

TKAT Information Governance Framework Document 2.3

Data Subject Access Request Procedure

Date & Version	Action / Notes
Version 1	
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1. Scope

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

Data subjects are entitled to obtain:

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

2. Responsibilities

The Data Protection Officer (DPO) and academy Data Protection Champions (DPCs) are responsible for the application and effective working of this procedure.

The DPO/DPCs are accountable for handling all SARs, although certain activities may be delegated to others as appropriate - such as IT in relation to collation of electronic data.

3. Procedure

- 3.1 Data Subject Access Requests (DSARs) should be made using a Data Subject Access Request Form (document 3.2 in the TKAT Information Governance Framework) which should be made available when requested. It should be noted that DSARs can be made without use of the above form (in any written form, for example an email), and it is up to individuals to recognise that a DSAR has been initiated. Wherever possible, use of the form is recommended to ensure that the request is as complete as possible.
- 3.2 The data subject must provide TKAT with evidence of their identity, in the form of a current photo driving license or passport and the signature on the identity must be cross-checked to that on the Data Subject Access Request Form.
- 3.3 The data subject may specify to TKAT a specific set of data held by TKAT on their DSAR however, they can request all data held on them if they so wish.
- 3.4 TKAT must record the date that the identification checks were conducted and the specification of the data sought. TKAT must provide the requested information to the data subject within **one month** from this recorded date.
- 3.5 Once received, the DSAR application must be immediately forwarded to the Data Protection Officer or Data Protection Champion, who will ensure that the requested data is collected within the required specified time frame.
- 3.6 Collection entails:
 - Collecting the data specified by the data subject, or

- Searching all databases and all relevant filing systems (manual files) in TKAT, including all backup and archived files (computerised or manual) and all email folders and archives. The Data Protection Officer / Data Protection Champion maintains process mapping inventory that identifies where all data in TKAT is stored.
- 3.7 The Data Protection Officer will maintain a record of requests for data and of its receipt, including dates.
- 3.8 The Data Protection Officer / Data Protection Champion will review data subject access requests from a child. Before responding to a DSAR of the child data subject the Data Protection Officer / Data Protection Champion will consider their ability to make the request. All requests will be considered on a case-by-case basis, however in most cases it is reasonable that a child aged 12 or over has the capacity to make such a request.
- 3.9 The Data Protection Officer / Data Protection Champion will review 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. Actions in this regard will be considered on a case-by-case basis and legal advice may need to be sought.
- 3.10 Certain exemptions and restrictions apply when responding to a DSAR, you must be prepared to defend any decisions where exemptions are applied. Exemptions and restrictions could include but are not limited to:
 - 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 fertilisation and embryology
 - Adoption records
 - Special educational needs
 - Parental records and reports

Note that this list is non-exhaustive and there may be other exemptions which apply. It is important to remember that each case must be evaluated on its own merit. Always consult the Data Protection Officer / Data Protection Champion for advice when you become aware of a Data Subject Access Request.

- 3.11 In the event that a data subject requests TKAT to provide them with the personal data stored by the controller/processor, then TKAT 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 that shows the data subject's name and the date on which the information is delivered to the data subject.
- 3.12 In the event that a data subject requests to know what personal data is being processed then TKAT will provide 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:
 - TKAT removes personal data from systems and processing operations as soon as a request for erasure has been submitted by the data subject.
 - TKAT 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.
 - TKAT will take 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.
- Inform the data subject of their right to lodge a complaint with the supervisory authority and a method to do so under the complaints procedure (TKAT Information Governance Framework Document 2.8).
- Information on the source of the personal data if it hasn't been collected from the data subject.
- Inform the data subject of any automated decision-making.
- If and where personal data has been transferred and information on any safeguards in place.

3.13 TKAT uses the following electronic formats to respond to SARs:

- Word Documents
- Excel Documents
- PDF Documents
- Password protected zip files (compression)
- Other formats may be used if and where appropriate