

SUBJECT ACCESS REQUEST (SAR) PROCEDURE

Document Control

Reference: GDPR DOC 2.2

Issue No: 1.0

Issue Date: 12/01/19

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1. Scope

All personal data processed by Landmarks is within the scope of this procedure.

Data subjects are entitled to obtain:

- Confirmation as to whether Landmarks is processing any personal data about that individual;
- Access to their personal data;
- Any related information;

2. Responsibilities

- 2.1 The Data Protection Officer is responsible for the application and effective working of this procedure, and for reporting to the information owner on Subject Access Requests (SARs).
- 2.2 The Data Protection Officer is responsible for handling all SARs.

3. Procedure

- 3.1 Subject Access Requests are made using the Subject Access Request Record.
- 3.2 The data subject provides Landmarks with evidence of their identity.
- 3.3 The data subject specifies to Landmarks specific set of data held by Landmarks on their subject access request (SAR). The data subject can request all data held on them.
- 3.4 Landmarks records the date that the identification checks were conducted and the specification of the data sought.
- 3.5 Landmarks provides the requested information to the data subject within one month from this recorded date.
- 3.6 *Please NOTE:* Under the GDPR Article 12 (3), that period may be extended by two further months where necessary, taking into account the complexity and number of the requests. The controller shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay. Where the data subject makes the request by electronic form means, the information shall be provided by electronic means where possible, unless otherwise requested by the data subject.
- 3.7 Once received, the subject access request (SAR) application is immediately forwarded to the Data Protection Officer, who will ensure that the requested data is collected within the specified time frame in clause 3.5 above.
Collection entails:
 - 3.7.1 Collecting the data specified by the data subject, or
 - 3.7.2 Searching all databases and all relevant filing systems (manual files) in Landmarks, including all back up and archived files (computerised or manual) and all email folders and archives.
- 3.8 The Data Protection Officer maintains a record of requests for data and of its receipt, including dates within DatabridgeMIS individual Event Log.
- 3.9 The Data Protection Officer reviews subject access requests from a child. Before responding to a SAR of the child data subject the Data Protection Officer considers their ability to making the request.

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- 3.9.1 A child has a right of access to the information held about them.
In most cases, these rights are likely to be exercised by those with parental responsibility for them. However, before responding to a SAR for information held about a child, you should consider whether the child is mature enough to understand their rights.
- 3.9.2 It is reasonable, in most cases, for a child that is aged 12 years or more has the capacity to make a subject access request.
- 3.10 The Data Protection Officer reviews all documents that have been provided to identify whether any third parties are present in it, and either removes the identifying third party information from the documentation or obtains written consent from the third party for their identity to be revealed.
- 3.11 If any of the requested data is being held or processed under one of the following exemptions, it does not have to be provided:
- National security
 - [Crime and taxation](#)
 - Health
 - Education
 - Social Work
 - [Regulatory activity](#)
 - [Journalism, literature and art](#)
 - Research history, and statistics
 - [Publicly available information](#)
 - Corporate finance
 - Examination marks
 - Examinations scripts
 - Domestic processing
 - [Confidential references](#)
 - Judicial appointments, honours and dignities
 - Crown of ministerial appointments
 - Management forecasts
 - Negotiations
 - [Legal advice and proceedings](#)
 - Self-incrimination
 - Human fertilization and embryology
 - Adoption records
 - Special educational needs
 - Parental records and reports
- 3.12 In the event that a data subject requests Landmarks to provide them with the personal data stored by the controller/processor, then Landmarks will provide the data subject with the requested information in electronic format, unless otherwise specified.
- 3.13 In the event that a data subject requests what personal data is being processed then Organisation Name provides the data subject with the following information:
- 3.13.1 Purpose of the processing
 - 3.13.2 Categories of personal data
 - 3.13.3 Recipient(s) of the information, including recipients in third countries or international organisations
 - 3.13.4 How long the personal data will be stored

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- 3.13.5 The data subject's right to request rectification or erasure, restriction or objection, relative to their personal data being processed.
 - 3.13.5.1 Landmarks removes personal data from systems and processing operations as soon as a request for erasure has been submitted by the data subject.
 - 3.13.5.2 Landmarks contacts and communicates with other organisations, where the personal data of the data subject is being processed, to cease processing information at the request of the data subject. Based on the Data Inventory register.
 - 3.13.5.3 Landmarks takes without undue delay in the event that the data subject has: withdrawn consent (GDPR-REC 4.6A); objects to the processing of their personal data in whole or part; no longer under legal obligation and/or has been unlawfully processed.
 - 3.13.6 Inform the data subject of their right to lodge a complaint with the supervisory authority and a method to do so (Complaints Procedure [GDPR DOC 2.9](#)).
 - 3.13.7 Information on the source of the personal data if it hasn't been collected from the data subject.
 - 3.13.8 Inform the data subject of any automated decision-making.
 - 3.13.9 If and where personal data has been transferred and information on any safeguards in place.
- 3.14 Landmarks uses the following electronic formats to respond to SARs:
Egress Secure and Encrypted software method of data transfer.

Document Owner and Approval

The Data Protection Officer is the owner of this document and is responsible for ensuring that this procedure is reviewed in line with the review requirements of the GDPR.

A current version of this document is available to members of staff on the college website or Databridge and is published.

This procedure was approved by the Chief Executive Officer (CEO) on January 2019 and is issued on a version controlled basis under his/her signature.

Signature:



Date: 12th January 2019