

18 October 2023

## **IC-261598-S5N2**

### **Request**

You asked us:

*"Please provide copies of any internal policies, processes, guidance or advice which are used in advising organisations on:*

- (i) how to deal with DSARs when there is an employment dispute or whistleblowing matter; and*
- (ii) the role of law firms in supporting data controllers dealing with DSARs."*

We received your request on 3 October 2023.

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

### **Our response**

We can confirm that we hold some information in scope of your request. Please see the document attached which includes one page of information about whistleblowers and subject access requests (SARs). This information is a quick internal resource for ICO employees to refer to and has not been published as formal guidance. Our published guidance in relation to SARs can be found on our website here: [Right of access | ICO](#)

We do not hold any specific guidance about the role of law firms in supporting data controllers dealing with subject access requests.

We have also included slides from a presentation that was delivered to the public during the 2023 Data Protection Practitioners' Conference and the corresponding notes from this presentation. This presentation discussed hypothetical scenarios including an employee submitting a SAR that is subject to a grievance process and a former employee who is suing an organisation on the grounds of unfair dismissal.

We have recently published [subject access request Q and As for employers](#) on our website which you may find useful.

Organisations that require advice about subject access requests can contact our helpline which is open Monday to Friday between 9am and 5pm on 0303 123 1113.

This concludes our response to your request.

### **Next steps**

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full review procedure [here](#).

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint through our website](#).

### **Your information**

Our [Privacy notice](#) explains what we do with the personal data you provide to us, and set out your rights. Our retention schedule can be found [here](#).

Yours sincerely,



Information Access Team  
Strategic Planning and Transformation  
Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF  
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