

SUBJECT ACCESS REQUESTS (SAR)

The General Data Protection Regulation (GDPR) gives every living person (or their authorised representative) the right to request access to information held about them by an organisation irrespective of when it were compiled.

A record can be computerised (electronic) and/or manual form (paper files). It may include such documentation as emails, notes, letters, reports, printouts, photographs, CCTV footage, DVD and audio recordings.

Subject Access Requests (SAR) relating to IDS will normally be access to request copies of the following types of records which the IDS process.

These are:

- HR records and other related HR documents for IDS staff/or job applicants
- Students records held by IDS Teaching Staff and the University of Sussex
- Internal correspondence about a staff member
- Staff records held by HR

RESPONSIBILITIES AND PERSONNEL

Data Controller

Under GDPR, IDS is a data controller - that is, the organisation (or person) that determines the purposes for which and the manner in which any personal data about individuals are processed.

Data Subject

According GDPR, the data subject is a living individual (not an organisation) who is the subject of personal data.

IDS Data Protection Officer

The IDS Data Protection Officer has a duty to ensure that the requirements GDPR are upheld and that senior managers at IDS has overall responsibility for implementation of this policy

Employees

Heads of Service and Managers are responsible for ensuring that information is disclosable under the requirements of the GDPR, and for ensuring that requests for information are provided in a timely fashion. All employees, whether permanent, temporary or contract, should be aware of this policy and adhere to the principles set out. They should all be aware of how to access this policy and where to seek further advice about this policy.

RECOGNISING A SUBJECT ACCESS REQUEST (SAR)

A Subject Access Request (SAR) is any request made by an individual or an individual's representative for information held by IDS about that individual.

A SAR must be made in writing, however, the requestor does not need to mention the Data Protection Act 1998 or state that they are making a SAR for their request to be valid. They may even refer to other legislation, for example, the Freedom of Information Act 1998, but their request should still be treated according to this policy.

A SAR can be made via any of the following methods:

- Email
- Fax
- Post
- Social media

RIGHTS OF ACCESS

Under GDPR, any living person, who is the subject of personal information held and processed by the IDS, has a right to request access to that information. This is a legal right, subject to given exemptions below. They also have the right to an explanation of any terms they may not understand (such as technical language or terminology) and the right to ask that any inaccurate information is corrected, and to request a copy of those corrections.

Subject access provides a right for the subject to see / view their own personal data as well as to request copies of these. An individual does not have the right to access information recorded about someone else, unless they are an authorised representative, or have parental responsibility.

IDS PROCESS FOR A SUBJECT ACCESS REQUEST

Receipt of request

Requests for information held about an individual must be directed to the Data Protection Officer via email (dpo@ids.ac.uk) or by post to the Data Protection Officer, Institute of Development Studies, Brighton, East Sussex, BN1 9RE.

The Data Protection Officer will acknowledge the request and log it on the Subject Access Request log. They will also notify the requestor of the next steps. The requestor may be asked to complete a form to better enable IDS to locate the relevant information. The Data Protection Officer will forward the relevant form to the requestor.

Once the request has been logged then the Data Protection Officer will notify two key departments across IDS first. They are the HR department and the Computer and Technical Services (CATS) team.

Confirmation of identity / further clarification and / or fees payable

If ID and clarification of a subject access request has not already been provided, the Data Protection Officer will ask the requestor to provide 2 forms of ID, one of which must be a photo ID and the other confirmation of address. IDS has a right to charge a fee for a SAR, if a fee is payable - the Data Protection Officer will notify the requestor of the amount and details of how to pay.

Time-frame

IDS has 72 hours to respond to a SAR to say that the request has been received. IDS has then 30 calendar days to comply with a SAR request.

Subject access data

Once the personal data on a subject is gathered, it can be given to the subject by the following means:

IDS Subject Access request form

- Printed out materials
- USB stick
- Dropbox
- Emailed

IDS has the right to refuse a SAR on the following grounds:

- Repeat of earlier request access to personal information can be refused where an access request has previously been granted
- The material contains personal data of other people
- Requests from parties other than the subject
- Requests for access by other organisations
- Requests from the media

Contact details

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