



Subject Access Request Procedure October 2019

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Our Vision

Excellent housing in vibrant communities

Our Values

Respect

We see the positive in everyone, especially our tenants. We treat everyone fairly, regardless of age, race, gender, sexuality or background. We ask for opinions even if we know we might not like what we hear. And we address people's concerns in any way we realistically can.

Integrity

What we say in public is the same as what we say behind the scenes. If we say we'll do something, we mean it. Our tenants can count on us to solve their problems and make sound decisions.

Aspiration

We want the best for all our current and future tenants. We're not afraid to strive for things that won't be easy – or try things that haven't been done before. We seek out opportunities and welcome change. If it doesn't turn out as planned, we learn and improve again. And then we try again.

Our Strategic Objectives

- A. Build more desirable homes in popular neighbourhoods
- B. Deliver more excellent services to suit our tenants' lives
- C. Invest in our people to grow and develop their skills
- D. Find more ways to ensure value for money
- E. Continue to challenge poverty
- F. Put even more focus on community health and wellbeing
- G. Be ready for opportunities

1. Introduction and Background

1.1 Subject Access Requests give individuals the right to obtain a copy of their personal data as well as other supplementary information. This helps individuals to understand how and why their data is used, and check it is done lawfully.

2. Definition of Subject Access Requests

2.1 An individual is only entitled to their own personal data, and not to information relating to other people, unless the information is also about them or they are acting on behalf of someone.

2.2 Individuals have the right to obtain the following:

- confirmation that their personal data has been processed;
- a copy of their personal data.

2.3 Individuals also have the right to obtain the following supplementary information:

- the purposes of processing the data;
- the categories of personal data concerned;
- the recipients or categories of recipient the personal data is disclosed to;
- the retention period for storing the personal data or, where this is not possible, criteria for determining how long it will be stored;
- information on the right to request rectification, erasure or restriction or to object to such processing and the right to lodge a complaint with the ICO;
- information about the source of the data, where it was not obtained directly from the individual
- information on automated decision making.

3. Timescales

3.1 You must comply with a request without undue delay and at the latest within one month of receipt of the request or (if later) within one month of receipt of:

- any information requested to confirm the requester's identity;
- any requested information to clarify the request;
- a fee if this has been requested.

3.2 You should calculate the time limit from the day you receive the request (whether it is a working day or not) until the corresponding calendar date in the next month.

4. Handling Subject Access Requests

4.1 Identification - to ensure you are giving information to the correct person, ask for necessary identification to judge whether the person making the request is the individual to whom the personal data relates, or a person authorised to request data on their behalf. Information requested should not exceed what is necessary to identify the requester.

4.2 Clarification - before responding to a request, you can ask the requester for more information to clarify their request. You should only ask for information that you

reasonably need to find the personal data covered by the request. The period for responding to the request begins when you receive the additional information. However, if an individual refuses to provide any additional information, you must still attempt to comply with their request by making reasonable searches for the information covered by the request.

4.3 Inform the individual as soon as possible what additional information you need from them.

5. Charges for Providing Information

5.1 A reasonable fee for the administrative costs of complying with a Subject Access Request can be charged if:

- it is manifestly unfounded or excessive; or
- an individual requests further copies of their data following a request.

5.2 If you decide to charge a fee you should contact the individual promptly and inform them. You do not need to comply with the request until you have received the fee. Alternatively, you can refuse to comply with a manifestly unfounded or excessive request.

6. Responding to Subject Access Requests

6.1 The Data Protection Act 2018 says that you do not have to comply with the request if it would mean disclosing information about another individual who can be identified from that information, except if:

- the other individual has consented to the disclosure; or
- it is reasonable to comply with the request without that individual's consent.

6.2 In determining whether it is reasonable to disclose the information, you must take into account all of the relevant circumstances, including:

- the type of information that you would disclose;
- any duty of confidentiality you owe to the other individual;
- any steps you have taken to seek consent from the other individual;
- whether the other individual is capable of giving consent; and
- any express refusal of consent by the other individual.

6.3 You can also refuse to comply with a Subject Access Request if it is manifestly unfounded or excessive.

6.4 A request is manifestly unfounded if:

- the individual clearly has no intention to exercise their right of access;
- the request is malicious in intent and is being used to harass an organisation with no real purposes other than to cause disruption.

6.5 A request is excessive if:

- it repeats the substance of previous requests and a reasonable interval has not elapsed; or

- it overlaps with other requests.

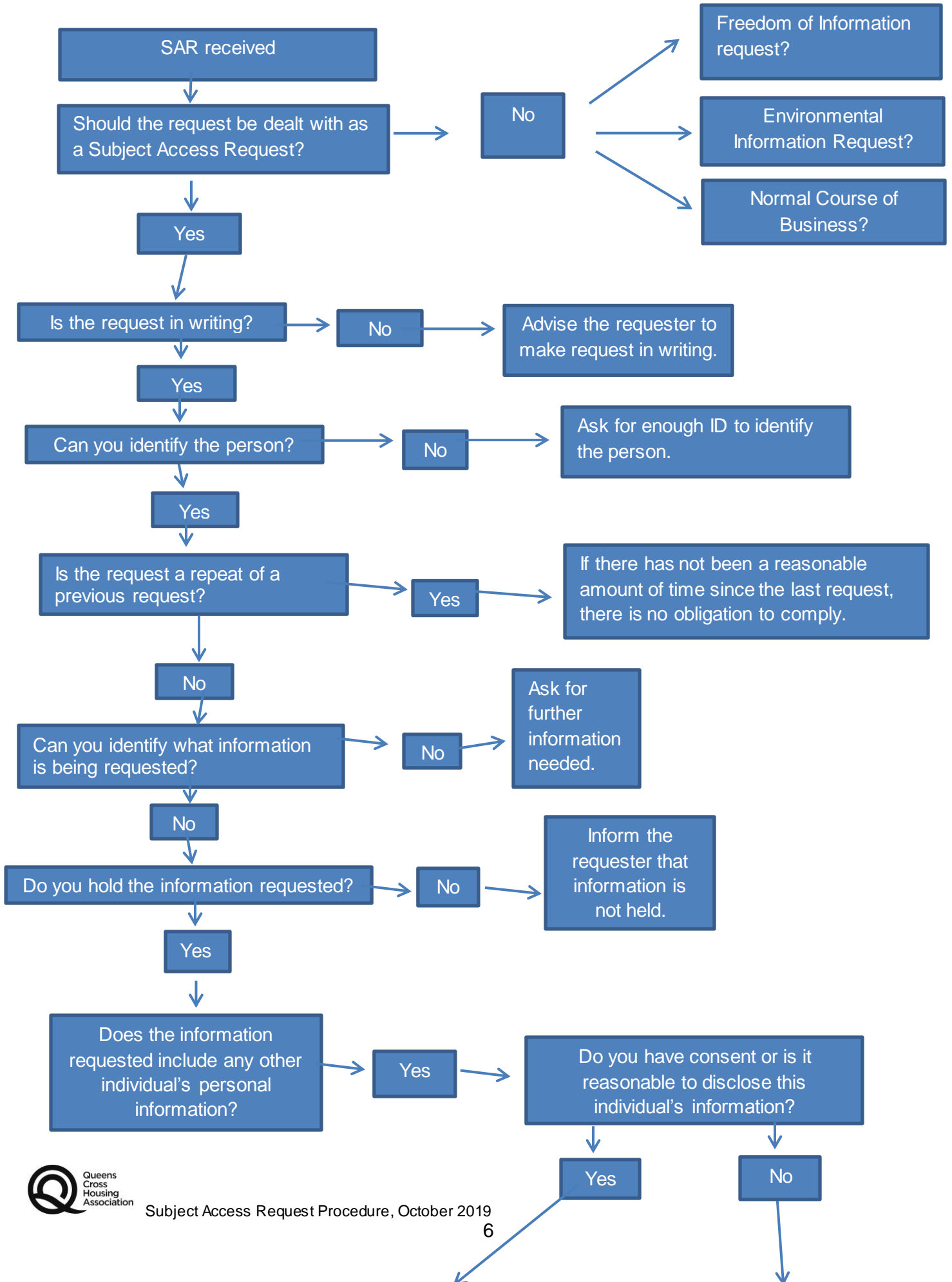
6.6 If you refuse to comply with a request, you should inform the requester of:

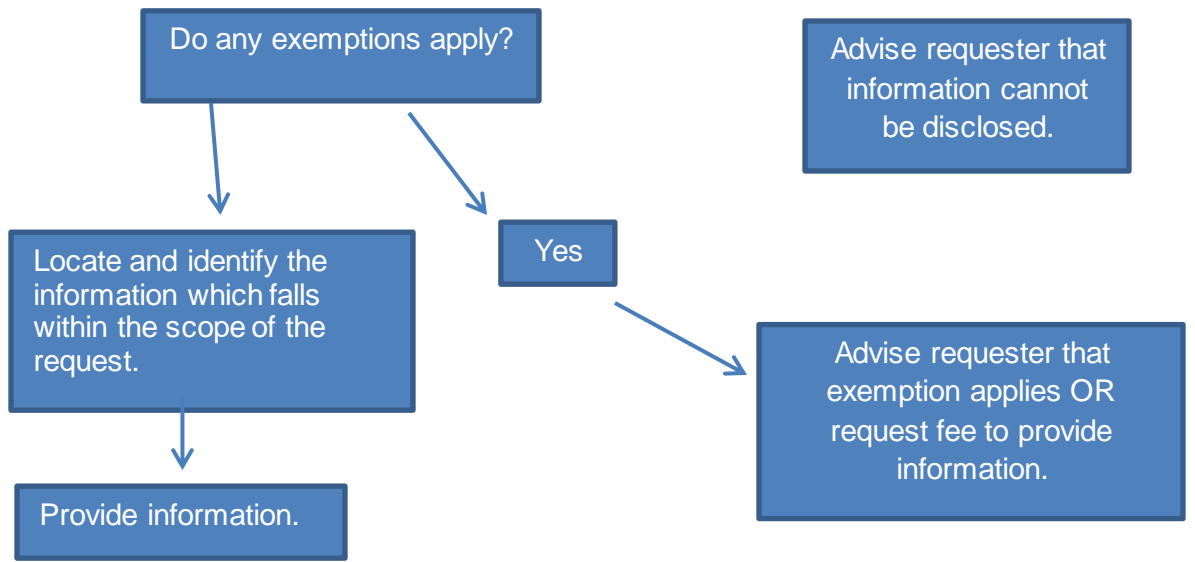
- the reasons you are not taking action;
- their right to make a complaint to the ICO; and
- their ability to seek to enforce this right through a judicial remedy.

6 Monitoring and Review

6.1 The procedure will be reviewed annually by the Business Strategy Team. The next review date is October 2022.

Appendix 1: Flow Chart Illustrating SAR Process





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