Data Access Request Internal Procedure

**Introduction**

Under Data Protection Legislation, an individual has the right to request access to personal data related to them that is held by an organisation. This policy outlines the process to be followed when making such a request.

**Procedure for responding to Data Access Request**

1. Data Access Requests must be in writing. If you receive a query verbally (either in person or via telephone) please ask the individual to put their request in writing. You may provide them with a copy of the Data Access Request form, or suggest they download the form from our website. Alternatively, you may suggest they forward on a written request to (Job Title).
2. (Job Title) is responsible for responding to Data Access Requests. All requests should be date stamped on the day it is received, and forwarded on, without delay to (Job Title).
3. In order to ensure personal data is not disclosed to the wrong person, all relevant steps must be taken to confirm the identity of the requester. This may include requesting proof of identity. Acceptable forms of identification may include: an ID number in conjunction with name and address or date or birth; your signature or a copy of a utility bill.
4. Where a request is received from a third party, written authorisation from the Data Subject must be received before such access is provided to the third party. All relevant steps must be taken to confirm the validity of the written authorisation. Again, this may include requesting proof of identity.
5. Where it is unclear what kind of data is being requested, the data subject may be asked to provide more specific information where possible.
6. Where the access request is relevant to a number of different departments, all relevant departments will be contacted and requested to conduct a search of all data held by them. All steps taken to identify relevant data must be documented. This may include a search of all electronic files and all manual files.
7. All identified relevant data should be forwarded onto (Job Title) for review.
8. The identified data must be reviewed and any data relating to 3rd parties must be redacted through deletion, or anonymisation before access is provided to the Data Subject. Any data which has been identified as falling outside the scope of the legislation in relation to Access Requests should also be reviewed by (Job Title) to ensure this exemption is relevant and appropriate. Where (Job Title) is unsure whether specific data should be disclosed, legal advice will be sought.
9. Identified relevant data must then be disclosed to the Data Subject. If the individual makes their request electronically, the data should be provided to them electronically.
10. No Application fee can be charged for the processing of a request, unless it is deemed that the request is manifestly unfounded or excessive (e.g. repetitive or if additional copies are requested).
11. The request must be responded to without delay, but at the latest, within one month of receipt of the request.
12. In exceptional circumstances, where it is deemed that the request is particularly complex, this deadline may be extended by up to an additional two months. If this is the case, (Job Title) will write to the data subject within one month of receipt of the request and outline the reasons for this delay. Where there is uncertainty as to whether these reasons are sufficient, legal advice will be sought.