



## WITHDRAWAL OF CONSENT PROCEDURE

### 1. Scope:

- 1.1 This procedure addresses the data subject(s) right to withdraw consent for the processing of his or her personal data.
- 1.2 Withdrawal of consent by the data subject means an unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies withdrawal of consent to the processing of personal data relating to him or her.
- 1.3 Withdrawal of consent shall be without effect to the lawfulness of processing based on consent before its withdrawal.

### 2. Responsibilities:

- 2.1 As a data controller, The Police & Crime Commissioner (PCC) for Lancashire is responsible under the UK GDPR for administering withdrawal of consent from the data subject under advice issued from the Chief Executive (CEO) and/or the Data Protection Officer (DPO).

### 3. Withdrawal of consent procedure:

- 3.1 The PCC will acknowledge the data subject has withdrawn consent to the processing of his or her personal data as recorded in the Data Subject consent withdrawal form.
- 3.2 Where the processing had multiple purposes, the PCC will demonstrate withdrawal of consent for each purpose as recorded in the Data Subject consent withdrawal form.
- 3.3 The processing activities that relied upon the consent are stopped in accordance with the relevant process. The CEO/DPO will inform the relevant process owner of this change so that processing can be stopped.

### 4. Assessment and decision to decline the request to withdraw consent:

- 4.1 On receipt of the data subject consent withdrawal form, the CEO/DPO will consider whether the data subjects request can be actioned and an assessment of the reasons for the initial processing will be conducted. Where the lawful basis for processing of the subjects personal data is not based on consent from the data subject, the request may be declined where the following conditions may apply:
  - Processing is necessary to meet one of the contractual obligations entered into by the data subject;
  - Processing is necessary to comply with the legal obligations of the controller;
  - Processing is necessary to protect the vital interests of the data subject;
  - Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (PCC);



- Processing is for the legitimate interests pursued by the controller (The PCC).

4.2 If a decision is taken to decline the data subject's request to withdraw their consent to processing, the CEO/DPO will clearly outline the reasons why in written correspondence to the data subject. This must include information on the complaints process in the event that the data subject is not content with the decision made by the controller in this case. The data subject will receive information concerning the complaints process to both the controller or otherwise to the Information Commissioners Office (ICO).

**5. Withdrawal of parental consent procedure:**

- 5.1 The PCC will acknowledge the holder of parental responsibility over the specified child has withdrawn consent.
- 5.2 The PCC will demonstrate that all reasonable efforts have been made to establish the authenticity of the parental responsibility by sighting documentary evidence and through available technology when withdrawing consent for the specified child.
- 5.3 The processing activities that relied upon the consent will be stopped in accordance with the relevant process. The CEO/DPO will inform the relevant process owner of this change so that processing can be stopped.