

RMB Automotive

GDPR Personal Data Portability Policy

Last updated 30/04/2018

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When does the right to data portability apply?

The right to data portability only applies:

- to personal data an individual has provided to a controller;
- where the processing is based on the individual's consent or for the performance of a contract; and
- when processing is carried out by automated means.

How do we comply?

We must provide the personal data in a structured, commonly used and machine readable form. Open formats include CSV files. Machine readable means that the information is structured so that software can extract specific elements of the data. This enables other organisations to use the data. The information must be provided free of charge. If the individual requests it, we may be required to transmit the data directly to another organisation if this is technically feasible. However, we are not required to adopt or maintain processing systems that are technically compatible with other organisations. If the personal data concerns more than one individual, we must consider whether providing the information would prejudice the rights of any other individual.

How long do we have to comply?

We must respond without undue delay, and within one month. This can be extended by two months where the request is complex or you receive a number of requests. You must inform the individual within one month of the receipt of the request and explain why the extension is necessary. Where you are not taking action in response to a request, you must explain why to the individual, informing them of their right to complain to the supervisory authority and to a judicial remedy without undue delay and at the latest within one month.

Right of Access

All Data Subjects have the "Right of Access", the Subject Access Request is the formal process for a Data Subject requesting "Right of Access" to the PII (Personally Identifiable Information) held about them. The Data Subject may respond with a "Corrective Action Request" based on their GDPR Rights. It is important to process these requests correctly, accurately and in a timely fashion.

Rights

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling

If the Data Subject requests rectification, erasure, restricted processing, data portability, objection or the right restrict/stop automated decision making and profiling. Ensure the corrections are made in a timely fashion and a record of the action taken for future reference.

GDPR rules require that proof be demonstrated that the action has taken place as requested, this can be problematic if not documented correctly. Remember to provide proof of any amendments with the response when you send it.

Make sure the Data Management team is kept informed at all stages and is kept up to date throughout the whole process; they will be able to advise and assist if required.

The Data Management Team should be contacted at GDPR@rmbauto.co.uk with all requests.

Version History

01 – Personal Data Portability Policy 30/04/2018 – initial document approved by Chris Jennings