

ID. Date of interview
date 07/02/20

ID. Time interview started
start 13:15:25

ID.end Completion date of interview
Date 07/02/20

ID.end Time interview ended
14:55:21

ID. Duration of interview
time 99.93

new case

ICO consultation on the draft right of access
guidance

Q1 Does the draft guidance cover the relevant issues about the right of access?

☒ Yes

☐ No

☐ Unsure / don't know

If no or unsure/don't know, what other issues would you like to be covered in it?

Q2 Does the draft guidance contain the right level of detail?

☐ Yes

☒ No

☐ Unsure / don't know

If no or unsure/don't know, in what areas should there be more detail within the draft guidance?

We would be grateful for more detail surrounding requests under Part 3 of the DPA 18. Also, clarity on the definition of 'excessive' or some further examples would be of assistance, especially in relation to requests relating to large volumes of e-mails.

Q3 Does the draft guidance contain enough examples?

☒ Yes

☐ No

☐ Unsure / don't know

If no or unsure/don't know, please provide any examples that think should be included in the draft guidance.

Q4 We have found that data protection professionals often struggle with applying and defining ‘manifestly unfounded or excessive’ subject access requests. We would like to include a wide range of examples from a variety of sectors to help you. Please provide some examples of manifestly unfounded and excessive requests below (if applicable).

Q5 On a scale of 1-5 how useful is the draft guidance?

1 - Not at all useful	2 – Slightly useful	3 – Moderately useful	4 – Very useful	5 – Extremely useful
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Q6 Why have you given this score?

Q7 To what extent do you agree that the draft guidance is clear and easy to understand?

Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Q8 Please provide any further comments or suggestions you may have about the draft guidance.

The purpose of subject access is defined on page 3. Can the ICO clarify whether this means that if an individual is requesting data for the sole purpose of legal proceedings, the request can be refused and dealt with under an alternative provision under the legislation and therefore whether we can charge the applicant for providing the information. Further clarity over exempting under LPP and whether this can be applied under the Data Protection Act as well as the GDPR. In addition, whether we should be applying a blanket approach to CPS advice regarding this exemption. P44 mentions factoring in circumstances relating to the individual making the request. We are unsure how we can make this assessment when we cannot and should not ask why the individual is making the request. p47 contains an example about a bank not disclosing the information as disclosure may prejudice the investigation. What example do the ICO suggest using, as the admittance of this exemption tips off the requestor that an investigation is underway.

Q9 Are you answering as:

- ☐ An individual acting in a private capacity (eg someone providing their views as a member of the public)
- ☐ An individual acting in a professional capacity
- ☒ On behalf of an organisation
- ☐ Other

Please specify the name of your organisation:

North Yorkshire Police

What sector are you from:

Q10 How did you find out about this survey?

- ☐ ICO Twitter account
- ☐ ICO Facebook account
- ☐ ICO LinkedIn account
- ☒ ICO website
- ☐ ICO newsletter
- ☐ ICO staff member
- ☐ Colleague
- ☐ Personal/work Twitter account
- ☐ Personal/work Facebook account
- ☐ Personal/work LinkedIn account
- ☐ Other

If other please specify: