

# Right to be Forgotten Policy

## Youth Start Limited

Company Number: 16864238

Registered Office: 370 Osmaston Park Road, Derby, DE24 8FB

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## Effective Date

1 January 2026

## Next Review Date

1 January 2027

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## Introduction and Purpose

Youth Start Limited is committed to respecting the rights of individuals under the UK General Data Protection Regulation (UK GDPR). This Right to be Forgotten Policy explains how we handle requests from individuals to delete their personal data and the circumstances in which we can comply with such requests.

The right to be forgotten, also known as the right to erasure, is a fundamental right under the UK GDPR that allows individuals to request the deletion of their personal data in certain circumstances. This policy sets out our procedures for processing and responding to right to be forgotten requests.

This policy applies to all individuals whose personal data is processed by Youth Start Limited, including job applicants, candidates, employers, mentors, and other data subjects.

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## Scope

This Right to be Forgotten Policy applies to:

- All personal data processed by Youth Start Limited
- All individuals who have the right to request deletion of their data under the UK GDPR
- All staff members, volunteers, and contractors who handle right to be forgotten requests
- All systems, devices, and storage locations where personal data is held

This policy does not apply to:

- Data that is subject to legal retention requirements (such as right to work verification data, which must be retained for 2 years under immigration law)
  - Data that is necessary to comply with legal obligations
  - Data that is necessary to defend legal claims
  - Data that is necessary to protect the vital interests of individuals
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## Legal Framework

The right to be forgotten is established under Article 17 of the UK GDPR. Under this article, an individual has the right to request the erasure of their personal data where:

- The data is no longer necessary for the purpose it was collected
- The individual withdraws their consent to processing (where processing is based on consent)
- The individual objects to processing on the basis of legitimate interests
- The data has been unlawfully processed
- The data must be erased to comply with a legal obligation
- The data has been collected in relation to information society services offered to children

However, the right to be forgotten does not apply where:

- Processing is necessary to comply with a legal obligation
- Processing is necessary to establish, exercise, or defend legal claims
- Processing is necessary for the performance of a task carried out in the public interest
- Processing is necessary for archiving, research, or statistical purposes
- Processing is necessary for the protection of vital interests
- Processing is necessary for the protection of rights and freedoms of others

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## What is the Right to be Forgotten?

The right to be forgotten is the right of an individual to request that we delete their personal data. When a right to be forgotten request is granted, we must delete the individual's data and, in most cases, inform third parties who have received the data that the individual has requested deletion.

The right to be forgotten differs from the right to restrict processing. Where an individual exercises the right to restrict processing, we continue to hold the data but stop processing it. Where an individual exercises the right to be forgotten, we delete the data entirely.

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## When We Can Delete Data

We can delete personal data in response to a right to be forgotten request in the following circumstances:

### **Data No Longer Necessary:**

Where the personal data is no longer necessary for the purpose it was collected. For example, if you applied for a position with Youth Start and were unsuccessful, we can delete your data 12 months after your application, as it is no longer necessary for recruitment purposes.

### **Withdrawal of Consent:**

Where you have withdrawn your consent to processing and there is no other legal basis for us to continue processing your data. For example, if you consented to receive marketing communications and later withdraw your consent, we can delete your contact details.





### **Objection to Processing:**

Where you object to processing on the basis of legitimate interests and we cannot demonstrate a compelling reason to continue processing your data.

### **Unlawful Processing:**

Where your data has been processed unlawfully, we must delete it upon request.

### **Legal Obligation:**

Where we are required by law to delete your data.

### **Data Collected from Children:**

Where your data was collected in relation to information society services (such as online services) offered to children and you request deletion.

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## **When We Cannot Delete Data**

We cannot delete personal data in response to a right to be forgotten request in the following circumstances:

### **Legal Retention Requirements:**

Where we are required by law to retain your data. For example, we must retain right to work verification data for 2 years under immigration law. We must retain tax and employment records for 6 years under tax law.

### **Legal Claims:**

Where we need to retain your data to establish, exercise, or defend legal claims. For example, if you have made a claim against Youth Start or an employer, we must retain all relevant data for the duration of the claim and for 6 years after the claim is resolved.

### **Vital Interests:**

Where deletion of your data would compromise the vital interests of you or another person. For example, if your data is necessary to protect your health or safety, we cannot delete it.

### **Rights and Freedoms of Others:**

Where deletion of your data would compromise the rights and freedoms of another person. For example, if your data is necessary to protect an employer's legitimate interests, we may not be able to delete it.

### **Archiving, Research, or Statistical Purposes:**

Where your data is being held for archiving, research, or statistical purposes in the public interest, we may not be able to delete it, although we may be able to restrict processing.

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## **How to Request Deletion of Your Data**

To request deletion of your personal data under the right to be forgotten, please submit a written request to:

### **Youth Start Limited**

Email: [contact@youthstart.co.uk](mailto:contact@youthstart.co.uk)

Telephone: 07470435603

Registered Office: 370 Osmaston Park Road, Derby, DE24 8FB

Your request should include:

- Your full name
- Your email address or telephone number
- A description of the personal data you wish to have deleted
- The reason for your request
- Any supporting documentation

We may ask you to provide additional information to verify your identity and to confirm that the data you wish to delete is held by us.

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## Processing Right to be Forgotten Requests

### **Acknowledgement:**

We will acknowledge receipt of your right to be forgotten request within 5 working days. We will provide you with a reference number for your request and explain the next steps in the process.

### **Verification:**

We will verify your identity to ensure that the request is genuine and that we are deleting the correct data. Verification may include checking your email address, telephone number, or other identifying information.

### **Assessment:**

We will assess your request to determine whether we can comply with it. We will consider: - Whether the data is necessary for the purpose it was collected - Whether there is a legal basis for us to continue processing your data - Whether we are required by law to retain your data - Whether deletion would compromise the rights and freedoms of others

### **Decision:**

We will make a decision on your request and notify you in writing within 30 days of receipt. If we can comply with your request, we will delete your data and notify you. If we cannot comply with your request, we will explain the reasons and inform you of your right to lodge a complaint with the Information Commissioner's Office (ICO).

### **Extension:**

If your request is complex or we need additional information, we may extend the 30-day deadline by up to 2 months. We will notify you of any extension and explain the reasons.

### **Notification to Third Parties:**

Where we have shared your data with third parties, we will notify them of your right to be forgotten request and ask them to delete your data. However, we cannot guarantee that third parties will comply with this request, as they may have their own legal obligations to retain your data.

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## Data Deletion Procedures

Where we comply with a right to be forgotten request, we will:

### **Delete from Active Systems:**

We will delete your personal data from all active systems, including our CRM system (ZohoCRM), email systems, and databases.

### **Delete from Backups:**

We will delete your personal data from backup systems and storage devices. However, we may retain backup copies for a limited period to ensure business continuity and disaster recovery. Backup copies will be securely destroyed within 30 days of your deletion request.

### **Notify Third Parties:**

We will notify third parties who have received your data (such as employers, background check providers, and mentors) and request that they delete your data. We will keep records of these notifications.

### **Confirm Deletion:**

We will provide you with written confirmation that your data has been deleted.

### **Exceptions:**

We will retain anonymised or pseudonymised data that cannot be linked back to you. We may also retain data that is necessary for legal, regulatory, or business purposes, as explained in this policy.

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## Restrictions on the Right to be Forgotten

The right to be forgotten is not absolute and does not apply in all circumstances. The following restrictions apply:

### **Legal Obligations:**

Where we are required by law to retain your data, we cannot delete it. We will explain the legal basis for retention and the period for which we must retain your data.

### **Legal Claims:**

Where we are involved in a legal dispute with you or another party, we must retain all relevant data for the duration of the dispute and for 6 years after the dispute is resolved. This is necessary to defend our legal interests and to comply with legal requirements.

### **Vital Interests:**

Where deletion of your data would compromise your vital interests or the vital interests of another person, we cannot delete it. For example, if your data is necessary to protect your health or safety, we must retain it.

### **Public Interest:**

Where your data is being processed for archiving, research, or statistical purposes in the public interest, we may not be able to delete it, although we may be able to restrict processing.

### **Rights of Others:**

Where deletion of your data would compromise the rights and freedoms of another person, we cannot delete it. For example, if your data is necessary to protect an employer's legitimate interests or to defend a legal claim, we may not be able to delete it.

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### **Right to Restrict Processing**

Where we cannot comply with a right to be forgotten request, you have the right to request that we restrict processing of your data. This means we will continue to hold your data but will stop processing it for most purposes. We will only process your data where:

- You have consented
- We need to establish, exercise, or defend legal claims
- We need to protect the vital interests of you or another person
- You have requested us to do so

To request restriction of processing, please contact us using the details above.

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### **Complaints and Appeals**

If you are unhappy with our decision on your right to be forgotten request, you have the right to:

#### **Request a Review:**

You can request that we review our decision. Please contact us with details of why you believe our decision was incorrect.

#### **Lodge a Complaint:**

You can lodge a complaint with the Information Commissioner's Office (ICO), the UK's independent authority for data protection.

#### **Information Commissioner's Office**

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire, SK9 5AF  
Telephone: 0303 123 1113  
Website: <https://www.ico.org.uk>

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### **Responsibilities**

#### **Data Protection Lead:**

Nick Calin ([contact@youthstart.co.uk](mailto:contact@youthstart.co.uk), 07470435603) is responsible for overseeing right to be forgotten requests, ensuring compliance with this policy, making decisions on requests, notifying third parties, and maintaining records of all requests and decisions.



### **All Staff Members:**

All staff members are responsible for: - Forwarding right to be forgotten requests to the Data Protection Lead - Not deleting data without authorisation from the Data Protection Lead - Maintaining confidentiality of data during the deletion process - Assisting with verification of identity where necessary

### **Third-Party Processors:**

Third-party processors (such as ZohoCRM) are responsible for: - Deleting data in response to deletion requests - Notifying us when data has been deleted - Assisting with verification of identity where necessary

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## **Record Keeping**

We maintain records of all right to be forgotten requests, including:

- Date of request
- Name and contact details of the individual
- Description of the data requested to be deleted
- Reason for the request
- Date of acknowledgement
- Date of decision
- Details of the decision (approved or rejected)
- Reasons for rejection (if applicable)
- Date of deletion (if approved)
- Details of third parties notified

These records are retained for 3 years after the request is resolved.

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## **Changes to This Policy**

We may update this Right to be Forgotten Policy from time to time to reflect changes in legal requirements or our data practices. We will notify you of material changes by posting the updated policy on our website and updating the “Effective Date” at the top of this policy.

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## **Relevant Legislation**

This Right to be Forgotten Policy is based on the following legislation:

- UK General Data Protection Regulation (UK GDPR), Article 17
  - Data Protection Act 2018
  - Information Commissioner’s Office (ICO) Guidance on the Right to Erasure
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## Contact Information

If you wish to exercise your right to be forgotten or have any questions about this policy, please contact us:

**Youth Start Limited**

Email: [contact@youthstart.co.uk](mailto:contact@youthstart.co.uk)

Telephone: 07470435603

Registered Office: 370 Osmaston Park Road, Derby, DE24 8FB

**Data Protection Lead:**

Nick Calin

Email: [contact@youthstart.co.uk](mailto:contact@youthstart.co.uk)

Telephone: 07470435603

We will respond to your enquiry within 5 working days of receipt.

