

From: [REDACTED] (THE OAKLEY HEALTH GROUP) [REDACTED]
Sent: 12 February 2020 15:37
To: SARguidance
Subject: Consultation response
Attachments: ICO_consult_letter_to_3rd_parties.pdf

External: This email originated outside the ICO.

Dear ICO,

I have updated the letter I send to 3rd parties when they have assisted data subjects in making SARs, and once we have provided the SAR directly to the data subject.

I would like to submit this to your consultation. I will do the same to the forthcoming EDPB's consultation on data subject access rights.

I reassert my opinion that the draft advice from the ICO that data controllers "should" provide the SAR directly to the 3rd party, so completely bypassing the data subject, is wholly incorrect, at odds with Article 15, and utterly fails to uphold the data subject's right of access.

Data controllers are under no obligation whatsoever to disclose the SAR to anyone but the data subject. They may choose to, but they do not have to.

Why the ICO believes health records should be some sort of exception, I do not know. If anything, upholding patient confidentiality is of the utmost imperative with such sensitive data.

Kind regards,

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