



Data Subject Access Request (SAR) Procedures & SAR Form

Introduction

This procedure document supplements the subject access request (SAR) provisions set out in St Pauls Advice Centre's Data Protection Policy & Procedures and provides the process for individuals to use when making an access request, along with the protocols followed by the organisation when such a request is received.

St Pauls Advice Centre needs to collect personal information to effectively and compliantly carry out our everyday business functions and services and in some circumstances, to comply with the requirements of the law and/or regulations. As St Pauls Advice Centre processes personal information regarding individuals (*data subjects*), we are obligated under the General Data Protection Regulation (GDPR) and Data Protection Act 2018 to protect such information, and to obtain, use, process, store and destroy it, only in compliance with the GDPR and its principles.

The General Data Protection Regulation

The General Data Protection Regulation (GDPR) gives individuals the right to know what information is held about them, to access this information and to exercise other rights, including the rectification of inaccurate data. The GDPR is a standardised regulatory framework which ensures that personal information is obtained, handled and disposed of properly.

As the Company are obligated under the GDPR and UK data protection laws, we abide by the Regulations' principles, *which ensure that personal information shall be:* -

- a) processed lawfully, fairly and in a transparent manner in relation to the data subject (*'lawfulness, fairness and transparency'*)
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes (*'purpose limitation'*)
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (*'data minimisation'*)
- d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (*'accuracy'*)
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed (*'storage limitation'*)
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures (*'integrity and confidentiality'*).

The Regulation also requires that *'the controller shall be responsible for, and be able to demonstrate, compliance with the GDPR principles' ('accountability')*. St Pauls Advice Centre have adequate and effective measures, controls and procedures in place, that protect and secure your personal information and guarantee that it is only ever obtained, processed and disclosed in accordance with the relevant data protection laws and regulations.

What is Personal Information?

Information protected under the GDPR is known as "personal data" and is defined as:

"Any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person."

Further information on what constitutes personal information and your rights under the data protection regulation and laws can be found on the Information Commissioners Office (ICO) [website](#).

The Right of Access

Under Article 15 of the GDPR, an individual has the right to obtain from the controller, confirmation as to whether personal data concerning them is being processed. We are committed to upholding the rights of individuals and have dedicated processes in place for providing access to personal information. ***Where requested, we will provide the following information:***

- the purposes of the processing
- the categories of personal data concerned
- the recipient(s) or categories of recipient(s) to whom the personal data have been or will be disclosed
- If the data has been transferred to a third country or international organisation(s) *(and if applicable, the appropriate safeguards used)*
- the envisaged period for which the personal data will be stored *(or the criteria used to determine that period)*
- where the personal data was not collected directly from the individual, any available information as to its source

How To Make a Subject Access Request (SAR)?

A subject access request (SAR) is a request for access to the personal information that SPAC holds about an individual, which we are required to provide under the GDPR *(unless an exemption applies)*.

A Subject Access Request is valid if it is submitted by any means, and we will comply with any requests we receive in a letter, a standard email or verbally. However, we always request the Subject Access Request Form (SAR) is completed to help us ascertain exactly what information is required (See Appendix 1).

We will offer support in completing the SAR Form where appropriate.

What We Do When We Receive an Access Request

Identity Verification

Subject Access Requests (SAR) are passed to the Data Officer as soon as received and a record of the request is made on the Subject Access Request Register.

SPAC will use all reasonable measures to verify the identity of the individual making the access request, especially where the request is made using online services.

If a third party, relative or representative is requesting the information on the Data Subjects behalf, we will verify their authority to act, and may contact the Data Subject to confirm their identity and gain authorisation prior to actioning the any request.

Information Gathering

If enough information has been provided in the request to collate the personal information held about, SPAC will gather all information and ensure that it is provided in an acceptable format. If we do not have enough information to locate the records, we may contact the Data Subject for further details. This will be done as soon as possible and within the timeframes set out below.

Information Provision

Once we have collated all the requested information, we will send this to the Data Subject, or their representative, in writing (*or in a commonly used electronic form if requested*). The information will be in a concise, transparent, intelligible and easily accessible format, using clear and plain language.

We will only provide information that relates to the Data Subject. We may be required to redact any information held about third parties, or to which a claim to legal professional privilege could be maintained in legal proceedings.

Fees and Timeframes

We aim to complete all access requests within 30-days and provide the information free of charge. Where the request is made by electronic means, we provide the information in a commonly used electronic format, unless an alternative format is requested.

Whilst we provide the information requested without a fee, further copies requested by the individual may incur a charge to cover our administrative costs. We always aim to provide the requested information at the earliest convenience, but at a maximum, 30 days from the date the request is received.

However, where the retrieval or provision of information is particularly complex or is subject to a valid delay, the period may be extended by two further months. If this is the case, we will inform the Data Subject within 30 days and keep them informed of the delay and provide reasons.

Exemptions and Refusals

The GDPR contains certain exemptions from the provision of personal information. If one or more of these exemptions applies to the subject access request or where the organisation does not act upon the request, SPAC shall inform the Data Subject at the earliest convenience, or at the latest, within one month of receipt of the request.

SPAC can refuse to comply with a subject access request if it is manifestly unfounded or excessive, taking into account whether the request is repetitive in nature.

If SPAC considers that a request is manifestly unfounded or excessive we may:

- request a "reasonable fee" to deal with the request; or
- refuse to deal with the request.

In either case SPAC will justify the decision in writing within the above timeframes.

The reasonable fee will be based on the administrative costs of complying with the request. If we intend to charge a fee we will contact the individual promptly and inform them. In these circumstances, SPAC may not comply with the request until we have received the fee.

Where possible, we will give the reasons for not acting and provide details for lodging a complaint with the Supervisory Authority.

Other Rights

Rectification

Under the GDPR, Data Subjects have the right to request rectification of any inaccurate data held by SPAC. Where we are notified of inaccurate data, and agree that the data is incorrect, we will amend the details immediately and make a note of the change and reason(s).

If for any reason, we are unable to act in response to a request for rectification and/or data completion, we will always provide a written explanation and inform the data subjects of their right to complain to the Supervisory Authority.

Data Erasure/Restricting Processing

In certain circumstances, Data Subjects may also have the right to request from SPAC, the erasure of personal data or to restrict the processing of personal data where it concerns personal information; as well as the right to object to such processing. See SPAC's Data Retention and Erasure Policy and Procedure for further information.

Submission

SAR's should be sent by post to The Data Officer, St Pauls Advice Centre, 146 Grosvenor Road, St Pauls, Bristol, BS2 8YA, by email with Subject Data Access Request in the title to rob@stpaulsadvic.org.uk or by telephoning 0117 9552981.

Lodging a Complaint

Complaints should be made to the Executive Director in writing at: St Pauls Advice Centre, 146 Grosvenor Road, St Pauls, Bristol, BS2 8YA. See SPAC Complaints Policy and Procedure for further information.

Supervisory Authority

Data Subjects have the right to lodge a complaint with the Supervisory Authority. The Information Commissioner's Office (ICO) can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Telephone: 0303 123 1113 (*local rate*) or 01625 545 745 (*national rate*)

Fax: 01625 524 510

Email: enquiries@ico.org.uk

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Subject Access Request Procedure

Requests should be made by post to The Data Officer, St Pauls Advice Centre, 146 Grosvenor Road, St Pauls, Bristol, BS2 8YA, by email with Subject Data Access Request in the title to rob@stpaulsadvise.org.uk or by phone on 0117 9552981



Data Subject asked to complete Data Subject Access Request Form



The Data Officer verifies identity of applicant or authority from the Data Subject where the request has come from a 3rd party



Clarification sought, where necessary, about exact information required



Subject Access Request logged on Subject Access Request Register



Information gathered and any information about 3rd parties redacted



Information provided to the Data Subject within 30 days. If not possible, the Data Subject must be informed of the reason for the delay within 30 days. Information must be provided within a further 2 months.



All information must be provided free of charge, unless requests are manifestly unfounded or excessive.

Subject Access Request Form

Under the General Data Protection Regulation, you are entitled as a data subject to obtain from the organisation, confirmation as to whether we are processing personal data concerning you, as well as to request details about the purposes, categories and disclosure of such data.

You can use this form to request information about, and access to any personal data we hold about you. Details on where to return the completed form can be found at the end of the document.

1. Personal Details:

Data Subject's Name:		DOB:	___/___/_____
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Home Telephone No:		Email:	
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Data Subject's Address:

Any other information that may help us to locate your personal data:

2. Specific Details of the Information Requested:

3. Representatives *(only complete if you are acting as the representative for a data subject)*

[Please Note: We may still need to contact the data subject where proof of authorisation or identity are required]

Representative's Name:		Relationship to Data Subject:	
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Telephone No:		Email:	
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Representative's Address:

I confirm that I am the authorised representative of the named data subject:

Representative's Name: _____ Signature: _____

4. Confirmation

Data Subject's Name: _____ [print name]

Signature: _____ Date: ___/___/_____

5. Completed Forms

For postal requests, please return this form to:

The Data Officer, St Pauls Advice Centre, 146 Grosvenor Road, St Pauls, Bristol, BS2 8YA

For email requests, please return this form to The Data Officer: rob@stpaulsAdvice.org.uk with Data Subject Access Request in the title.