

WITHDRAWAL OF CONSENT PROCEDURE (TIER 2)

1. Scope

This procedure addresses the data subject(s) right to withdraw consent for the processing of his or her personal data.

Withdrawal of consent by the data subject means an 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.

Withdrawal of consent shall be without effect to the lawfulness of processing based on consent before its withdrawal. Whereas consent covered all processing activities carried out for the same purpose or purposes, withdrawal of consent covers all processing activities carried out for the same purpose or purposes.

NOTE: Article 7 of the GDPR on consent states that the data subject shall, prior to giving consent, be informed of the right to withdraw his or her consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal. It shall be as easy to withdraw as to give consent. Recital 42 states that consent should not be regarded as freely given if the data subject has no genuine or free choice or is unable to refuse or withdraw consent without detriment.

The data subject's right to be forgotten applies when the data subject has withdrawn consent and no other conditions for processing apply.

2. Responsibilities

- 2.1 As a data controller, Luminate Education Group, is responsible under the GDPR for administering withdrawal of consent from the data subject under advisement from the organisational Data Protection Officer / GDPR Owner.

3. Withdrawal of consent procedure

- 3.1 Luminate Education Group demonstrates the data subject has withdrawn consent to the processing of his or her personal data as recorded in the ([GDPR REC 4.6A](#) – Data Subject Consent Withdrawal form).
- 3.2 Where the processing had multiple purposes, Luminate Education Group demonstrates withdrawal of consent for each purpose as recorded in the ([GDPR REC 4.6A](#)– Data Subject Consent Withdrawal form).
- 3.3 The processing activities that relied upon the consent is stopped in accordance with the relevant process. The Data Protection Officer / GDPR Owner will inform the relevant department process owner of this change so that processing can be stopped.

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4. Withdrawal of parental consent procedure

- 4.1 Luminate Education Group demonstrates the holder of parental responsibility over the specified child has withdrawn consent ([GDPR REC 4.7A](#) – Parent Consent Withdrawal).
- 4.2 Luminate Education Group demonstrates that reasonable efforts have been made to establish the authenticity of the parental responsibility, when withdrawing consent for the specified child, considering available technology.
- 4.3 The processing activities that relied upon the consent is stopped in accordance with the relevant process. The organisational Data Protection Officer / GDPR Owner will inform the relevant process owner of this change so that processing can be stopped.

Document owner and approver

The Luminate Director of IT is the owner of this document and is responsible for ensuring that this procedure is reviewed in line with the review requirements of the GDPR.

A current version of this document is available to all members of the LuminateEducation Group.

This procedure is issued on a version controlled basis.

Change History Record

Issue	Description of Change	Date of Policy
1.0	Initial issue	23/11/2017
1.1	Annual Review	20/10/2018
1.2	Annual Review – Responsibilities updated	21/09/2019
1.3	Annual Review – Luminate Education Group	14/10/2020
1.4	Annual Review	22/10/2021
1.5	Reviewed	04/11/2022
1.6	No amendments – reviewed	18/09/2023
1.7	Annual Review – no changes	07/11/2024