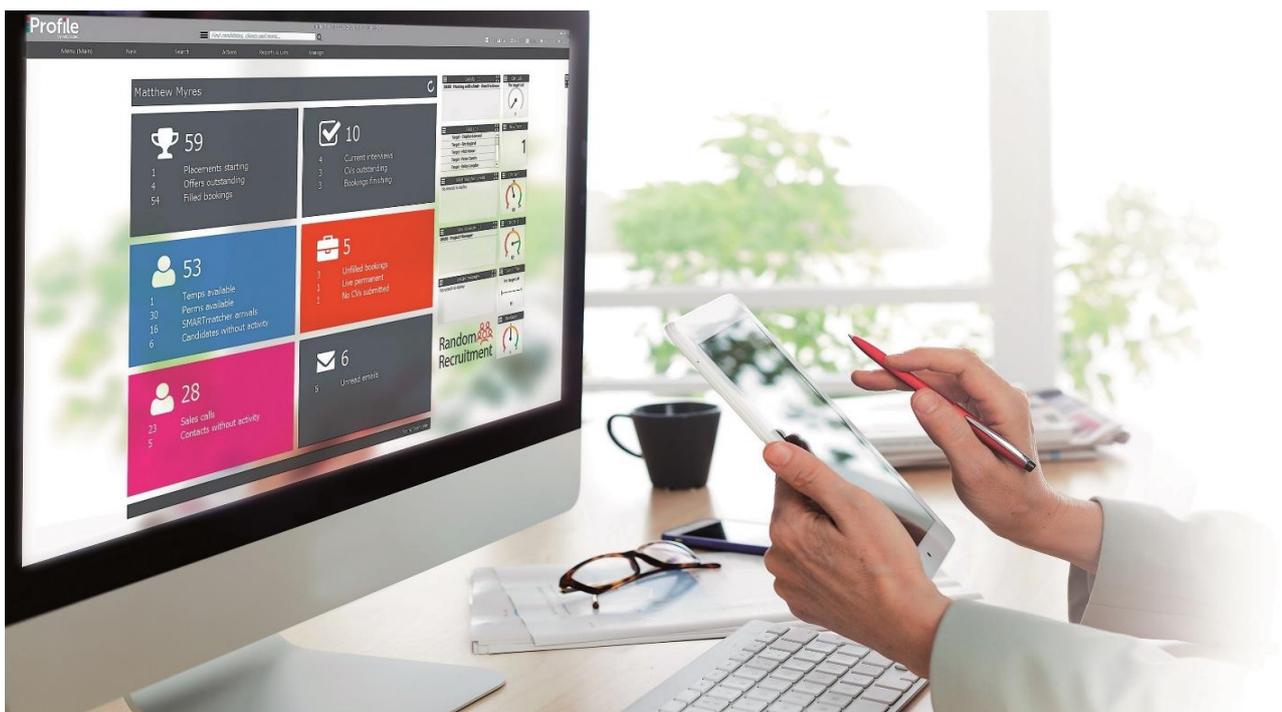




SUBJECT ACCESS REQUEST POLICY

Details how we will handle a Subject Access Request (SAR) from an individual



Author	Linda Clark
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1. Purpose

Under Section 7 of the Data Protection Act 1998 and Article 15 of the GDPR an individual (data subject using the terminology of the Act) has the right to see a copy of the personal data an organisation holds about them. The GDPR clarifies that the reason for allowing individuals to access their personal data is so that they are aware of and can verify the lawfulness of the processing. They are also entitled to the following information – this largely corresponds to the information provided in our privacy notice:

- Whether any personal data is being processed;
- A description of the personal data, the reasons it is being processed, and whether it will be given to any other organisations or people;
- Details of the source of the data (where this is available).
- Where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- Confirmation of the right to request for the rectification or erasure of personal data or restriction of processing of personal data or to object to such processing;
- The right to lodge a complaint with a supervisory authority;
- The existence of automated decision-making, including profiling, and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

Microdec holds and processes personal data on behalf of its staff and clients and needs to be in a position to respond to these requests fully and promptly, given the GDPR sets a time period by which the request needs to be responded too. The Policy sets out the manner by which Microdec will respond to Subject Access Requests.

2. Scope

This Policy relates to all personal and sensitive data controlled by the company regardless of format.

This Policy applies to all employees, contractors, consultants, temporary staff, and other workers at Microdec.

This Policy **does not** apply to requests from individuals whose data is controlled by Microdec's clients. See section below on Client Controlled Data.

3. Policy

- To make a Subject Access Request an individual has to submit the request in writing (including in electronic format), specifying the information they believe we hold about them that they want to have a copy of.
- We have the right to ask for clarification if the initial request is vague or unclear but the requester does not have to provide this.
- We also have the right to require the requestor to prove their identity if we have any doubts before we process the request.
- In terms of time limits we have one calendar month to respond to the request from the date it was submitted in writing. If we fail to meet this timescale we are in breach of the Act and the requestor can make a complaint to the Information Commissioner's Office (ICO).

- The first copy of the information of a request is provided free of charge. However, we can charge a 'reasonable fee' (based on the administrative cost of providing the information) when a request is manifestly unfounded or excessive, particularly if it is repetitive or to comply with requests for further copies of the same information. This does not mean that we can charge for all subsequent access requests.
- All Subject Access Requests will go to the Data Protection Officer (DPO) and it is the responsibility of all staff to ensure they can recognise a Subject Access Request and to forward it onto the Data Protection Officer as soon as possible so that it can be processed.

3.1. Non-Microdec controlled data

The DPO will acknowledge the request and the request will be entered onto the Information Request Register so that it is easily trackable.

If the request is from an individual not known to Microdec, or identified to be known to a Microdec' client and hence Microdec is not the data controller of any data held on this individual, a response will be sent back in writing confirming that Microdec does not process any personal data.

3.2. Microdec controlled data

3.2.1. Collation of data

The DPO will acknowledge the request and make the requestor aware of the final deadline date for a disclosure. The request will be entered onto the Information Request Register so that it is easily trackable.

Once the DPO has established the nature of the information the requester has asked for they will explain what information is required and the deadlines to be met to the relevant managers of the teams, who are the owners of this information as per the Information Asset Register. Ideally the DPO should receive information back at least 7 working days before the deadline for disclosure.

Whilst the DPO will provide guidance and support it is ultimately the responsibility of staff members, who are likely to hold the requested information, to search for and collate the information.

There is an appreciation that on occasions gathering this information may be onerous and time consuming, however the regulations do not include an exemption for requests that relate to large amounts of data, but if the request is manifestly unfounded or excessive, it is possible to extend the period of compliance by a further two months and/or charge a reasonable fee taking into account the administrative costs of providing the information. If this is the case, the DPO must inform the individual within one month of the receipt of the request and explain why the extension and/or fee is necessary. Therefore, difficulties need to be flagged to the DPO at the earliest opportunity.

3.2.2. Screening of data

When all information within the scope of the request has been returned to the DPO it will then be screened and reviewed before it is disclosed. It is important to remember at this stage a requestor is only entitled to receive their own personal data and not other peoples which can often be included within the same information set. As a general rule third party data will be removed or redacted before disclosure. There are exemptions that can be used to prevent personal data being disclosed to a requestor. The most common of these include for the prevention and detection of crime, to avoid prejudicing ongoing negotiations or if disclosure would affect ongoing legal proceedings. The DPO will apply exemptions if they are necessary and after taking advice.

3.2.3. Making the disclosure

Once the above process has been completed the DPO will make the actual disclosure to the requestor. The format of the disclosure will be made in line with the requestor's preference whenever possible. If the request is made electronically, the information will be provided in a commonly used electronic format. The disclosure will include an explanation of what information is being provided. More importantly the disclosure communication will highlight any information that has been redacted or removed completely and the reason why. The communication will set out the requestor's subsequent rights to either ask us to do another search if they believe information is missing from the initial disclosure, or their right to complain to the ICO if they are unhappy with the disclosure.



Head office, UK

Jupiter House
Warley Hill Business Park
The Drive, Brentwood
Essex CM13 3BE

•
+44(0) 1277 227778

Sydney, Australia

Level 34, AMP Centre
50 Bridge Street
Sydney
NSW, 2000

•
+61(2) 8216 0772

Manchester, UK

Stafford Court
145 Washway Road
Sale, Cheshire
M33 7PE

•
+44(0) 161 8711044