

Data subject access request procedure

For The Holistic Group Limited
23.05.18

1.0 Introduction

One of the key rights that individuals (data subjects) have under the EU General Data Protection Regulations is to have access to the data that is held on them. The purpose of this procedure is to set out clearly the rights that individuals have and how The Holistic Group Limited (“the Company”), meets these rights.

This procedure should be considered in conjunction with the following related documents:

- Privacy statement
- Record retention and protection policy

2.0 Data subject request procedure

2.1 General points

There are some underlying principles relating to data subject access requests which apply to both data subjects and the Company. They are:

1. when requested, the Company needs to provide data subjects the information that we hold on them in a concise, transparent, intelligible and easily accessible format, using clear and plain language.
2. information may be provided in writing, or electronically or by other means.
3. the data subject may request the information orally (e.g. over the telephone or face to face), as long as the identity of the data subject has been established.
4. the Company must provide information without undue delay and within a maximum of one month from the receipt of the request.
5. the response timescale may be extended by up to two further months for complex or a high volume of requests – the data subject must be informed of this within one month of the request, and the reasons for the delay given.
6. if a request is made via electronic form, the response should be via electronic means where possible, unless the data subject requests otherwise.
7. if it is decided that the Company will not comply with a request, the data subject must be informed without delay and at the latest within a month, stating the reason(s) and informing the data subject of their right to complain to the Information Commissioner’s Office (ICO).
8. if there is doubt about a data subject’s identity, we may request further information to establish it.

2.2 The right of access

A data subject has the right to ask the Company whether we process data about them, to have access to that data and in addition the following information:

- the purposes of the processing.
 - the categories of the personal data concerned.
 - the recipients, or categories of recipients, of the data, if any, in particular any third countries or international organisations.
 - the length of time that the personal data be stored for (or the criteria used to determine that period).
 - the data subject’s rights to rectification or erasure of their personal data and restriction of, or objection to, its processing.
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- the data subject's right to lodge a complaint with a supervisory authority.
- whether the personal data will be subject to automated processing, including profiling and, if so, the logic and potential consequences involved.
- where the data are transferred to a third country or international organisation, information about the safeguards that apply.

Many of the above items are set out in our privacy statement and individuals should ensure that they are familiar with that document.

2.3 Procedure steps

The steps for dealing with a data subject access request are set out below.

Step	Description	Person
Data subject request received	The data subject submits a request via one of a number of methods, including electronically (via email), by letter or on the telephone. This may be received by any part of the organisation but should ideally be addressed to the Office Manager.	The Office Manager or Managing Director
Log data subject request	The fact that the request has been received is logged in the <i>data subject request register</i> and the date of the request recorded.	The Office Manager or Managing Director
Confirm identity of data subject	The identity of the data subject is confirmed via an approved method. More information may be requested to confirm identity if required. If the identity of the data subject cannot be confirmed, the request is rejected and the reason for this communicated to the data subject.	The Office Manager or Managing Director
Evaluate validity of request	The test of whether the request is " <i>manifestly unfounded or excessive</i> " is applied. If so, a decision is made whether to reject the request or apply a charge to it. In the case of requests for rectification, erasure, restriction of, or objection to, processing, a decision is also taken about whether the request is reasonable and lawful. If not, the request is rejected and the data subject informed of the decision and their right to complain to the supervisory authority.	The Office Manager or Managing Director
Charge for request	If a charge is applied, the data subject is informed of the charge and has an opportunity to decide whether or not to proceed. If the data subject decides not to proceed, the request is rejected and the reasons communicated.	The Office Manager or Managing Director
Compile requested information	The relevant information is compiled according to the type of request. This may involve planning how the requested action, e.g. erasure or restriction of processing, will be achieved. A maximum of one month is permitted; if the request will take longer than that then a maximum of two further months are allowed and the data subject must be informed of the delay and the reasons for it within one month of the request being submitted.	The Office Manager or Managing Director
Take requested action/provide requested information	The requested action is carried out (if applicable) and the information requested is provided to the data subject electronically, if that is the preferred method, or via other means.	The Office Manager or Managing Director

Close data subject request	The fact that the request has been responded to is logged in the <i>data subject request register</i> , together with the date of closure.	The Office Manager
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2.4 Declining a data subject access request

The Company will need to make a decision on each case of such requests as to whether the request can or should be declined for one of the following reasons:

- right of freedom of expression and information
- compliance with a legal obligation
- public interest in the area of public health
- to protect archiving purposes in the public interest
- the personal data is relevant to a legal claim

It is likely that such decisions will require the involvement of the Managing Director.

3.0 Concerns and questions

GDPR is new legislation and how the rules are interpreted will continue to evolve. The Company will continue to adopt best endeavours to ensure on-going compliance but any individual who has concerns regarding any of the actions that are taken or feels that they are unclear as to how the Company is complying with elements of the legislation should raise their concerns with the Office Manager. Your concerns will be investigated and responded to within 28 days.
