

Data Subject Access Request (DSAR) Procedure

This procedure is to be followed when you receive a request from an individual to access their personal information if/when it is held by your organisation. Requests must be responded to and completed within one month, so they should be actioned as soon as they are received. Under normal circumstances, DSARs should be provided free of charge. However, you can charge a “reasonable fee” when a request is manifestly unfounded or excessive, particularly if it is repeated.

The steps below should be followed to action the request:

1. Is it a valid subject access request?
 - a) The request must be in writing (letter, email, social media or fax).
 - b) Has the person requesting the information provided you with sufficient information to allow you to search for it? (You are allowed to request more information from the individual concerned if the request is too broad.)

2. Verify the identity of the requestor.
 - a) You must be confident that the person requesting the information is indeed the person the information relates to. You should ask for the person to attend your premises with photo ID and confirmation of their address (utility bill or bank statement).

3. Determine where the personal information can be found
 - a) Consider the type of information requested and use your data map to determine where the records are stored. (Personal data is data which relates to a living individual who can be identified from that data – name, address, email address, database information – and can include expressions of opinion about that individual.)
 - b) If you do not hold any personal data on that individual, inform the requestor. If you do hold personal data, continue to the next step.

4. Screen the information
 - a) Some of the information you have retrieved may not be disclosable due to exemptions, however legal advice should be sought before applying such exemptions.
 - b) Examples of exemptions are:
 - a) References you have given
 - b) Publicly available information
 - c) Crime and taxation
 - d) Management information such as restructuring or redundancies
 - e) Negotiations with the requestor
 - f) Regulatory activities such as planning enforcement, noise nuisance, etc
 - g) Legal advice and proceedings
 - h) Personal data of third parties

5. Are you able to disclose all the information?
 - a) In some cases, emails and documents may contain the personal information of other individuals who have not given their consent to share their personal information with others. If this is the case, the other individual's personal data must be redacted before the DSAR is sent out.

6. Prepare the DSAR response, making sure to include as a minimum the following information:
 - a) The purposes of the processing
 - b) The categories of personal data concerned
 - c) The recipients or categories of recipients to whom personal data has been or will be disclosed, in particular in third countries or international organisations, including any appropriate safeguards for transfer of data
 - d) Where possible, the envisaged period for which personal data will be stored, or (if not possible) the criteria used to determine that period
 - e) The existence of the right to request rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing
 - f) The requestor's right to lodge a complaint with the Information Commissioners Office ("ICO")
 - g) The source of the data if it has not been collected from the requestor
 - h) The existence of any automated decision-making, including profiling and any meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject

Be sure also to provide a copy of the personal data undergoing processing.

7. All DSARs should be logged to include the following information:
 - a) Date of receipt
 - b) Identity of the data subject
 - c) Summary of the request
 - d) An indication as to whether the organisation could comply with the request
 - e) The date information was sent to the data subject