

Guidance Note

Title: Subject Access Request (Right to Access)

Version No: v1.3

Last reviewed¹: July 2024

Summary: To provide guidance to making and processing Subject Access Requests (Right to Access), submitted under Data Protection legislation (UK GDPR & Data Protection Act 2018).

Accessibility: If you would like this information in an alternative format, e.g. Easy to Read, large print, Braille or audio tape, or if you would like the procedure explained to you in your language, please contact the College's marketing team on 01603 773 169.

Further information: If you have any queries about this policy or procedure, please contact the Information Compliance Team data_protection@ccn.ac.uk

¹ The Review Period refers to our internal policy review process. The published policy is current and is the most recent approved version

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1. Overview

A Subject Access Request (SAR) is a request made by an individual to City College Norwich (CCN) under the UK General Data Protection Regulations, asking for personal data (“information”) that the college may hold about them.

The purpose of a SAR is to support your legal right of access to the personal data that CCN processes about you. It will also allow you to verify the lawfulness of this processing.

You have the right to obtain confirmation as to whether your personal information is being processed by CCN and if so, you are entitled to access the following information:

- A copy of the information (subject to any exemptions).
- The reasons why your data is being processed.
- A description of the personal data concerned.
- Information relating to who has received or will receive your personal data (subject to any exemptions).
- Details of the origin of your data if it was not provided by you.
- An explanation as to how (if any) automated decisions taken about you have been made.

CCN must respond to all SAR's as soon as practicable, and no later than one calendar month from receipt.

2. Submitting a Subject Access Request

You don't have to mention UK GDPR or use the words 'subject access request' for a request to be valid - but it does help the college, and you, if you do so.

A SAR can be made in a number of ways, such as by telephone or in person, but for it to be considered a valid request, it must be clear what you want to receive. You are encouraged to submit a request in writing – this gives the college a clear instruction as to what you want, and gives you a “check list” to mark the response against and ensure that the college have given you what you asked for.

Written requests may be received via post, email or through the submission of the Subject Access Request form.

If a request isn't written down, there could be some confusion over what you want. If you can't put it in writing, the college will write to you to confirm what they understand your request to be and you will have a chance to confirm or correct that understanding.

Where a request is considered too vague to be processed, the college will ask you to provide clarification.

You will also be asked to confirm who you are – to stop other people accessing your data without your knowledge.

A copy of Photographic ID is preferred such as passport, driving license or Student ID (originals are not required, but can be copied if presented in person). In limited cases a

current utility bill or evidence of means-tested benefits may also be accepted as proof of identity.

Identity documents such as birth certificates, passports and driving licenses will be returned by recorded delivery (if originals are provided); utility bills etc. will be returned by first class post. If a name change has occurred so that the name on the record held by the college is different from that in the submitted proof of identity, further evidence will be needed to support the link between the original name and the current name.

3. Is there a fee to submit a Subject Access Request?

Under UK GDPR a request for personal information is free.

If however the request is deemed to be 'manifestly unfounded or excessive' or for multiple requests, the college can charge a 'reasonable fee' to cover the processing costs. Should this be necessary, CCN will notify the requester within a month of receipt of the request explaining why the fee is necessary.

4. Can someone else make a Subject Access Request on my behalf?

Yes, they can, but only with evidence of your permission to do so.

If a parent, family member or anyone else claiming to be connected to you asks the college for copies of your personal information, CCN will always say no, unless they can prove that they are acting on your behalf:

- Their requests must be accompanied by a copy of written authority from you or with legal written authority such as Power of Attorney (if applicable).
- The requester will still need to provide proof of your identity.

5. How long do CCN have to respond?

Under UK GDPR, CCN must respond to SARs within one calendar month of receipt. This deadline can be extended by a further two months where there are a number of requests or the request is complex. In these instances the college must notify you within a month of receipt of your request, explaining why the extension is necessary.

You will always receive an acknowledgement of your request from CCN. If you haven't received one within 5 days of sending your request, check your junk mail or post and if there's nothing there please do make contact to advise.

If you've emailed someone and received an out of office response asking you to direct it to another address, it's your responsibility to ensure that you forward it, otherwise CCN won't consider the request 'received' until that original email has been received.

6. What information is covered by the Subject Access Request

The legal definition of Personal data is “any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.”

In summary this means any information CCN hold about you that can be used to identify you. It can be a number of forms such as paper documents, electronic files, email, entry on a database or CCTV footage.

7. Will I get everything I've asked for?

CCN will endeavor to provide you with everything you have requested, but on occasion there may be a legal reason why the college can't.

It may be that the information you have requested includes references to other people that you are not entitled to see, in that situation CCN will redact (black out) certain parts of the information. In extreme circumstances where redacting cannot satisfy the rights of others to not have their data disclosed, CCN may need to withhold the information completely.

If it's reasonable for us to do so, CCN may speak to the other party and ask their permission to disclose – if they say yes, CCN will.

There may be other exemptions under UK or European law that prohibit disclosure of information. If there are, CCN will explain them to you in full when they respond.

8. How will you send me my information.

CCN will always try to send you the information in the manner you have requested. If sent electronically via email CCN will ensure that appropriate security precautions are taken, an email may contain an encrypted response.

If sent by post, even on a USB, CCN will respond by recorded or special delivery. You can also arrange to collect the information in person from a CCN campus.

9. What if I don't hear from you within a month?

If you received an acknowledgement, but it isn't followed up with a response within a month, please contact the college. It is unlikely to happen, but it's always possible that your email account has rejected our reply due to its size and the college are not aware of it, or something's happened to delay the delivery.

If CCN are responding by post, please allow a day or two for the letter/parcel to arrive

10. Contact us

To avoid delay and to ensure any Subject Access Requests are processed by the appropriate department, please direct your enquiry to the Information Compliance team.

If you have any questions, concerns or would like more information about anything mentioned in this document, please also direct your enquiry to:

Email: data_protection@ccn.ac.uk

Postal address:

Information Compliance, Governance and Legal team.
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