



Marketing

Data Subject Access Request (DSAR) Procedure

Policy Approved

To be reviewed tri-annually

Review Date: May 2021

Signed:

Stuart Baddiley

Date:

22/05/18

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The General Data Protection Regulation

The General Data Protection Regulation (GDPR) was brought into EU law in May 2016 and becomes enforceable on 25th May 2018. The GDPR is a European regulation which means it automatically becomes applicable to all Member States. The UK is supporting this by introducing the Data Protection Bill.

GDPR entitles individuals to request access to any personal data that Luv4 Marketing is holding about them. This is known as a 'Data Subject Access Request.' This document is intended to give staff a guide to making a Data Subject Access Request (DSAR) and to what happens in processing DSAR's.

A Data Subject Access Request (a 'DSAR') is where an individual, using their rights under GDPR makes a request for a copy of the personal data an organization holds on them, or details of what data is held and its source. A Data Subject Access Request does not have to reference GDPR, the term "Data Subject Access Request" or reference any legislative rights – it does however have to be a written request in order to be valid (however reasonable adjustments may be made at the Data Protection Officer's discretion where dealing with accessibility issues).

The Process

All DSAR's must be made in writing to Stuart Baddiley at the address below. Where a request is received from elsewhere in the business, the Data Protection Officer should be immediately informed so they are able to deal with the request with no undue delay.

Once the request is received the Data Protection Officer will confirm the identity of the subject and assess the scope of the request. Once the identity of the data subject (or the right/authority to request the data where the data subject is not the requester) the Data Protection Officer will begin the process of contacting the appropriate departments to collect and collate the information. In order to locate the correct information within Luv4 Marketing, the Data Protection Officer may ask the subject to confirm exactly what information they are requesting, or where they believe the information may be stored. Where the request is deemed to be 'manifestly unfounded or excessive', Luv4 Marketing may charge a reasonable fee or refuse to respond to the request. This will be confirmed to the data subject in writing.

The information provided in reply to a request must be that which Luv4 Marketing holds (subject to any exemptions) at the time the request is received. However, the Act allows routine updating and maintenance of the data to continue between the date on which the request is received and the date when the reply is dispatched. This means that the information provided to the individual may differ from that which was held at the time when your request was received, but only as a result of normal processing. Data cannot be deleted.

The Data Protection Officer will contact any third parties (e.g. authors of e-mails/letters contained within the file) in order to obtain consent to disclose the information to the subject. Where consent cannot be obtained or is denied the Data Protection Officer will consider the reasons and Luv4 Marketing's duty of care to both parties to decide whether to disclose the information. Where the information contains reference to third parties the Data Protection Officer will redact the third parties. Where this is impossible and consent from the third party has not been received the information will not be disclosed.

All requests will be dealt with within 30 calendar days of receipt (minus any time spent verifying identity or authorisation to act on the subject's behalf). The information will be dispatched to the subject as soon as the above process is complete.

Contacts & Complaints

Any enquiries regarding this procedure or Luv4 Marketing's Data Protection Policies should be directed to:

Stuart Baddiley, stuartbaddiley@luv4marketing.com

If you require more information about the General Data Protection Regulation, the Data Protection Bill, or are unhappy with the way Stuart Baddiley has dealt with your request please contact:

The Information Commissioner

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

www.ico.org.uk



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