# UK GDPR Individual Rights: The right to erasure (The right to be forgotten)

A data subject may request that information held on them is deleted or removed. This is also known as the ‘right to be forgotten’.

Any third parties who process or use that data must also comply with the request.

An erasure request can only be refused if an exemption applies. The right is not absolute and only applies in certain circumstances.

**When does the right to erasure apply?**

Individuals have the right to have their personal data erased if:

* the personal data is no longer necessary for the purpose which you originally collected or processed it for;
* you are relying on consent as your lawful basis for holding the data, and the individual withdraws their consent;
* you are relying on legitimate interests as your basis for processing, the individual objects to the processing of their data, and there is no overriding legitimate interest to continue this processing;
* you are processing the personal data for direct marketing purposes and the individual objects to that processing;
* you have processed the personal data unlawfully (e.g. in breach of the lawfulness requirement of the 1st principle);

Always record any requests made for data to be erased and the data subject “forgotten”. Refer such requests to your Head of Department and the CDPL who will determine the appropriate course of action.

**Further information**

Refer to the ICO website for more detailed guidance:

https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-erasure/