

Subject Access Request (SAR) Procedure

Version 1.2


Date of issue: 18/05/2018
Last Revision: 17/08/2018

1. Scope

All personal data processed by Ogilvie Group is within the scope of this Subject Access Request (SARs) procedure.

2. General Information

GDPR includes the following **rights for individuals**:

- The right to be informed;
 - The right of access;
 - The right of rectification;
 - The right to erasure;
 - The right to restrict processing;
 - The right to data portability;
 - The right to object; and
 - The right not to be subject to automated decision-making including profiling.
- 
- A faint, light blue silhouette of a city skyline is visible at the bottom of the page, featuring various buildings and a crane.

The **right to data portability** only applies:

- To personal data an individual has provided to a controller;
 - Where the processing is based on the individual's consent or for the performance of a contract; and
 - Where processing is carried out by automated means.
- Generally Subject Access Requests are responded too free of charge; and responded to within a month.
- As an exception requests that are manifestly unfounded or excessive can be refused or levy a charge.
 - If a decision is made to refuse a request, the individual must be informed why and provided with the information to enable them to exercise their right to complain to the supervisory authority and to a judicial remedy. This must be completed without undue delay and at the latest, within one month.
 - If the request is complex and cannot be completed within the month, the individual must be advised within the month and given an estimate of when the request will be completed. No longer than 90 days from the original request.

Example of an access request:

'Simple' access request	'Complex' access request:
<ul style="list-style-type: none">• Single location for data.• No third parties included in the data.• May involve the Data Protection Representative (DPR) to validate disclosure.	<ul style="list-style-type: none">• Several requests from same individual.• Multiple information sources.• Release of contentious information.• Involves release of third party information.• DPR or legal advisor must be consulted.

NB: Archived information is subject to SARs and exercise of all data subject's rights.

Third Party data

If data to be disclosed includes the incidental disclosure of third party data (e.g. family member, referee, care worker etc.), information should not be disclosed without the third parties consent.

If consent cannot be obtained then the following must be taken into account:

- Duty of confidentiality to the third party.
- Steps taken to seek consent.
- Whether the third party is capable of given consent.
- Any express refusal of consent.

The DPR or a legal advisor should be consulted to identify what can be disclosed and what should be withheld (e.g. redacted). Disclosure should inform the data subject that some information was withheld and why.

3. Responsibilities

The Data Protection Representative (DPR) is responsible for the application and effective working of this procedure, and for reporting to the information owner [Head of HR, Head of Marketing, Head of Sales, etc.] on Subject Access Requests (SARs). The Data Protection Representative is responsible for handling all SARs.

4. Subject Access Request Key Stages

Step 1	Step 2	Step 3	Step 4	Step 5
Recognise SAR	Validate the request, proof of: <ul style="list-style-type: none">• Photo ID• Address	Complete the request Handle request made on behalf of 3rd Parties and/or children	Reaction <ul style="list-style-type: none">• Remove 3rd party data• Remove data exempt from disclosure	Maintain records

Step 1: Recognise a Subject Access Request

All SARs received should be forward immediately to the Data Protection Representative at the address or email below.

Data Protection Representative

Ogilvie Group, Ogilvie House, 200 Glasgow Road, Stirling, FK7 8ES

Email: dataprotection@Ogilvie.co.uk

Subject Access Requests are made using the [Subject Access Request Form](#)

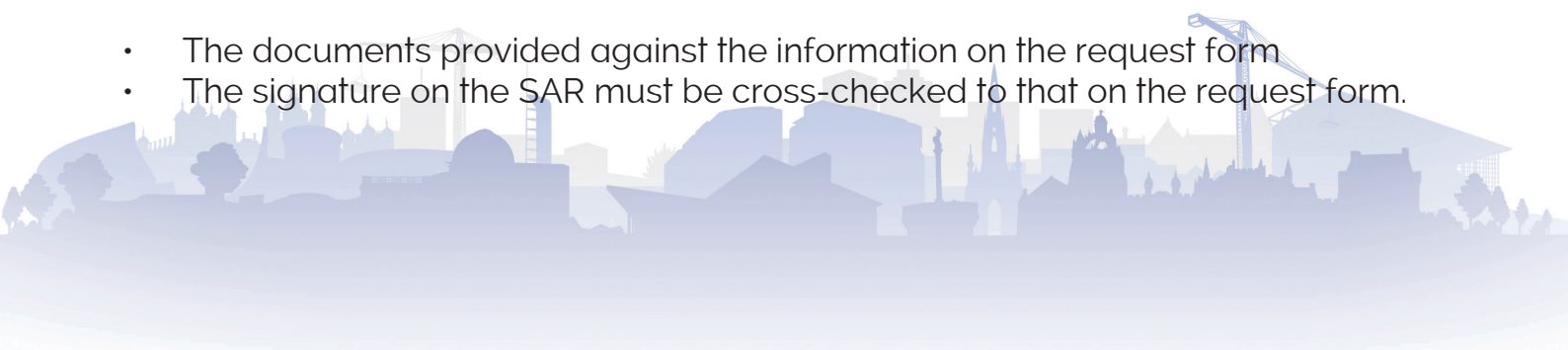
If the request is received in an unstructured format the data subject will be requested to complete the [Subject Access Request Form](#) to enable to exercise of the request. This should be done within 3 days of receiving the unstructured request.

Step 2: Validate the request

The SARRS cannot be completed without the evidence of the data subject's identity being verified.

Validate:

- The documents provided against the information on the request form
- The signature on the SAR must be cross-checked to that on the request form.



Step 3: Complete request

- The data subject specifies to Ogilvie Group specific set of data held by Ogilvie Group on their subject access request (SAR). The data subject can request all data held on them.
- Ogilvie Group records the date that the identification checks were conducted and the specification of the data sought.
- Ogilvie Group provides the requested information to the data subject within one month from this recorded date. The 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.

Collection entails:

1. Collecting the data specified by the data subject, or
2. Searching all databases and all relevant filing systems (manual files) in Ogilvie Group, including all back up and archived files (computerised or manual) and all email folders and archives. The Data Protection Representative will work with each business to identify the relevant information assets to search. Information Asset Registers are held and maintained by each business.

The Data Representative reviews subject access requests from a child. Before responding to a SAR of the child data subject the Data Protection Representative considers their ability to making the request by adequately explaining any implications of sharing their personal data, etc.

In the event that a data subject requests Ogilvie Group to provide them with the personal data stored by the controller/processor, then Ogilvie Group will provide the data subject with the requested information in electronic format, unless otherwise specified. All of the items provided to the data subject are listed on a schedule that shows the data subject's name and the date on which the information is delivered to and received by the data subject.

In the event that a data subject requests what personal data is being processed then Ogilvie Group provides the data subject with the following information:

- Purpose of the processing
- Categories of personal data
- Recipient(s) of the information, including recipients in third countries or international organisations
- How long the personal data will be stored

The data subject's right to request rectification or erasure, restriction or objection, relative to their personal data being processed.

Data Subject needs to complete the **Data Subject Consent Withdrawal Form**. Based on the information in the form:

- Ogilvie Group removes personal data from systems and processing operations as soon as a request for erasure has been submitted by the data subject.
- Ogilvie Group contacts and communicates via secure email 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.
- Ogilvie Group takes appropriate measures without undue delay in the event that the data subject has: withdrawn consent; objects to the processing of their personal data in whole or part; no longer under legal obligation and/or has been unlawfully processed.

Step 4: Redaction

The Data Protection Officer / GDPR Owner 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 .

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

Right to Complain

Inform the data subject of their right to lodge a complaint with the Information Commissioner's Office (ICO). The ICO's contact details are set out below:

Information Commissioner's Office

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Tel: 0303 123 1113

This information is also available in the Privacy Policy.

Data format: Personal data needs to be provided in a structure commonly used and machine readable form and provided free of charge. Ogilvie Group uses the following electronic formats to respond to SARs:

*.CSV

*.PDF

5. Records Management

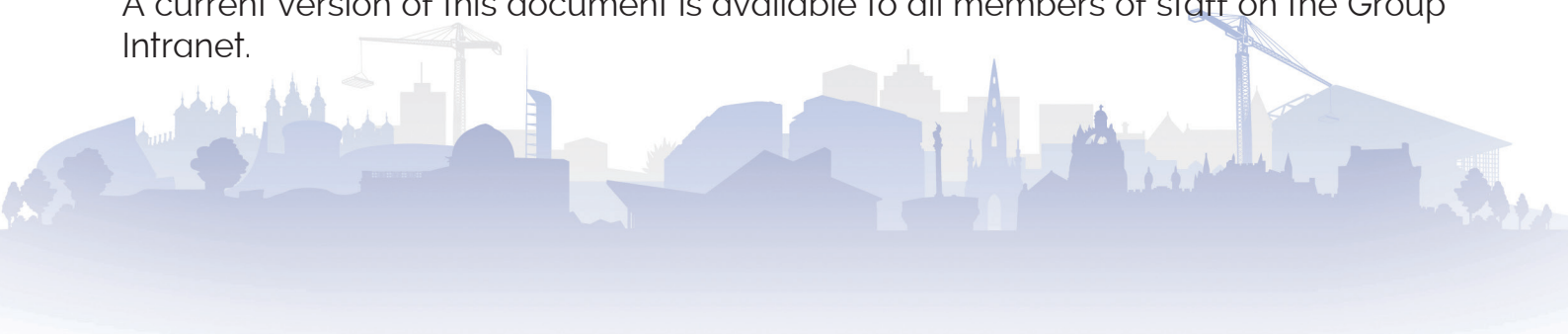
A centralised record of all SARs must be maintained on the companies shared drive (G:\). This must be updated:

- When a SAR request is received
- Details of the request.
- Confirmation of identification
- Details of request fulfilment
- Issues or concerns

6. Document Owner and Approval

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

A current version of this document is available to all members of staff on the Group Intranet.





John F. Watson

Group Financial Director

17th August 2018

Date	Version	Document Revision History	Document Author/Reviser
18 May 2018	1.0	Document Creation	Debra Cairns
7th August 2018	1.1	Document Review	John Watson
17th August 2018	1.2	Document Approved	John Watson



Ogilvie Group

Ogilvie House, Pirnhall Business Park, Stirling, FK7 8ES

Tel 01786 812 273 | Fax 01786 816 287 | enq@ogilvie.co.uk

Registered in Scotland SC029219, VAT Reg No. 400 892 864



7. Appendix

7.1. Subject Access Request Form

1. Data Subject Details

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/>
Surname	
First name(s)	
Current address	
Telephone number:	
Home	
Work	
Mobile	
Email address	
Date of birth	
Details of identification provided to confirm name of data subject:	<p>We will need two copies of forms of identification, which can be:</p> <ul style="list-style-type: none"> • Passport • Driving licence • Birth certificate • Utility bill (from last 3 months) • Current vehicle registration document • Bank statement (from last 3 months) • Rent book (from last 3 months).
Details of data requested:	



1.1 Details of Person Requesting the Information (if not the data subject):

Are you acting on behalf of the data subject with their written or other legal authority?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If 'Yes' please state your relationship with the data subject (e.g. parent, legal guardian or solicitor)	

Please enclose proof that you are legally authorised to obtain this information.

(For example, letter of authority, letters or official forms addressed to you on behalf of the data subject or power of attorney.)

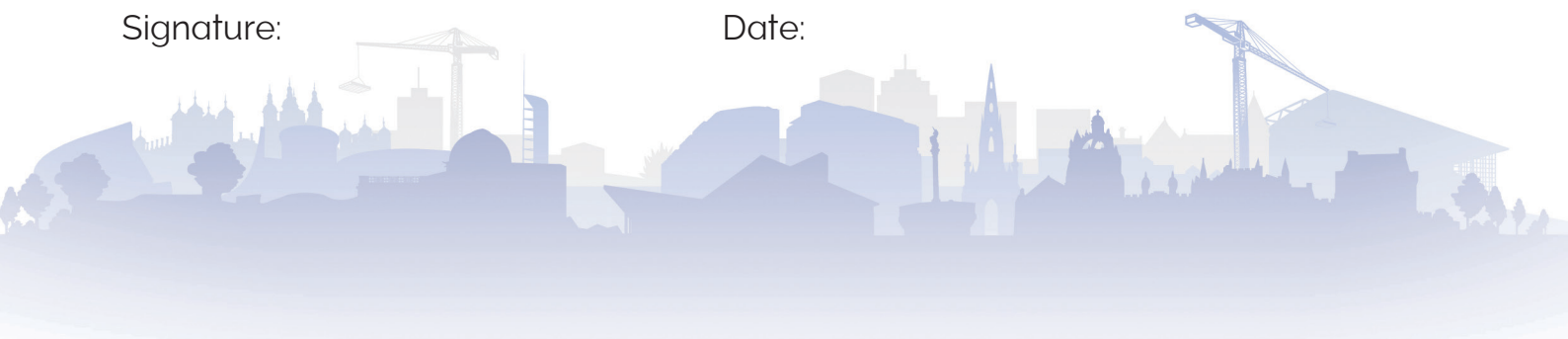
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/>
Surname	
First name(s)	
Current address	
Telephone number:	
Home	
Work	
Mobile	
Email address	

2. Declaration

I,, the undersigned and the person identified in (1) above, hereby request that Ogilvie Group provide me with the data about me identified above.

Signature:

Date:



SAR form completed by (employee name):

I,, the undersigned and the person identified in (1.1) above, hereby request that Ogilvie Group provide me with the data about the data subject identified in (1) above.

Signature:

Date:

SAR form completed by (employee name):

This form must immediately be forwarded to the below

Data Protection Representative

Ogilvie Group
Ogilvie House
200 Glasgow Road
Stirling
FK7 8ES

Email: dataprotection@Ogilvie.co.uk



7.2. Data Subject Consent Withdrawal Form

DATA SUBJECT CONSENT WITHDRAWAL FORM

(This form should be readily available on Ogilvie Group Website)

I, , withdraw my consent to process my personal data from Ogilvie Group. Ogilvie Group no longer has my consent to process my personal data for the purpose of (provide a pick list of purposes) , which was previously granted.

Signed by data subject:

Date:

Request actioned:

Data Protection Representative

Date:

The Manager/Executive (generic/line) is the owner of this document and is responsible for ensuring that this procedure is reviewed in line with the review requirements of the EU GDPR.

A current version of this document is available to [all/specified] members of staff on the [corporate intranet] and is published [].

This work instruction was approved by the Data Protection Representative on [date] and is issued on a version controlled basis under his/her signature

Signature:

Date:

