

# Policy on the Rectification of Personal Data for



ÚDARÁS UCHTÁLA na hÉIREANN  
THE ADOPTION AUTHORITY of IRELAND

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## 1. Introduction

The purpose of this policy is to set out the procedure which is required when a Data Subject exercises their Right of rectification under Article 16 of the GDPR. (see appendix 2)

Data Subjects can require a controller to rectify inaccuracies in the personal data held about them. In some circumstances, if personal data is incomplete, a Data Subject can require the controller to complete the data, or to record a supplementary statement.

## Policy Scope

This policy sets out the procedures to be followed by the Adoption Authority to ensure it complies with its obligations under Article 16 of the GDPR “Right to rectification”.

It outlines our obligations with respect to the rectification of data in certain situations.

This policy should be read and used in conjunction with the Adoption Authority’s **Data Subject Access Request Policy** and the **glossary of commonly used Data Protection terms**.

## Definitions

The following definitions of terms used in this policy are provided to ensure clarity to the reader.

**What is “Personal Data”**- Personal data is any information relating to an identified or identifiable natural person (‘data subject’). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person Regulation. Examples of personal data include:

- Name
- Address
- Date of Birth
- Phone number
- Email address
- IP Address
- Employee number
- RSI number

The **“Data Controller”** is the natural or legal person, public authority, agency or any other body, which alone or jointly with others, determines the *purposes and means* of the processing of personal data.

The **“Processor”** is a natural or legal person, public authority, agency or any other body which processes personal data on behalf of a Data Controller.

**“Processing”** is defined as any operation or set of operations which is performed on personal data or on sets of personal data, whether by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

**“Recipient”** - means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

A number of terms used in this privacy notice are outlined in greater detail in the ***Glossary of Data Protection Terms***.

## **2. Right to Rectification under the GDPR**

Data Subjects have the right under Article 16 of the GDPR when their data is inaccurate to request that it be corrected and incomplete personal data completed based on information they provided.

The Adoption Authority will respond to such a request and where necessary or appropriate take steps to validate the information provided by the Data Subject to ensure that it is accurate before amending it.

### **When does the Right to rectification apply?**

If the Adoption Authority has to rectify personal data we will also notify any one to whom we have disclosed such data, unless this would be impossible or involve disproportionate effort.

Rectification is only available in very limited circumstances in the Adoption Authority e.g if the Authority has made a spelling or typographical error. The majority of the Adoption Authority documents and Orders are legal documents which are produced to us by other organisations in order to effect an Adoption Order, it would not be within our gift to amend them. Similarly, requests to amend birth dates and names would have to revert to the GRO. The Adoption Authority’s website FAQ’s explains to Data subjects why this may not always be possible and they may have to contact the original author to amend such legal documents

## **3. Data Subject Rectification Request Procedure**

### **Important Compliance Notes**

The Adoption Authority will act on a request for rectification from a data subject unless we are unable to establish their identity.

The procedure for responding to requests for rectification is set out in Figure 1 and expanded on in the Table 1. The specifics of each step will vary depending on the request and the systems where the data is held.

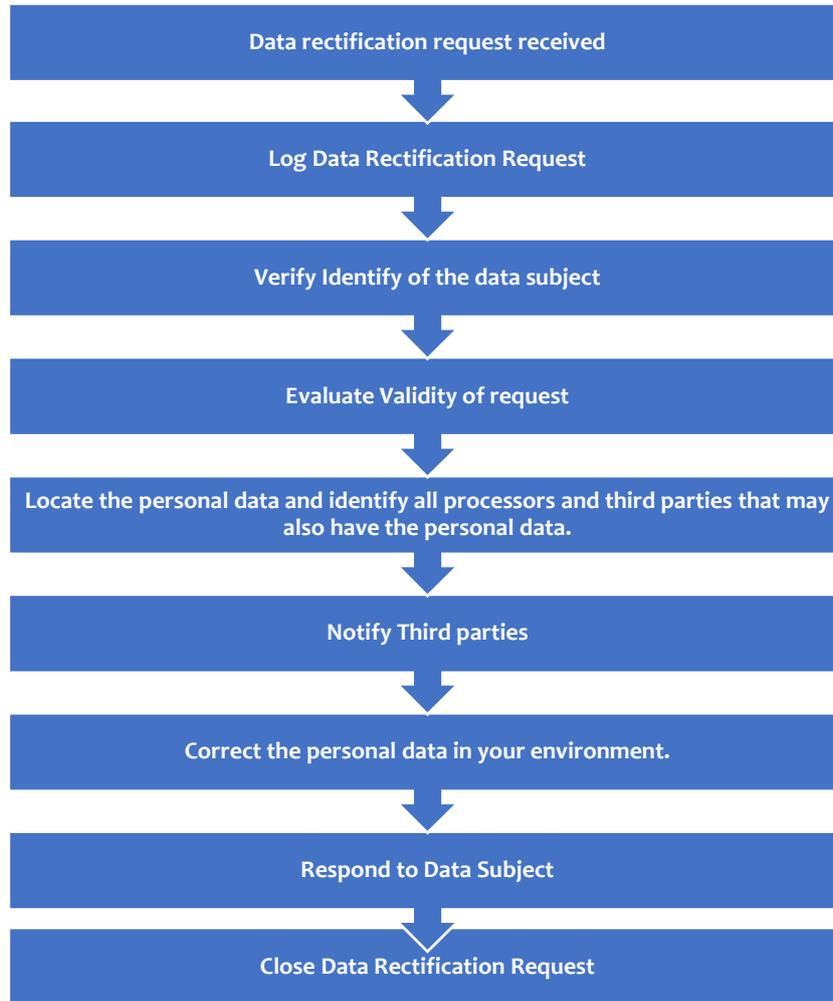


Figure 1 Data Rectification request procedure

TABLE 1 – DATA RECTIFICATION REQUEST PROCEDURE

Step	Description	Responsibility
<b>Data Rectification request received</b>	The Data Subject submits a request for rectification via one of a number of methods, including electronically (via email or website), by letter or by telephone. This may be received through any part of the organisation and should be channelled through to the Data Protection Officer	

<b>Log Data Rectification Request</b>	The fact the request was received should be logged in the Data Subject Access Request Register and the date of the request recorded.	
<b>Verify Identify of the data subject</b>	The identity of the data subject is confirmed via an approved method. Additional information may be requested to confirm identity. If the identity of the data subject is unable to be confirmed the request is rejected and the reason for this communicated to the data subject.	
<b>Evaluate Validity of request</b>	Check the accuracy of the information provided by the Data Subject.	
<b>Locate the personal data and identify all processors and third parties that may also have the personal data.</b>	Check all office systems that store the requested personal data.	
<b>Notify Third parties</b>	Notify all identified third parties that have access to the personal data to rectify the data from their environments and confirm rectification.	
<b>Rectify the personal data in your environment.</b>	Rectify the personal data from your environment.	
<b>Respond to Data Subject</b>	Respond to the data subject to confirm data was rectified as requested.	
<b>Close Data Rectification Request</b>	The fact that the request has been responded to is logged in the Data Subject Request Register together with the date of closure.	

## Appendix 2 – GDPR Article 16

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### Art. 16 GDPR Right to rectification

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*A data subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.*

## Appendix 2 – GDPR Recital 65

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### Recital 65 Right of rectification and erasure\*

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*A data subject should have the right to have personal data concerning him or her rectified and a ‘right to be forgotten’ where the retention of such data infringes this Regulation or Union or Member State law to which the controller is subject. In particular, a data subject should have the right to have his or her personal data erased and no longer processed where the personal data are no longer necessary in relation to the purposes for which they are collected or otherwise processed, where a data subject has withdrawn his or her consent or objects to the processing of personal data concerning him or her, or where the processing of his or her personal data does not otherwise comply with this Regulation. That right is relevant in particular where the data subject has given his or her consent as a child and is not fully aware of the risks involved by the processing, and later wants to remove such personal data, especially on the internet. The data subject should be able to exercise that right notwithstanding the fact that he or she is no longer a child. However, the further retention of the personal data should be lawful where it is necessary, for exercising the right of freedom of expression and information, for compliance with a legal obligation, for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, on the grounds of public interest in the area of public health, for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, or for the establishment, exercise or defence of legal claims.*