



Streetfield Mews

Subject Access Request Process

Date of Committee Approval:	1 February 2021
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Date of Next Review:	1 February 2023



1. Introduction

The General Data Protection Regulations (**GDPR**) set out a statutory framework for the management and protection of personal data. The regulations require organisations to have a lawful basis for the collection and retention of personal data and set out the rights of individual 'data subjects', including the right of access to data held.

2. Subject Access Request

2.1 A Subject Access Request (**SAR**) is the right of an individual to obtain the following:

- (a) confirmation that their data is being processed;
- (b) access to their personal data; and
- (c) other supplementary information.

2.2 The purpose of a SAR is to allow an individual to be aware of the personal data that an organisation holds and to verify the lawfulness of its processing in line with the requirements of GDPR.

2.3 Requests may be received from shareholders, residents or any individual who has personal data held by Streefield Residents Society Limited (the **Company**). This will include information held both electronically and manually and may also be in the form of photographs and recorded images.

3. Personal Data

Personal data means 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, 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.

4. Third Party Data

Third party information is information that has been provided by another person. The Company will normally seek the consent of the third party before disclosing information. Even if the third party does not consent, or consent is explicitly not given, the data will be disclosed.

5. Identifying a Request

5.1 A SAR does not have to be in any particular form other than in writing, therefore a request may be received by letter or email.

5.2 A request does not have to include the words 'subject access' or make any reference to the GDPR. A request may be a valid even if it refers to other legislation and should therefore be responded to as a SAR. The applicant must be informed of which legislation applies.

5.3 Any requests made for non-personal information must be forwarded to the Company Data Protection Officer (**DPO**).

6. Identifying the Data Subject

The GDPR requires organisations to take 'reasonable measures' to verify the identity of the Data Subject before providing any data requested by means of an SAR. Evidence of identity will be established by requesting one of the following:

- (a) passport;
- (b) driving licence;
- (c) utility bills with the current address;
- (d) birth/marriage certificate;
- (e) P45/P60;
- (f) credit card or mortgage statement.

7. Responding to Requests

7.1 The DPO will acknowledge receipt of the request in the first instance. The Data Subject will be asked to provide proof of identification and if necessary will be asked to clarify or provide further information regarding the data they have requested.

- 7.3 The DPO will retain a register of all SARs.
- 7.4 It is essential that requests are responded to as quickly as possible in order to ensure that the statutory timescales in respect of subject access requests are met.
- 7.6 Final responses will be fully redacted to remove any references to third party Data Subjects or details of Data Subject to an exemption.
- 7.7 An electronic copy of the final response will be retained.

8. Exemptions

- 8.1 Safeguarding information may be exempt from the disclosure provisions of the Subject Access Regulations and the General Data Protection Regulations meaning that neither children nor their parents have an automatic right of access.
- 8.2 The main exemptions in respect of when information may be withheld relate to:
- (a) information that might cause serious harm to the physical or mental health of the child or others;
 - (b) cases where the disclosure would reveal a child is at risk of abuse;
 - (c) information contained in adoption and parental order records;
 - (d) information given to court in proceedings.

9. Timescales

- 9.1 Requested information will be provided without delay and by the latest, one month after receipt of the original request.
- 9.2 In the event that the request is complex or numerous the deadline for a response may be extended by up to two months. When this is the case the requestor will be provided with a written explanation of the reason for the delay within one month of the original request.

10. Charges

In the first instance information requested will be provided without charge. However, in the event that a request is manifestly unfounded, excessive or repetitive, the Company reserve the right to apply a 'reasonable fee'. The fee charged will be based on the administrative cost of providing the information.

11. Complaints

Complaints may be referred to the Information Commissioner <https://ico.org.uk>.

[ON HEADED PAPER]

Private & Confidential

[NAME]

[ADDRESS]

[DATE]

Dear [NAME]

Subject Access Request

I write to acknowledge your Subject Access Request submitted on [DATE].

I understand that you wish to exercise your rights under the General Data Protection Regulations (GDPR) to:

- be given a description of any personal data which we may hold on you;
- be advised of the purposes for which this data may be used

As such you have requested the following:

[Insert Detail]

The Company are obliged under the GDPR to satisfy ourselves as to the identity of the person making the request. Accordingly, we require you to provide suitable proof of your identity.

Also, in order to assist the Company to locate the information which you are seeking in a timely and efficient manner, you should provide as much information as possible as to the type of data which you are seeking, the period during which the data has been held, the persons who are likely to be holding this data.

We will endeavour to respond to your request as soon as reasonably practicable and within one month of the date of your request.

Yours sincerely

[NAME]

**Data Protection Officer
Streetfield Residents Society Limited**

[ON HEADED PAPER]

Private & Confidential

[NAME]

[ADDRESS]

[DATE]

Dear [NAME]

Subject Access Request

I write further to my letter dated [DATE] in which I acknowledged receipt of your Subject Access Request dated [DATE].

You have been provided with the following information as requested:

[Insert Detail]

The following information was not provided:

[Insert Detail]

The data detailed above was not provided as it is subject to the following exemption(s):

[Insert Detail]

You have now been provided with a response to your request.

Yours sincerely

[NAME]

Data Protection Officer

Streetfield Residents Society Limited