<u>**SAR guidance consultation – Batch 11-20 – Response 19**</u>

Answer to question 1

Data subjects can issue SARs simply to be malicious resulting in huge cost to the organisation due to the time and effort required to process these requests. Also, data subjects can request info that has already been provided to them - they can then request this info again - these requests cost the organisation money to process. The SAR process should allow companies to charge to process SARs where the data subject has been sent the information previously. For example employment documentation [contracts, time-sheets, payslips....] - where the employee has been sent this info the company should be allowed to charge for this or reject the response. Also, where a company reasonable suspects that a request is purely malicious - designed to cuase harm to to the company the company should be able to reject the request or charge a fee. Where the data subject simply requests all the data a company holds about them the company should be allowed to request further information to reduce the effort required. There is an imbalance between the data subject that can simply say 'send me everything' which takes a few seconds and costs them nothing - and then the response from the company that can take many hours and involve huge costs. This imbalance leads to malicious requests.... Regulations should allow a company to reject malicious SARs designed to extract compensation - data subjects are increasingly aware that sending a SAR to a company will result in significant time and effort for the company. There is already evidence of social media groups encouraging individuals to issue SARs simply to extract compensation. Companies should be allowed to reject these claims / SARs. ICO should offer an arbitration service - where a company believes a SAR is malicious the company should be able to refer the SAR to an independent arbitrator.