the right to request to have their personal data erased if:

- I. They cease to be a member of the NGS;
- II. The NGS no longer has a legitimate interest in holding the personal data (e.g. disbandment of the NGS);
- III. The NGS at some future time starts processing the personal data for direct marketing purposes and the member objects to that processing;
- IV. The NGS processed the personal data unlawfully (i.e. in breach of the lawfulness requirement of the 1st principle of the GDPR).

However, the GDPR lays down that right to erasure does not apply if processing is necessary for one of the following reasons:

- I. to exercise the right of freedom of expression and information;
- II. to comply with a legal obligation;
- III. for the performance of a task carried out in the public interest or in the exercise of official authority;
- IV. for archiving purposes in the public interest, scientific research historical research or statistical purposes where erasure is likely to render impossible or seriously impair the achievement of that processing; or
- V. for the establishment, exercise or defence of legal claims.

5. The right to restrict processing

Members of the NGS have the right to request the restriction or suppression of their personal data. This is not an absolute right and only applies in certain circumstances.

When processing is restricted, the NGS are permitted to store the personal data, but not use it. This will curtail the access of members to NGS services such as receiving the Journal/Newsletter and using the NGS shop.

The NGS member can make a request for restriction verbally or in writing.

The NGS have one calendar month to respond to a request.

6. The right to data portability

As the NGS uses 'Legitimate Interest' as its 'lawful basis' for processing, there is no right for the NGS member to request that the NGS move, copy or transfer personal data easily from one IT environment to another for the member's own purposes across different services.

7. The right to object

Members of the NGS have the right to object to:

- I. processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling);
- II. direct marketing (including profiling); and
- III. processing for purposes of scientific/historical research and statistics.

The NGS does process based on legitimate interest (clause i above). It is the legitimate interest of the NGS to hold personal information in order to provide the NGS member with the services and products for which the member joined the society in the first place.

The NGS does not use personal information for direct marketing.

The NGS does not use personal information for scientific/historical research and statistics.

8. Rights in relation to automated decision making and profiling.

The NGS does not use personal information for automated decision making nor for profiling and so no individual rights apply under this section.

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