



integrity**support**solutions

SAR Management

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SAR Policy

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1.0 General

Industrial Safety Solutions Ltd. will ensure that Subject Access Request (SAR) are identified, managed, monitored and responded to in accordance with the European Union General Data Protection Regulations (EUGDPR). We respect the rights of Data Subjects and pledge to ensure these are complied with at all times.

1.1 General obligations and requirements: -

- Inform data subjects of their right to access data and provide an easily accessible mechanism through which such a request can be submitted (e.g. a dedicated email address).
- Make sure a SAR policy is in place within the business and that internal procedures on handling of SARs are accurate and complied with. Include, among other elements, provisions on;
 - Responsibilities (who, what)
 - Monitoring
 - Charging
 - Timing
 - Changes to data
 - Handling requests for rectification, erasure or restriction of processing.
- Ensure personal data is easily accessible at all times in order to ensure a timely response to SARs and that personal data on specific data subjects can be easily filtered.
- Where possible, implement standards to respond to SARs, including a standard response.

2.0 Purpose

This document sets out our policy for responding to subject access requests under the GDPR. The Act becomes enforceable in the UK from 25th May 2018.

It is the Act in the UK that explains the rights and responsibilities of those dealing with personal data. All staff are contractually bound to comply with the Act and other relevant policies.

3.0 Introduction - What is GDPR?

The GDPR gives individuals the right to know what information is held about them. It provides a framework to ensure that personal information is collected, recorded, processed, managed, controlled and destroyed in accordance with the Act.

The Act works in two ways.

Firstly, it states that anyone who processes personal information must comply with the data protection principles. These state that personal data is: -

- Processed lawfully, fairly and in a transparent manner
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary
- Accurate and, where necessary, kept up to date
- Retained only for as long as necessary
- Processed in an appropriate manner to maintain security

Secondly, it provides individuals with important rights: -

- Right to be informed
- Right of access
- Right to rectification
- Right to erasure (right to be forgotten)
- Right to restrict processing
- Right to data portability (for automated processing only)
- Right to object
- Rights related to automated decision making and profiling

GDPR covers both electronic and paper records and provides individuals with greater control over the use of their personal data.

4.0. What is the Company's general policy on providing information?

We welcome the rights of access to information that are set out in the DPA. We are committed to operating openly and to meeting all reasonable requests for information that are not subject to specific exemption in EUGDPR.

5.0 How do you make a subject access request?

A subject access request(SAR) is a request to be provided with a copy of personal information (known as personal data) held about you by the Company. Individuals have the right to see what personal information we hold about you, including: -

- the legal basis for having that information
- how we safeguard the data
- what we use it for
- where it is stored
- any consents that have been given
- who we might share that data with
- how long we retain the data

5.1 Legal basis for processing

The GDPR states that processing will only be lawful if at least one of these conditions is met:

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- Data subject gives clear **consent** for one or more specific purposes.
- Processing is necessary to meet **contractual** obligations entered into by the data subject.
- Processing is necessary to comply with **legal obligations** of the controller.
- Processing is necessary to protect the **vital interests** (life)of the data subject.
- Processing is necessary for tasks in the **public interest** or exercise of authority vested in the controller.
- Processing is for the purposes of **legitimate interests** pursued by the controller.

6.0 What is personal information?

Personal data is described as: -

Any information relating to an identified or identifiable natural person ('data subject'); 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.

7.0 What do we do when we receive a subject access request?

We will check if we hold any personal data for the applicant

We will then check that we have enough information to be sure of your identity. Often, we will have no reason to doubt a person's identity, for example, if we have regularly corresponded with them. However, if we have good cause to doubt your identity we can ask you to provide any evidence we reasonably need to confirm your identity and to ensure we do not pass data to an unauthorised person. For example, we may ask you for a piece of information held in your records that we would expect you to know e.g. a witnessed copy of your photograph or signature and proof of your address.

If the person requesting the information is a relative/representative of the individual concerned, then the relative/representative is entitled to personal data about themselves but must supply the individual's consent for the release of their personal data.

If you have been appointed to act for someone under the Mental Capacity Act 2005, you must confirm your capacity to act their behalf and explain how you are entitled to access their information.

If you are the parent/guardian of a child under 16, we will need to consider whether the child can provide their consent to you acting on their behalf.

Should you make a data subject access request but you are not the data subject we will decline the request.

We will not normally make a charge for responding to an SAR however in circumstances where we feel a charge is appropriate we will inform you in writing before processing the request.

8.0 Collation of information

We will satisfy ourselves that we have enough information to find the records you requested. If we feel we need more information, then we will promptly ask you for this. We will gather any manual or electronically held information (including emails) and identify any information provided by a third party or which identifies a third party.

If we have identified information that relates to third parties that cannot be removed, we will write to them asking whether there is any reason why this information should not be disclosed. We do not have to supply the information to you unless the other party has provided their consent or it is reasonable to do so without their consent. If the third-party objects to the information being disclosed we may seek legal advice on what action we should take.

Before sharing any information that relates to third parties, we will where possible anonymise information that identifies third parties not already known to the individual (e.g. Cavetta employees), and edit information that might affect another party's privacy.

9.0 Issuing our response

Once any queries around the information requested have been resolved, copies of the information will be sent to you. Normally we will send the response in electronic format using Microsoft office formats.

A request for a paper copy response will be considered where the volume of data is manageable. Where it is impossible, or where it would involve undue effort we will contact you to arrange a mutually agreeable solution. One alternative would be to allow you to view the information on screen at a convenient location.

We will explain any complex terms or abbreviations contained within the information when it is shared with you. Unless specified otherwise, we will also provide a copy of any information that you have seen before.

10.0. What is the timeframe for responding to subject access requests?

We have one month, starting from when we have received all the information necessary to identify you, to identify the information requested, and any fee required, to provide you with the information or to provide an explanation about why we are unable to provide the information. In most cases we expect to respond within the maximum timeframe and will do our utmost to avoid delays.

11.0 Are there any grounds we can rely on for not complying with a subject access request?

If you have made a previous subject access request we must respond if a reasonable interval has elapsed since the previous request. A reasonable interval will be determined upon the nature of the information, the time that has elapsed, and the number of changes that have occurred to the information since the last request.

The Act contains a number of exemptions to our duty to disclose personal data and we may seek legal advice if we consider that they might apply.

12.0. What if you identify an error in our records?

When we have validated that the information is inaccurate, we will correct it and where practicable, destroy any inaccurate information. We will also inform any third party with whom the data has been shared and request that their data is amended accordingly.

If we are unable to validate that the inaccuracy we will make a note of the alleged error and keep a record of this on file.

13.0. What if you want us to stop processing your data?

You have a right to object to the processing of your data or restrict the processing in some way. We will comply with your request whenever possible. If we are not able to meet your requirements we will advise you in writing and offer any possible alternatives that may be considered.

14.0 Our complaints procedure

If you are not satisfied by our actions, you can seek recourse through our internal complaints procedure, the Information Commissioner or the courts.

The Director will deal with any written complaint about the way a request has been handled and about what information has been disclosed. The Director can be contacted at:

Address:

Integrity Support Solutions Group

Unit 1 Holme Industrial Estate

Moffat

DG10 9JU

Phone:

t: 01683 222720

e mail info@ssuk.eu

If you remain dissatisfied, you have the right to refer the matter to the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Telephone: 01625 545 745

Fax: 01625 524 510

Email: enquiries@ico.gsi.gov.uk

SAR Procedure

Identify and confirm receipt of a SAR

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Verify whether you are controller of the data subject's personal data

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Verify whether you process the data requested

If you do not process any data, inform the data subject accordingly

At all times make sure the internal SAR policy is followed and progress can be monitored.

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Verify the identity of the data subject – Photo & Address confirmation

if needed, request any further evidence on the identity of the data subject

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Verify the access request - is it sufficiently substantiated?

Is it clear to the data controller what information is requested?

If not: request additional information

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Verify whether requests are unfounded, vexatious or excessive (e.g. because of their repetitive character) - if so, you may refuse to act on the request or charge a reasonable fee

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Promptly (within 3 days) acknowledge receipt of the SAR -
inform the data subject of any costs involved in the processing of the SAR

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Ensure data integrity will not be changed as a result of the SAR
Routine changes as part of the processing activities concerned are permitted

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Verify whether the data requested also involves data on other data subjects and make sure this data is filtered before the requested data is supplied to the data subject –

If data cannot be filtered, ensure that other data subjects have consented to the supply of their data as part of the SAR

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If more time is needed to respond to complex requests, an extension of a further two months is permissible – If applicable, ensure this is communicated to the data subject in a timely manner within one month from receipt of the SAR

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If you decide not to act on the request of the data subject –
Inform the data subject on this decision without delay and at the latest within one month of receipt of the request

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If a SAR is submitted in electronic form, any information in response should preferably be provided by electronic means also

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If data on the data subject is processed, make sure to include as a minimum the following information in the SAR response: -

- the purposes of the processing;
- the categories of personal data concerned;
- 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, such as Binding Corporate Rules or EC model clauses;
- where possible, the envisaged period for which personal data will be stored, or, if not possible, the criteria used to determine that period;
- 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;
- the right to lodge a complaint with a supervisory authority;
- if the data has not been collected from the data subject: the source of such data;
- 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.

(A copy of the original Privacy Notice will cover this)

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Provide a copy of the personal data undergoing processing

This should be provided in a commonly used electronic form if the data subject has submitted the SAR electronically

Ensure the SAR record spreadsheet is regularly updated