

Start of new case

Q1 Does the draft guidance cover the relevant issues about the right of access?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

There is an issue of complexity for employers that I don't think is fully covered or explained within the guidance - see point 2.

Q2 Does the draft guidance contain the right level of detail?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If no or unsure/don't know, in what areas should there be more detail within the draft guidance?

There is a complex case example that I cannot resolve within the guidance provided: Many SAR cases are requests for correspondence about an employee/previous employee. These cases are made complex by the possibility of personal opinion of the data subject or about the data subject existing within any organisational emails (even where policy advises against it). However the organisation must review very large packages of generally organisational email correspondence to find whether such opinion has ever been written about the data subject because the data subject is entitled to 'all their data', that 'relates to them' and is 'held by the organisation'. Even where retention schedules are applied to email, the necessary factor of all data to be provided raises the expectation on an organisation to review all of their correspondence massively, and it would be useful for the ICO to address this expectation in area of 'complexity' as the data is often not easy to identify.

Q3 Does the draft guidance contain enough examples?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If no or unsure/don't know, please provide any examples that think should be included in the draft guidance.

Please see Q2 example.

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).

Please see Q2 which I related to complexity. The requests usually come in the form of recent ex-employees that have worked for the organisation for many years and have asked for all correspondence that is about them. Our litigation hold period keeps emails in archive for 7 years. The requester can often be unwilling to define specific individuals, periods of time, or topics of conversation for us to refine the request. The data will most likely have been originally created by them as an employee of the organisation (their opinions) and the results are very rarely meaningful. An example, was reviewing 13,000+ emails which found <50 emails included non substantive personal data.

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?

All of the topics (bar my concern mentioned) are covered well and I feel like I understand the guidance presented.

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 type="radio"/>	<input checked="" type="radio"/>

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

- 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:

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

Thank you for taking the time to complete the survey