ARE YOU
ACCESS
AWARE?

What is a subject access request?

One of the main rights which the Data Protection Act gives to individuals is the right of access to their personal information. An individual can send you a 'subject access request' requiring you to tell them about the personal information you hold about them, and to provide them with a copy of that information. In most cases you must respond to a valid subject access request within 40 calendar days of receiving it.

Why is it important?

The right to access personal data, commonly referred to as subject access, is created by section 7 of the Data Protection Act. It is most often used by individuals who want to see a copy of the information an organisation holds about them.

An individual can also request information about the reasoning behind any automated decisions, such as a computer-generated decision to grant or deny credit, or an assessment of performance at work. It is in all of our interests to recognise requests for personal information from customers and colleagues, and handle them appropriately.

Who is the audience?

Recognising and acting upon a request for personal information is relevant to, and the responsibility of, everyone in your organisation.

How do I share the key messages?

A set of generic communications, included on the pages that follow, have been prepared for immediate use. They have been designed to inform and educate employees about requests from customers and colleagues for access to their personal data.

What do we want employees to do?

Take appropriate action if they think they might have received a subject access request. If employees are more aware of the issues, they are more likely to act accordingly.

Access Aware

ACCESS AWARE has been created as a simple, easy to understand expression of the right to access personal information.

We want to raise awareness among employees in a wide range of organisations of their obligations in relation to subject access requests.

This toolkit has been designed to remind staff to be 'Access Aware' – acting as a prompt to help them recognise a request for personal information, and how to deal with it.

Tools for you

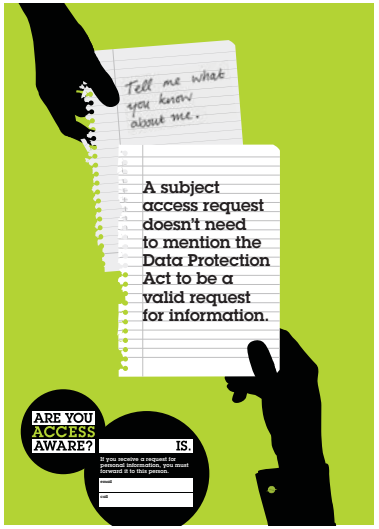
We have created this toolkit of materials for organisations to download, print, and display around your own office – to remind staff to be 'Access Aware'.

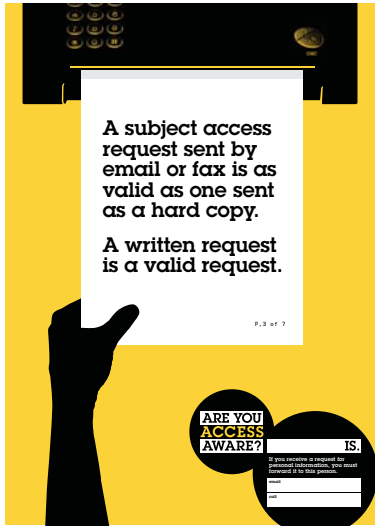
The posters can be printed on your desktop printer and put up in employee areas. (See links to download the files on the following pages.)

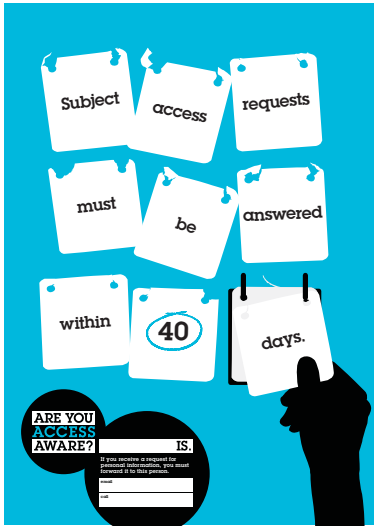
Each poster can be used on its own, or in conjunction with others, and all feature a mechanism for you to complete to let colleagues know what to do once they have received a subject access request.

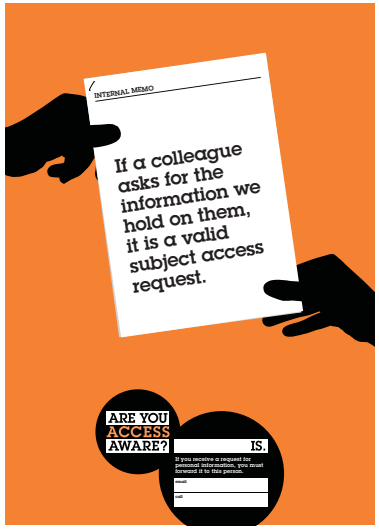
The roundel device on each page allows you to add the name and contact details for the person in your organisation responsible for responding to subject access requests.

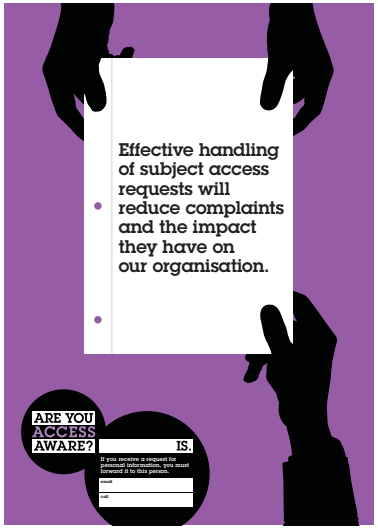
Campaign overview









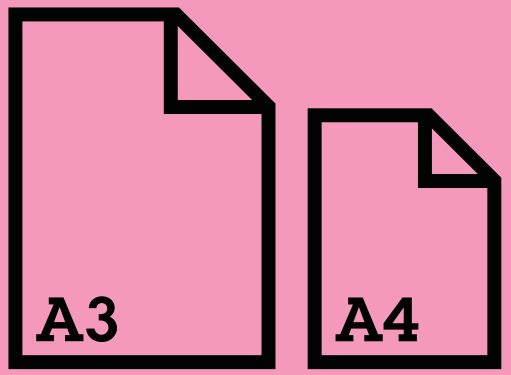


What is a subject access request? poster

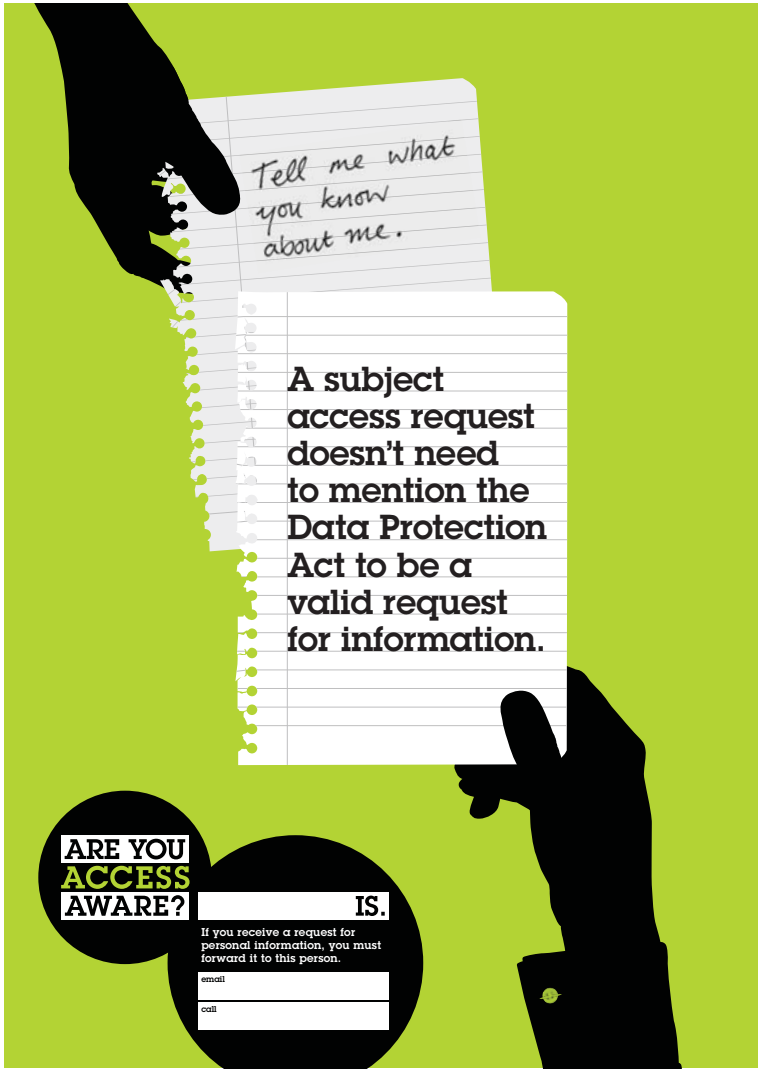
Under the Data Protection Act, individuals have the right to access their personal information. An individual can send you a 'subject access request' requiring you to tell them about the personal information you hold about them, and to provide them with a copy of that information.

A subject access request might be sent to any member of staff within the organisation, making it everyone's responsibility to recognise requests, and act upon them.

Printable pdfs have been created in A3 and A4 format. Click on the icons below to download them to your desktop. Print from your desktop printer.



Valid request poster



A subject access request doesn't need to mention the Data Protection Act to be a valid request for personal information – be 'Access Aware'.

We are all responsible for ensuring subject access requests are identified and dealt with appropriately.

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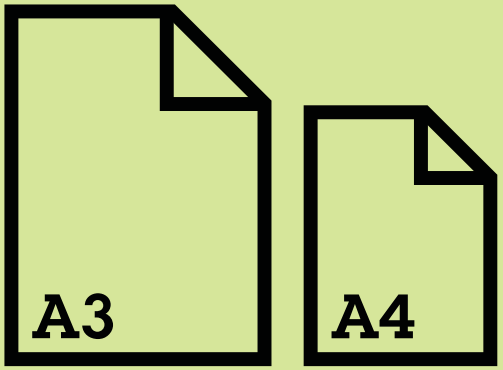
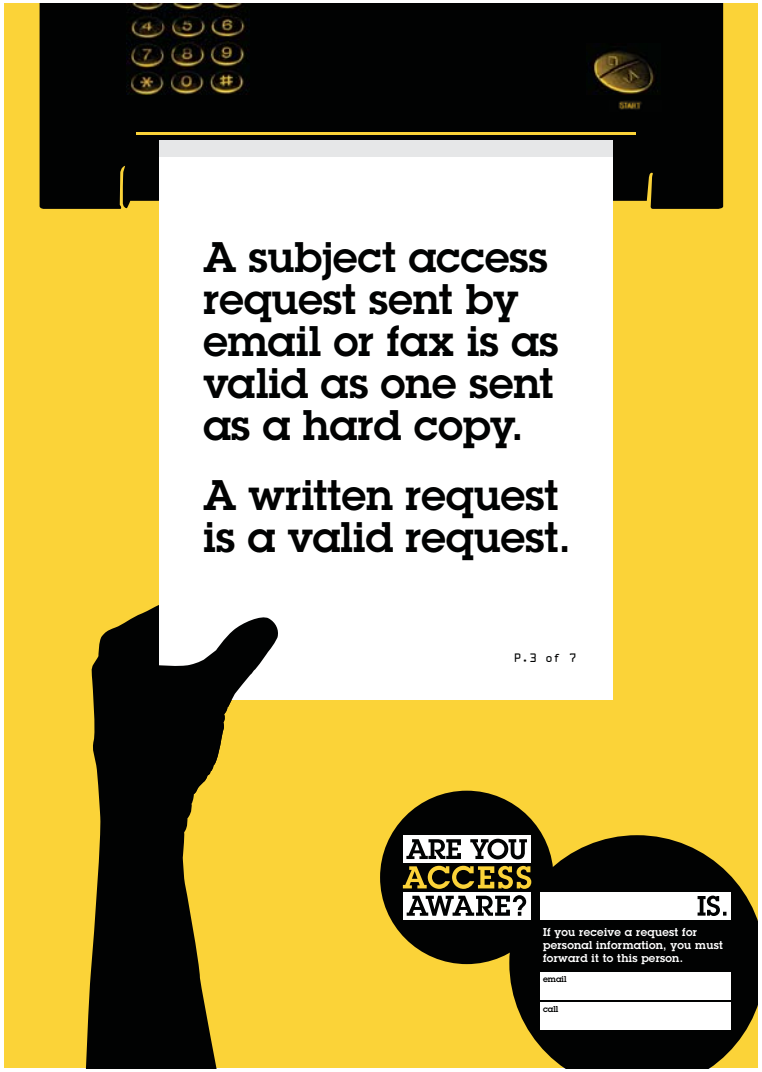


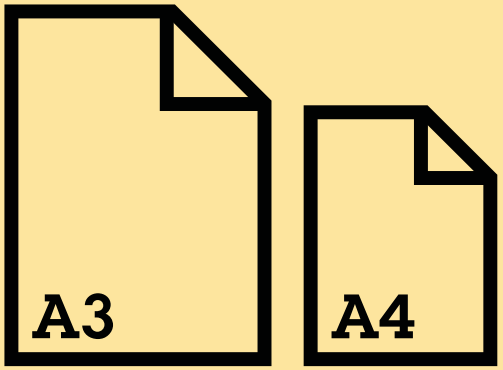
Written requests poster



A subject access request sent by email or fax is as valid as one sent in hard copy, a written request is a valid request – be 'Access Aware'.

A request for personal information can come in many forms – if you think a customer, or employee has made a subject access request, make sure you deal with it appropriately.

Printable pdfs have been created in A3 and A4 format. Click on the icons below to download them to your desktop. Print from your desktop printer.

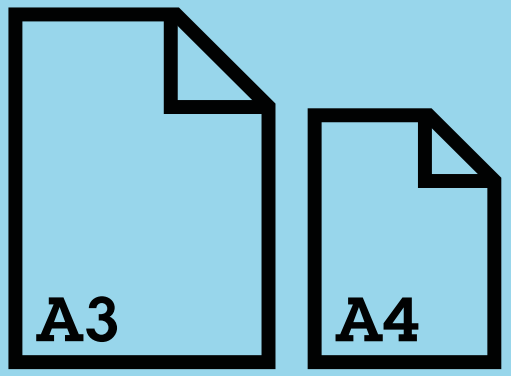


40 days poster

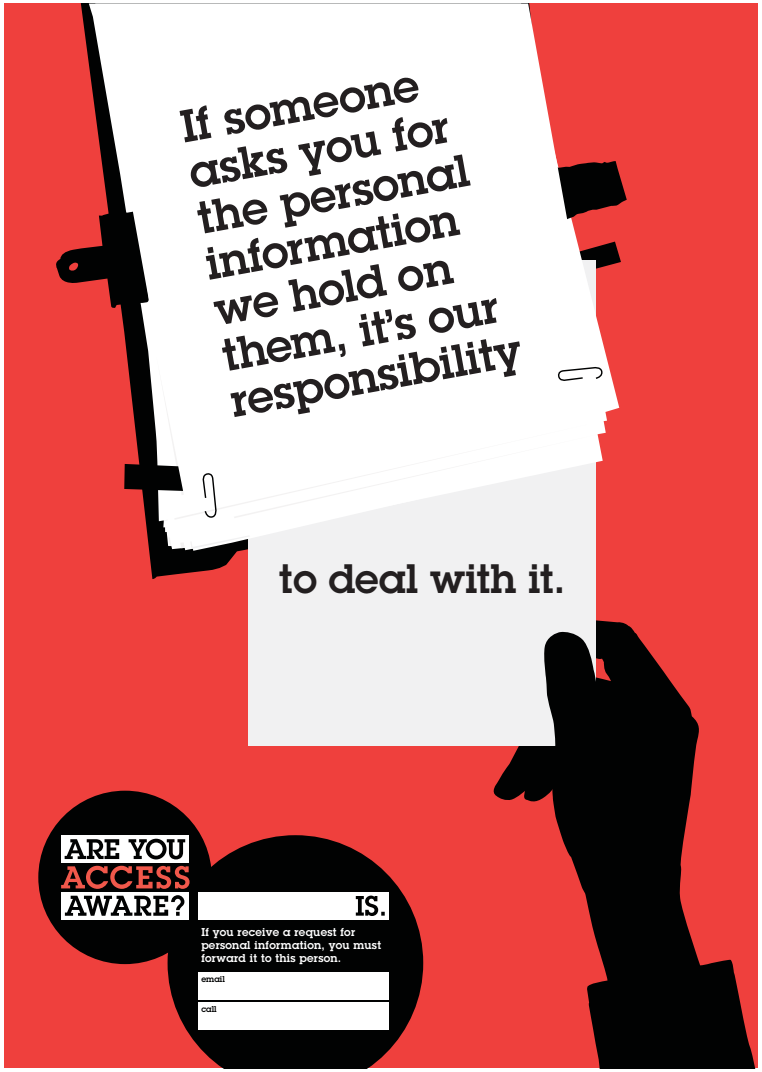
Subject access requests must be answered within 40 days – be 'Access Aware'.

If you receive a request for personal information from a customer, colleague or employee, make sure you forward it without delay.

Printable pdfs have been created in A3 and A4 format. Click on the icons below to download them to your desktop. Print from your desktop printer.



Responsibility poster

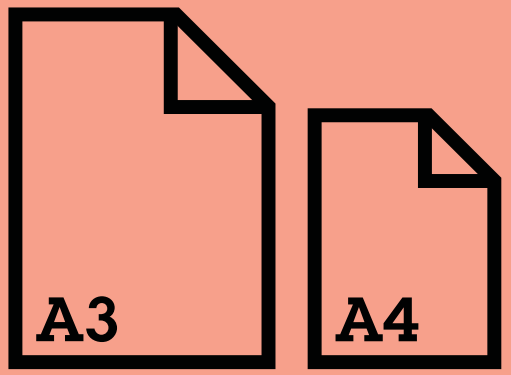


It's our responsibility – be 'Access Aware'.

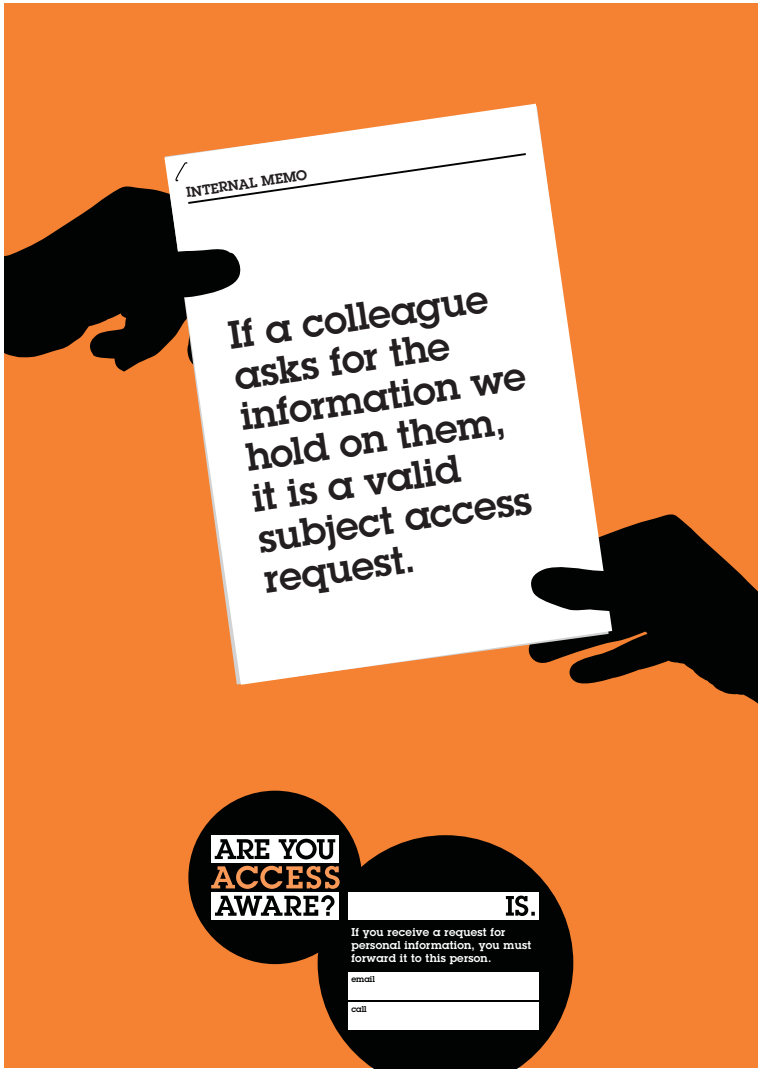
We have an obligation to our customers and employees to respect their right to access the information we hold about them.

We have a process in place for responding to requests for personal information; if you receive a subject access request make sure you deal with it appropriately.

Printable pdfs have been created in A3 and A4 format. Click on the icons below to download them to your desktop. Print from your desktop printer.



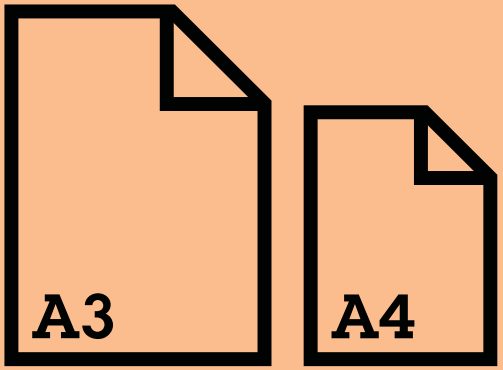
Employee's data poster



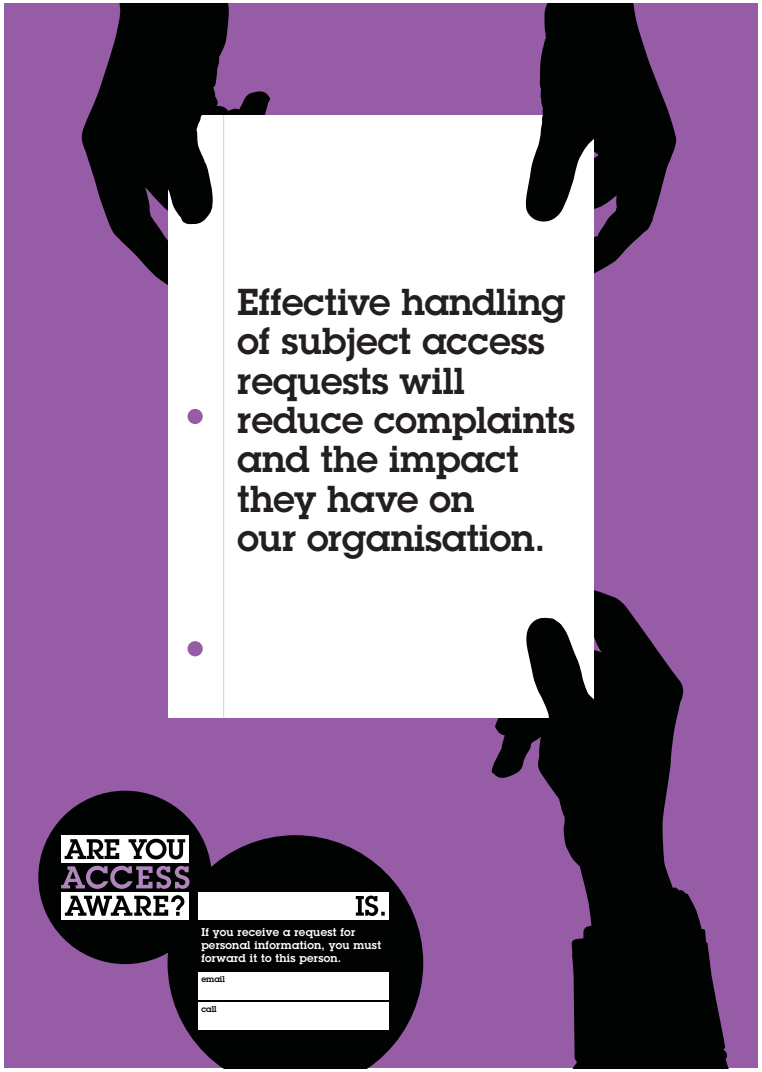
Requests for personal information from colleagues are valid subject access requests – be 'Access Aware'.

A request for personal information from a colleague or employee is just as valid as a request from a customer. If you receive a subject access request from a colleague or employee, make sure you deal with it appropriately.

Printable pdfs have been created in A3 and A4 format. Click on the icons below to download them to your desktop. Print from your desktop printer.



Effective handling poster



Effective handling of subject access requests will reduce complaints and the impact they have on our organisation – be 'Access Aware'.

We are required by law to respond to requests for personal information from our customers and employees, and have a process in place for doing so. If you receive a subject access request, make sure you deal with it appropriately.

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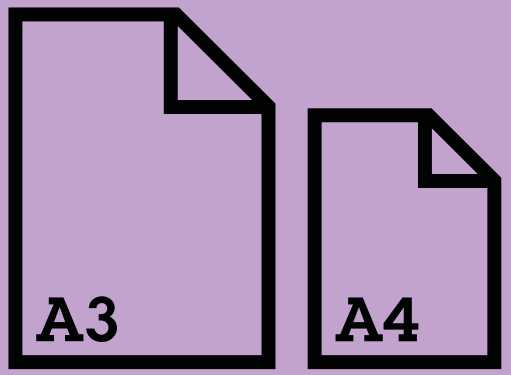


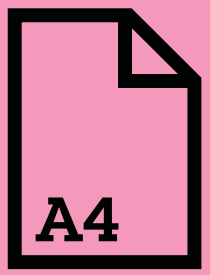
And finally...

Subject access checklist

It's one thing employees knowing how to recognise a subject access request and knowing who to send it to, but once it arrives on your desk, are you aware of your obligations and the considerations you need to take into account when responding?

This checklist provides a handy step by step guide through the process of handling a subject access request (SAR).

A printable pdf has been created in A4 format. Click on the icon below to download to your desktop and print from your desktop printer.



Subject access requests – a step by step guide through the process:

Is this a subject access request?

Key points to consider:

- Any written enquiry that asks for information you hold about the person making the request can be construed as a subject access request, but in many cases there will be no need to treat it as such.
- Would you usually deal with the request in the normal course of business? If so, do so – promptly.
- If you are in any doubt how to respond, go back to the individual or their representative and clarify the situation.

Do you have enough information to be sure of the requester's identity?

Key points to consider:

- Often you will have no reason to doubt a person's identity.
- If a person with whom you have regular contact sends a letter from their known address it may be safe to assume that they are who they say they are.
- If you have good cause to doubt the requester's identity you can ask them to provide any evidence you reasonably need to confirm it.

Do you need any other information to find the records they want?

Key points to consider:

- You will need to ask the individual promptly for any other information you reasonably need to find the records they want.
- You might want to ask them to narrow down their request. For example, if you keep all your customers' information on one computer system and your suppliers' information on another, you could ask what relationship they had with you. Or, you could ask when they had dealings with you.
- You have 40 calendar days to respond to a subject access request after receiving any further information you need and any fee you decide to charge.

Are you going to charge a fee?

Key points to consider:

- If you need a fee you must ask the individual promptly for one. The maximum you can charge is £10 unless medical or education records are involved.
- The 40 calendar days in which you must respond starts when you have received the fee and all necessary information to help you find the records.

Do you hold any information about the person?

Key points to consider:

- If you hold no personal information at all about the individual you must tell them this.
- Remember, if you outsource data processing, subject access requests may be sent to a third party. Make sure suppliers are fully aware of their obligations and are trained in handling requests.

Will the information be changed between receiving the request and sending the response?

Key points to consider:

- You can still make routine amendments and deletions to personal information after receiving a request. However, you must not make any changes to the records as a result of receiving the request, even if you find inaccurate or embarrassing information on the record.

Does it include any information about other people?

Key points to consider:

- You will not have to supply the information unless the other people mentioned have given their consent, or it is reasonable to supply the information without their consent.
- Even when the other person's information should not be disclosed, you should still supply as much as possible by editing the references to other people. Visit www.ico.gov.uk for more detailed guidance.

Are you obliged to supply the information?

Key points to consider:

- There may be circumstances in which you are not obliged to supply certain information. Visit www.ico.gov.uk for further information regarding exemptions.
- If all the information you hold about the requester is exempt, then you can reply stating that you do not hold any of their personal information that you are required to reveal.

Does it include any complex terms or codes?

Key points to consider:

- The information you hold may include abbreviations, codes or technical terms that the individual will not understand. You must make sure that these are explained so the information can be understood.

Prepare the response

Key points to consider:

- A copy of the information should be supplied in a permanent form except where the individual agrees or where it is impossible or would involve undue effort. This could include very significant cost or time taken to provide the information in hard copy form.
- An alternative would be to allow the individual to view the information on screen.

For more detailed guidance on responding to subject access requests, visit www.ico.gov.uk or call the ICO helpline on 0303 123 1113.

ARE YOU ACCESS AWARE?

What to do next…

Go for it!

Time to get your Access Aware campaign underway.