

How do I handle subject access requests?

Dealing with requests from individuals
for personal information

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Information Commissioner's Office

Ten simple steps to understanding and handling subject access requests

1 Is it a subject access request?

- YES** Go to question 2
- NO** Handle as part of your normal course of business.

Any written request by an individual asking for their personal information is a subject access request. You can choose to deal with it in one of two ways: as a routine enquiry, or more formally.

If you can, treat requests that are easily dealt with as routine matters, in the normal course of business; for example:

- How many cash withdrawals did I make from my account last month?
- What is my customer reference number?

The following are more likely to be treated formally:

- Please send me a copy of my staff records.
- I am a solicitor acting on behalf of my client Mr X and request a copy of his medical records. Appropriate authority is enclosed.

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

- YES** Go to question 3
- NO** Ask the requester for any evidence you reasonably need to confirm their identity.



3 Do you need more information from the requester to find what they want?

- NO** Go to question 4
- YES** Ask them **promptly** for the other information you reasonably need so you can find the information they want.

Are you charging a fee?

4

NO Go to question 5

YES You will need to ask the individual **promptly** to pay the fee.

The maximum fee you can charge is £10, unless the requested information is medical or education records – see chapter 5 of our 'Subject access code of practice' for more on this.

The 40 calendar days in which you must respond starts when you receive the fee and all the information you need to help you find the information.

Do you have the information the requester wants?

5

YES Go to question 6

NO Tell the requester you do not have the information they want.



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

6

NO Go to question 7

YES You can still make routine amendments and deletions to personal information after receiving a request.

You must not make changes to records as a result of receiving the request, even if the information is inaccurate or embarrassing.

Does it include information about other people?

7

NO Go to question 8

YES You will not have to supply the information unless the other people mentioned have given their consent for the disclosure, or it is reasonable to supply the information without their consent.

If you decide not to disclose the other people's information, you should still disclose as much information as possible by redacting the references to them. See chapter 7 of our 'Subject access code of practice' for further guidance on this.

Are you obliged to supply the information?

8

YES Go to question 9

NO If all the information that the requester wants is exempt from subject access, then you can reply that you do not hold any of their personal data that you are required to reveal.

There are some circumstances when you are not obliged to supply certain information.

See chapter 9 of our 'Subject access code of practice' for guidance on the exemptions.

Does the information include any complex terms or codes?

9

NO Go to step 10

YES You must make sure you explain the codes so that the information can be understood.
Go to step 10

Prepare the response

10

You must provide a copy of the information in a permanent form unless the individual agrees otherwise, or doing so would be impossible or involve disproportionate effort.

See chapter 8 of our 'Subject access code of practice' for more detail.



If you would like to contact us please call 0303 123 1113

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