



University College
of Osteopathy

Subject Access Request (SAR) Policy & Procedure

Core Documentation Cover Page

Subject Access Request (SAR) Policy & Procedure

Version number	Dates produced and approved (include committee)	Reason for production/ revision	Author	Location(s)	Proposed next review date and approval required
V1.0	Feb 2017	To define the procedure should a Subject Access Request be received by the School.	ICT Manager	All master versions will be held in: J:\0 Quality Team - Core Documentation Intranet	Feb 2019
V2.0	Aug 2017 PRAG Chair	Administrative Amendments to update institution name change from British School of Osteopathy to University College of Osteopathy.	ICT Manager	All master versions will be held in: J:\0 Quality Team - Core Documentation Intranet	Feb 2019
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Equality Impact

Positive equality impact (i.e. the policy/procedure/guideline significantly reduces inequalities)

Neutral equality impact (i.e. no significant effect)

Negative equality impact (i.e. increasing inequalities)

X

If you have any feedback or suggestions for enhancing this policy, please email your comments to: quality@uco.ac.uk

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1. SCOPE

- 1.1 The following procedure describes the procedure to be followed when handling Subject Access Requests received by the University College of Osteopathy (UCO) (the Data Controller) under the Data protection Act 2018 (DPA)¹ and the General Data Protection Regulations (GDPR)².

2. RIGHT OF ACCESS TO PERSONAL DATA

- 2.1 Under Section 7 of the DPA and the GDPR an individual has the right to access their personal data processed by the Data Controller (i.e. the UCO), specifically an individual is entitled to:
- a) Be informed by the UCO whether personal data of which they are the data subject are being processed by or on behalf of the UCO.
 - b) Be given a description of that data, including the personal data of which the individual is the data subject, the purpose for which the data are being or are due to be processed and the recipients or classes of recipients to whom the data are or may be disclosed.
 - c) Have communicated to them in an intelligible form the information constituting any personal data of which that individual is the data subject, any information available to the UCO as to the source of those data, and where the data is used for the purpose of evaluating matters that has constituted or is likely to constitute the sole basis for any decision significantly affecting them (e.g. performance at work, their conduct or creditworthiness), to be informed by the UCO of the logic involved in that decision-taking.
 - d) Verify the lawfulness of the processing of their personal data.
- 2.2 As the Data Controller, the UCO is not obliged to supply any information described in Section 2.1 above unless the individual has made the request in writing.

3. DEFINITION OF PERSONAL DATA

- 3.1 Personal data means any information that relates to a living individual who can be identified:
- a) from those data,
- or
- b) from those data and other information which is in the possession of or is likely to come into the possession of the data controller (i.e. the UCO) and includes any expression of opinion about the individual and any indication of the intentions of the data controller in respect of the individual³.

¹ <https://www.legislation.gov.uk/ukpga/2018/12/contents>

² <https://www.eugdpr.org/>

³ <https://ico.org.uk/for-organisations/guide-to-data-protection/key-definitions/>

4. HOW TO OBTAIN ACCESS TO YOUR PERSONAL DATA: THE SUBJECT ACCESS REQUEST PROCEDURE

- 4.1 In order to obtain access to your personal data, you must make your request in writing. This is known as a Subject Access Request (SAR). You may make an SAR by contacting our Data Protection & Freedom of Information Officer (DPFIO):

The Data Protection & Freedom of Information Officer
The University College of Osteopathy
275 Borough High Street
London
SE1 1JE
Email: dpfio@uco.ac.uk

- 4.2 Your written request should include the following information to enable us to process it efficiently:
- a) Sufficient information to identify yourself to prevent unauthorised disclosures to third parties, e.g. any relevant reference numbers or account numbers, dates of correspondence and details of employees you have dealt with, etc.
 - b) The information you are seeking.
- 4.3 Where a request is made by an agent on your behalf, in addition to the proofs referred to in Paragraph 4.2a, a request will only be fulfilled where the agent can provide proof of authority to act on the your behalf. Any written authorisation will normally be verified by telephoning the person who has given authorisation for the agent to act on their behalf.
- 4.4 It is important to note that a data controller is not obliged to comply with a request until they are provided with sufficient information necessary to confirm your identity and to locate the information you seek, so it is important to provide this information from the outset. An SAR Form has been provided in Appendix 1 and 2 to assist you and agents acting on your behalf in providing this and you are recommended to use these for your request.
- 4.5 Where we process a large amount of data about you we may ask you to specify the information the request relates to. We may also consider whether your request is excessive or unfounded (see [Section 6: Charging a Fee / Refusing to Respond to Subject Access Requests](#)).
- 4.6 Upon receipt of the SAR, the UCO shall provide the information you have without delay and at the latest within one month (30 days). If your request is particularly complex or numerous, the time period for providing the information may be extended to two months. Where this is the case you shall be informed within one month of the receipt of the request and we will explain why the extension is necessary.

- 4.7 The UCO's DPFIO shall be responsible for processing your request in line with the ICO's request handling flowchart⁴ and communicating the information to you within the required time limit.
- 4.8 We shall normally provide you with the information you have requested in a common electronic format (i.e. normally a PDF file) unless you specify otherwise or only provide us with a postal address.

5. INFORMATION CONTAINING PERSONAL DATA ABOUT THIRD PARTIES

- 5.1 Some information within your request may contain personal data related to other individuals (third parties). Your request may therefore lead to a conflict of interest between your rights to this information and the third party's rights regarding their own personal information. In order to ensure that the data of third parties is not compromised, the UCO shall redact or edit (e.g. provide excerpts of information) information so that third parties' data does not form part of the requested information.

6. CHARGING A FEE FOR / REFUSING TO RESPOND TO SUBJECT ACCESS REQUESTS

- 6.1 In line with the GDPR and DPA the UCO will fulfil all SAR's free of charge, however, where a request is either manifestly unfounded or excessive, particularly if it is repetitive we may:
- a) Charge a reasonable fee taking into account the administrative costs of providing the information; or
 - b) Refuse to respond.
- 6.2 We may also charge a reasonable fee to comply with requests for further copies of the same information.
- 6.3 If we decide that a reasonable fee is to be charged due to the reasons described in Paragraph 6.1 and 6.2 to fulfil your request, we shall inform you of this, stating the fee payable and how you can pay the fee, within one month of receipt of your request and confirm whether you wish to continue with your request or refine it. Where you agree to pay the fee, we are not obliged to fulfil your request until that payment is received.
- 6.3 The fee payable shall be reasonable and will be based on the administrative costs of providing the information. This shall normally include printing or photocopying costs (set at £0.10p A4 sheet) and postage.
- 6.4 Where we refuse to respond to your request we shall provide you with the reason why within one month of receipt of your request.

⁴ <https://ico.org.uk/for-organisations/subject-access-request-checklist/>

- 6.5 Where we refuse to respond to your request you have the right to appeal against this decision using the Appeals Procedure in Section 7 or appeal to the Information Commissioner's Office (ICO).

7. APPEALS PROCEDURE

- 7.1 The UCO has established the following appeals procedure to provide individuals the opportunity to request an internal review of their SAR outcome.

- 7.2 This procedure shall:

- a) Reassess the way in which the request was handled and provided.
- b) Be undertaken by senior and impartial staff members able to make an independent decision that may overturn the original outcome if required.

- 7.3 Requesters may not be satisfied with the outcome of their request for the following reasons:

- a) Disagree with our interpretation of their request.
- b) Believe we hold more information than we have disclosed.
- c) Still be waiting for a response and are unhappy with the delay.

- 7.4 If a requester is not satisfied with the outcome of their request they should write to the UCO's Complaints Officer to request an internal review explaining why they are dissatisfied with the outcome or handling of their request within 60 days of receiving their initial outcome:

The Complaints Officer
University College of Osteopathy
275 Borough High Street
London
SE1 1JE
Email: complaints@uco.ac.uk

- 7.5 The Complaints Officer shall acknowledge receipt of the requester's appeal normally within 5 working days and the UCO shall seek to respond in full to the requester normally within 20 working days.
- 7.6 The Complaints Officer shall appoint a senior member of staff who was not involved in the initial information request outcome decision (the Investigating Officer) to undertake an internal review regarding the matter/s raised in the requester's appeal.
- 7.7 The Investigating Officer shall produce a written report describing their findings. The written report shall then be considered by a review committee consisting of at least three independent members of the Senior Management Team.
- 7.8 The chair of the review committee shall respond to the requester's appeal within 40 working days of its receipt by the DPFIO. If the review committee decides that additional information should be released to the requester, the information shall be provided to them as soon as is practically possible.

- 7.9 If the appeal relates to a request to which we responded more than 12 months ago, the requester should contact the Information Commissioner (see below), as the UCO will not process your appeal.
- 7.10 If the requester remains dissatisfied with the reviewed response they may appeal to the Information Commissioner who may investigate the matter on their behalf. The Information Commissioner may be contacted here:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

United Kingdom

<https://ico.org.uk/>

APPENDIX 1: SUBJECT ACCESS REQUEST FORM

Before completing this form please read the Subject Access Procedure in full.

Any information provided in this form will be used solely for the purpose of responding to your request under section 7 of the Data Protection Act 2018 and General Data Protection Regulation (GDPR).

Name and Contact Details of Data Subject

Name:	
Address:	
Telephone Number (Day Time):	
Previous address (If you have moved house in the last 12 months):	

Data Subject or Authorised Agent

Tick as Appropriate:

- I am making this request on my own behalf
- I would like my agent Mr/s to Act on my behalf

If a third party is making a request on your behalf you will need to complete and attach an Agent Authorisation Form. We will not be able to deal with a request from a third party if this form is not completed.

Identification

In order to assist us in responding to your request and to help us prevent unauthorised disclosures of your personal data we require that you provide the same proofs of identity as are currently in force when applying for a Disclosure and Barring Service (DBS) check.

These (as currently defined) can be found on www.gov.uk and these must include, for example, at least three proofs of identity each of which:

- must be valid, current and original documentation
- must not be a photocopy
- must not be documentation printed from the internet e.g. internet bank statements.

The details of the types of document that can be accepted as proof of ID can be found on the government website. The exact web address for these may change from time to time but as at the time of writing these were to be found at:

<https://www.gov.uk/disclosure-barring-service-check/documents-the-applicant-must-provide->

We require to see originals of the required ID and require your permission to scan or copy these, as proof they were submitted to us before we disclosed your data.

We accept no responsibility for the delivery of your documents; you may either bring them in person or have them sent to us by Special Delivery. Any documents we receive by Special Delivery we will also return by Special Delivery. But, however they are transported, the University College of Osteopathy accepts no responsibility should they be lost in transit.

Details of the Request

In order to assist us in fulfilling your request please state what information you are seeking.

Other Information

Please provide any information that will assist us in locating the data you have requested. This could be details of any relevant reference numbers, dates of any correspondence or any members of staff you have dealt with.

Statement

I have read and understood the information contained in the Subject Access Information Pack. I understand that the UCO may seek further information to confirm my identity as the data subject in order to ensure confidentiality. I confirm that the information I have provided is accurate.

Signature of data subject:**Date:**

This form should be returned to: The Data Protection & Freedom of Information Officer, University College of Osteopathy, 275 Borough High St, London SE1 1JE or electronically to dpfio@uco.ac.uk.

APPENDIX 2: AGENT AUTHORISATION FORM

Before completing this form please read the Subject Access Procedure in full.

Any information provided in this form will be used solely for purpose of responding to the request, made by the individual named in section 1, under section 7 of the Data Protection Act 2018 and the General Data Protection Regulations (GDPR).

Name and Contact Details of the Data Subject

Name:	
Address:	
Preferred Contact Telephone Number (Day Time):	

I am the above named person and authorise the University College of Osteopathy to give the information requested in this application to my agent whose name and address are given below. I may be contacted to verify that I have given this authorisation.

Signature of Data Subject:

Date:

Name and Address of Agent

Name:	
Address:	
Preferred Contact Telephone Number (Day Time):	
What is your relationship with the data subject:	

I declare that I make this application on behalf of and solely in the interest of the named data subject. To ensure confidentiality I accept that you will be making further enquiries to validate this authorisation.

Signature of Agent:

Date:

This form should be returned along with a completed Subject Access Request form to:

The Data Protection Officer & Freedom of Information Officer, University College of Osteopathy, 275 Borough High St, London SE1 1JE or electronically to dpfio@uco.ac.uk