

Data Portability Procedure

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Prepared by	Mike Moore, Managing Director
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Title	Data Portability Procedure			
Description	To ensure that information is appropriately secured against the adverse effects of failures in confidentiality, integrity, availability and compliance which would otherwise occur.			
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Purpose

The purpose of this document is to provide a framework for handling data subjects' right to have their data transferred between controllers.

This right applies only to personal data that an individual has provided to an organisation, where processing is based on consent or the performance of a contract and when processing is carried out by automatic means (excluding paper based records)

DE Photo (Franchising) Ltd (referred to as the company here after) shall inform individuals about the availability of the right to data portability in a clear, concise and easily accessible manner using plain and clear language.

The company shall respond to all data portability requests within 1 month of receiving the request or within a maximum of three months for complicated cases.

The company shall provide the requested personal data in a format that supports reuse (for example csv, xml, JSON etc).

The company shall provide data portability requirements to data subjects without fees unless the request can be shown to be "manifestly unfounded or excessive".

Prerequisites

For this procedure to be followed the following conditions need to be met:

- All parties need to be aware of their roles and responsibilities.
- The following documents need to be current and available to the relevant parties:
 - Data Protection Policy
 - Legitimate Interests Assessment (LIA)
- All relevant parties have appropriate access to the file storage/management system.
- All parties have had the relevant training and the training is current and up to date.

Conditions

A data portability request has been received.

Outcomes

- The request has been denied and the data subject has been informed as to the reason why.
- The request is fulfilled and the user is informed.

Process

Verifying the request sub-process

1. Where a communication has been made it should be considered a portability request if:
 - a. The communication has been made on behalf of a data subject.
 - b. There is a request for information relating to that same data subject to be transferred to another controller.
2. Where the communication has been identified as a portability request, the identity of the data subject must be verified before the request can be handled. The subject should provide official identification which is only to be stored for the duration of the request in:
Dropbox: \GDPR\Documents\File Locations\ID Verification

Enacting the request sub-process

This sub-process must be completed within 30 days of receiving the request. Where it seems likely that this will not be the case, the data subject should be contacted and informed of a reasonable timeframe for the information to be transferred and the reasons for the delay.

1. Create a folder in:
Dropbox: \GDPR\Documents\File Locations\Portability Request
with name convention:
[Branch]-[Surname]-[Date]-[Doc Number]
for example HO-Moore-16-05-2018-001
2. Contact the controller in the request and agree a format to transfer the data. This format must be one that the company can easily export the data to or convert to. All formats and standards (e.g. date, units, currencies, etc) should be agreed and recorded in the folder created in step one of this sub-process.
3. Locate where the requested information is stored.
4. Export the information from the systems to the agreed form and send to the controller via the agreed channel. Records of these communications should be stored in the folder created in step one of this sub-process.

Responding to the portability request sub-process

1. Where the request was made by electronic means, an email must be sent to the subject indicating whether the request was completed and if not provide a legitimate reason why not. A copy of this email is to be saved to the folder created in step one of the Enacting the Request sub-process.
2. Where the request was made by post, a letter should be written, printed and posted to the data subject indicating whether their request was completed and if not provide a legitimate reason why not. Proof of posting should be stored in the folder created in step one of the Enacting the Request sub-process.

Management and Review

This policy should be reviewed as scheduled once annually unless performance indicators, changes to legislation or the organisation necessitate it.

Last Review Date: 16/05/2018

Next Review Date: 16/05/2019