

# Data protection: the right to rectification

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## What does the right to rectification mean?

The General Data Protection Regulation (GDPR) includes the right to rectification which means that people have the right to have their inaccurate or incomplete data amended.

A change of circumstances notification is not a request for rectification and should be handled under normal business procedures.

Individuals can make a request **verbally** (which includes face to face or over the telephone) or **in writing** (which includes by post, email and other written methods).

## What do I do if someone wants their data rectified?

DWP is required by law to make sure that the personal information we hold about citizens is accurate, complete and, where necessary, kept up to date. In most cases when a citizen asks DWP to amend inaccurate or incomplete data you should update the information yourself or pass the request to someone with access to do so. These requests should be actioned straight away and do not need to be logged or tracked.

Example A

A customer wants us to correct their address details because their house number shows on DWP's system as 14 instead of 41. This should be actioned straight away under normal business procedures by the member of staff who is first told about it, and doesn't need to be formally treated as a right to rectification. Inform the customer as soon as you have made the correction.

Where the customer is responsible for maintaining the record and has full control over what is contained in that record, such as in the claim process for Universal Credit, the customer can make the changes themselves.

In rare cases where corrective action proves to be particularly complex, a request for rectification may need to be treated in a more formal way.

## What do I do with more complicated requests?

If you receive a request to rectify someone's personal data that is too complicated for you to action yourself, pass it to the Data Protection Officer's Team without delay so that it can be recorded.

The team will look at the request to see which areas of DWP the request relates to and will work with the relevant operational teams to decide whether the right can be upheld and what action needs to be taken.

### Example B

A customer disputes their DWP records because they have been a victim of identity theft. This is more complicated and would need to be formally investigated to decide how the right to rectification can be applied.

## How long do we have to respond to a request?

In most cases DWP will be able to comply with the request straight away through normal business procedures.

DWP has to respond within **one calendar month** of receiving the initial request.

If the request is particularly complex DWP may be able to extend the time limit by a further two months but must notify the person as to the reasons why within that first month. Extensions must only be made in consultation with the Data Protection Officer's Team.

# Requests from DWP staff

If you receive a right to rectification request from a member of staff in their capacity as a DWP employee, see the guidance in section 12 of the DWP Employee Privacy Notice.