[Your Company Name]

Subject Access Request (SAR) Procedures

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It is important to work through the document and customise any areas to ensure that the finished template accurately reflects what your organisation does and the controls that you have in place. You should consider your regulatory and legal obligations and any standards or requirements that apply to your industry or business type when customising the content.

Template Guidance

We have provided a generic template as a starting point for you to develop your own document in this compliance area. You should review and customise the template sections thoroughly to ensure that the finished version accurately reflects your organisations' controls and responsibilities.

These procedures are for your organisation and individuals to follow so have been written to the data subject, so they can be used on a website, in paper format and as he procedures for an individual to follow to make a request or access. They are accompanied at the end by a SAR Form that individual can use to submit the request (*you can retain this separately if required),* and response letter templates for responding to SAR's This is a template which should be customised to suit your own needs and requirements.

Referencing Other Policies

We sometimes reference other policies in a template where relevant *(i.e. refer to Anti-Bribery & Corruption Policy in conjunction with AML).* Referenced documents are **only** included in your pack if you have ordered them separately or you have purchased a Toolkit or Bundle that includes them.

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Revision History

VERSION	REVISION DATE	SECTION REVISED	REASON FOR REVISION	DESCRIPTION OF REVISION

Table of Contents

1 Introduction 5
1.1 The General Data Protection Regulation (UK GDPR) 5
2 What is Personal Information? 6
3 The Right of Access 6
3.1 How To Make a Subject Access Request (SAR)? 6
3.2 What We Do When We Receive An Access Request 7
4 Fees and Timeframes 7
5 Your Other Rights 8
5.1 Automated Decision-Making 8
6 Exemptions and Refusals 8
7 Submission & Lodging a Complaint 9
7.1 The Commissioner 9

1 INTRODUCTION

This procedure document supplements the subject access request (SAR) provisions set out in **[Your Company Name]'s** *(hereinafter referred to as the **"Company"**)* Data Protection Policy & Procedures and provides the process for individuals to use when making an access request, along with the protocols followed by the Company when such a request is received.

The Company needs to collect personal information to carry out our everyday business functions and services effectively and compliantly and, in some circumstances,, to comply with the requirements of the law and/or regulations.

As the Company processes personal information regarding individuals (*data subjects*), we are obligated under the United Kingdom General Data Protection Regulation, tailored by the amended Data Protection Act 2018 (*hereinafter referred to as the UK GDPR),* to protect such information, and to obtain, use, process, store and destroy it, only in compliance with the Regulations and their principles.

1.1 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"**). The Company have adequate and effective

2 WHAT IS PERSONAL INFORMATION?

Information protected under the UK 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**.

3 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 tools and 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

3.1 HOW TO MAKE A SUBJECT ACCESS REQUEST (SAR)?

A Subject Access Request (SAR) is a request for access to the personal information that the Company holds about you, which we are required to provide you with under the UK GDPR *(unless an exemption applies*). The information that we provide is covered in section 3 of this document.

You can make this request in writing using the details provided in section 7, or you can submit your access request electronically. Where a request is received by electronic means, we will provide the requested information in a commonly used electronic form *(unless otherwise requested by the data subject).*

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5 YOUR OTHER RIGHTS

Under the UK GDPR, you have the right to request rectification of any inaccurate data held by us. Where we are notified of inaccurate data, and agree that the data is incorrect, we will amend the details immediately as directed by you and make a note on the system *(or record)* of the change and reason(s).

We will rectify any errors within 30-days and inform you in writing of the correction and where applicable, provide the details of any third-party to whom the data has been disclosed.

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 to you and inform you of your right to complain to the Commissioner and to seek a judicial remedy.

In certain circumstances, you may also have the right to request from the Company, the erasure of personal data or to restrict the processing of personal data where it concerns your personal information; as well as the right to object to such processing. You can use the contact details in section 7 to make such requests.

5.1 AUTOMATED DECISION-MAKING

[Note: Under the access request requirements, the GDPR requires you to inform the data subject of the existence of automated decision-making, including profiling and meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject. If this applies to your organisation, you must add a paragraph here explaining your automated decision-making.]

6 EXEMPTIONS AND REFUSALS

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

Where possible, we will provide you with the reasons for not acting and any possibility of lodging a complaint with the supervisory authority and your right to seek a judicial remedy. Details of how to contact the supervisory authority are set out in section 7 of this document.

7 SUBMISSION & LODGING A COMPLAINT

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7.1 The Commissioner

If you remain dissatisfied with our actions, you have the right to lodge a complaint with the Commissioner. ***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

Subject Access Request Form

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4. Confirmation
Data Subject's Name: _____ [print name] **Signature:** _____ **Date:** ____ /____ /_____
5. Completed Forms
For postal requests, please return this form to: [Insert Data Protection Officer Name] [Insert Company Name] [Insert Address] [Insert Town/City] [Insert Postcode] ***For email requests, please return this form to***: [Insert Data Protection Officer Name] at [insert DPO email address].