



Subject Access Request (SAR)

Policy & Procedure

Core Documentation Cover Page

Subject Access Request (SAR) Policy & Procedure

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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)	X
Negative equality impact (i.e. increasing inequalities)	
<p>If you have any feedback or suggestions for enhancing this policy, please email your comments to: quality@uco.ac.uk</p>	

Subject Access Request (SAR) Policy & Procedure

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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 UK General Data Protection Regulation (UK GDPR)².

2. RIGHT OF ACCESS TO PERSONAL DATA

- 2.1 In accordance with the current data protection legislation 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 obtain from the UCO:
- a) confirmation that the UCO is processing their personal data;
 - b) a copy of their personal data.
- 2.2 As the Data Controller, the UCO is not obliged to supply any information described in Paragraph 2.1 unless the request has been made in writing.
- 2.3 In addition, individuals are entitled to access the following information which the UCO makes freely accessible in the form of Privacy Notices published on the UCO's website³:
- a) the purposes of and legal basis for processing their personal data.
 - b) the categories of personal data concerned;
 - c) the recipients or categories of recipient we disclose their personal data to;
 - d) the retention period for storing their personal data or, where this is not possible, our criteria for determining how long we will store it;
 - e) the existence of their right to request rectification, erasure or restriction or to object to such processing;
 - f) the right to lodge a complaint with the Information Commissioner's Office (ICO) and the contact details of the ICO;
 - g) information about the source of the data, where it was not obtained directly from the individual;
 - h) the existence of automated decision-making (including profiling); and
 - i) the safeguards you provide if you transfer personal data to a third country or international organisation.

3. DEFINITION OF PERSONAL DATA

- 3.1 In accordance with current data protection legislation, personal data only includes information relating to a natural person who can be:
- a) identified or who are identifiable, directly from the information in question; or

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

² <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/>

³ <https://www.uco.ac.uk/about-uco/who-we-are/policies-procedures-and-privacy>

- b) who can be indirectly identified from that information in combination with other information.
- 3.2 Information about a deceased person does not constitute personal data.

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, a written request should be made to the 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 The 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 your behalf. Any written authorisation will normally be verified by contacting 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.
- 4.5 An SAR Form has been provided in [Appendix 1](#) and [Appendix 2](#) to assist you and agents acting on your behalf in providing this and you are recommended to use these for your request.
- 4.6 Where we process a large amount of data about you, we may ask you to specify the information the request relates to which will help us to determine the most appropriate way in which to respond to your request.
- 4.7 Upon receipt of a SAR, the UCO shall provide the information you have requested without undue 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.
- 4.8 The UCO's DPFIO shall be responsible for processing your request in line with and providing you with the information within the specified time limit.

- 4.9 We shall normally provide you with the information you have requested in a common electronic format (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 information (e.g. provide excerpts of information) so that third parties' data does not form part of the requested information.

6. CHARGING A FEE FOR OR REFUSING A SUBJECT ACCESS REQUEST

- 6.1 In line with current data protection legislation the UCO will fulfil all SAR's free of charge, however, we may charge a reasonable fee for the administrative costs for complying with the request if:
- a) the request is manifestly unfounded.
 - b) the request is excessive.
 - c) further copies of the data are requested following a request.
- 6.2 In this context an SAR is "manifestly unfounded" if:
- a) the individual clearly has no intention to exercise their right of access, e.g. they make a request but then offers to withdraw it in return for some form of benefit; or
 - b) the request is malicious in intent and is being used to harass or cause disruption to the UCO.
- 6.3 In this context an SAR is "excessive" if:
- a) it repeats other requests and a reasonable interval of time has not elapsed; or
 - b) it overlaps with other requests.
- 6.4 If we decide that a reasonable fee is to be charged due to the reasons described in Paragraph 6.1 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.
- 6.5 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.
- 6.6 Where we refuse to respond to your request, we shall provide you with the reason why within one month of receipt of your request.

- 6.7 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 to appeal directly 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 how their request was handled or with the outcome of their request, they should in the first instance contact the UCO's Data Protection & Freedom of Information Officer (DPFIO) to determine whether their concern can be resolved informally.
- 7.5 If the concern cannot be resolved informally, the requester should write to the DPFIO 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:
- Data Protection & Freedom of Information Officer
University College of Osteopathy
275 Borough High Street
London
SE1 1JE
Email: dpfio@uco.ac.uk
- 7.6 The DPFIO shall acknowledge receipt of the requester's appeal normally within 5 working days and the UCO will seek to respond in full to the requester normally within 20 working days.
- 7.7 The DPFIO 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.
- 7.8 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.
- 7.9 The chair of the review committee shall respond to the requester's appeal normally within 40 working days of its receipt by the Complaints Officer. 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.

- 7.10 If the appeal relates to a request to which we responded more than 60 days ago, the requester should contact the Information Commissioner (see below).
- 7.11 If the requester remains dissatisfied with the reviewed response, they may appeal to the Information Commissioner who may investigate the matter on their behalf.
- 7.12 Alternatively, individuals may raise their concerns regarding the way in which we handled their request or about the outcome of their request with the Information Commissioner in the first instance.
- 7.13 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 Request Policy & Procedure in full.

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

Name and Contact Details of Data Subject

Name:	
Address:	
Telephone Number (Day Time):	
Email Address:	

Data Subject or Authorised Agent

Tick as Appropriate:

- I am making this request on my own behalf
- I would like my agent 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 ([Appendix 2](#)). 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 normally require you to provide proof of identity (ID), normally a current passport or driving licence. Please also provide any information that may help us 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.:

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Details of the Request

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

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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 Request Policy & Procedure. 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 Request Policy & 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 the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

Section 1: Name and Contact Details of the Data Subject

Name:	
Address:	
Telephone Number (Day Time):	
Email Address:	

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:	
Telephone Number (Day Time):	
Email Address:	
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 ([Appendix 1](#)) 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