



## Subject Access/Information Request Procedure

<b>Title of policy:</b> Subject Access/Information Request Procedure	
<b>Policy statement (summary of main points):</b> Sets out procedures for individuals to exercise their right to access information about themselves under GDPR.	
<b>Strategic aim of the policy:</b> The purpose of this procedure is to ensure that QAA meets its legal, statutory and regulatory requirements under the data protection laws in the conduct of its operations, and to ensure that QAA enables individual data subjects to exercise their rights under GDPR.	
<b>Links to other policies, procedures and guidelines:</b> <ul style="list-style-type: none"><li>• Data Protection Policy</li><li>• Information Retention Policy</li><li>• Information and Records Management Policy</li></ul>	
<b>Owned by:</b> Assistant Company Secretary	<b>Version:</b> 3.0
<b>Approved by:</b> Senior Leadership Team	<b>Date:</b> 30 November 2023
<b>Last reviewed/updated</b>	<b>Date:</b> 30 November 2023
<b>Next review due:</b>	<b>Date:</b> 30 November 2025
<b>For further information, contact:</b>	Governance team <a href="mailto:governance@gaa.ac.uk">governance@gaa.ac.uk</a>

## Introduction

Under Article 15 of the General Data Protection Regulation (GDPR), an individual (the 'data subject') has the right to obtain from a data controller (like QAA), confirmation as to whether personal data concerning them is being processed.

## Scope

A subject access request (SAR) can be made by the data subject to request access to the personal data that QAA may hold, which we are required to provide under the GDPR unless an exemption applies.

## Policy statement

### The right of access

We are committed to upholding the rights of individuals and have processes in place for providing access to personal information. Where requested, we will provide the following information:

- the purposes of the processing
- the categories of personal data concerned
- the recipient(s) or categories of recipient(s) to whom the personal data have been or will be disclosed
- if the data has been transferred to a third country or international organisation(s) (and, if applicable, the appropriate safeguards used)
- the envisaged period for which the personal data will be stored (or the criteria used to determine that period)
- where the personal data was not collected directly from the individual, any available information as to its source.

### What is personal data?

Information protected under the GDPR is known as 'personal data' and is defined as:

'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.'

### What is a subject access request?

A subject access request (SAR) is a request for access to the personal data that QAA holds about a living, identifiable individual (a data subject), which we are required to provide under the GDPR unless an exemption applies.

### How to make a subject access request

A SAR can be made by email or verbally or in writing.

Data subjects should provide as much detail as possible on the data they require to enhance the accuracy and speed of QAA's response. Date ranges, record types and keywords are useful in this regard.

## **What we do when we receive a subject access request**

### **Identity verification**

Subject access requests (SARs) are submitted to QAA's Governance team, who acknowledge and make a record of the request on QAA's confidential Data Subject Log.

The Governance team will use reasonable measures to verify the identity of the individual making the access request. This may include asking for photographic identification and/or proof of residential address. Data subjects are asked to indicate, when making their request, the means of identification they are able to produce. Documentation requested for the purpose of verifying identification is retained/processed only for as long as is necessary to complete the process of verification, then deleted or returned. Where photocopies are submitted to verify identity, they should be certified copies.

Where the identity of the data subject cannot be verified by reasonable means, we may refuse to respond to the request.

If a third party, relative or representative requests access to information on a data subject's behalf (an Information Request), we will verify their authority to act for the data subject and may contact them to confirm their identity and gain authorisation prior to actioning the request.

### **Information gathering**

If sufficient information is provided in the Subject Access Request to collate the personal information held about the data subject, we will make a reasonable search of relevant QAA records. If we do not have enough information to locate the data subject's records, we may contact the data subject or their representative for further details. This will be done as soon as possible and within the timeframes set out below.

Identified records meeting the specified description will be considered to ensure that their release is appropriate. Where it is deemed that an exemption from release applies, the details of the exemption will be explained to the data subject.

### **Information provision**

Once we have collated all the disclosable personal information held about the data subject, we will send our response in writing. Our response will be in a concise, transparent, intelligible and easily accessible format, using clear and plain language.

## Timeframes

We aim to complete all subject access requests within one month of receipt.

Where the retrieval or provision of information is particularly complex or is subject to a valid delay, the period may be extended. If this is the case, we will write to the data subject or requestor within 30 days and keep them informed of the delay, providing the reasons.

Receipt (day 0-7)	<ul style="list-style-type: none"><li>• Data subject submits completed request form</li><li>• Governance team will acknowledge receipt of request within one week</li><li>• Record of request made</li></ul>
Verification and search	<ul style="list-style-type: none"><li>• Data subject asked to confirm identification</li><li>• QAA conducts reasonable search of records for information requested</li><li>• QAA assesses located records and determines whether they are eligible for release</li><li>• QAA consults other data controllers/processors if applicable</li></ul>
Response (within one month)	Response identifying any records located sent to data subject, including details about: <ul style="list-style-type: none"><li>• purposes of identified processing</li><li>• categories of personal data</li><li>• the recipient(s) or categories of recipient(s) to whom the personal data have been or will be disclosed</li><li>• the envisaged period for which the personal data will be stored</li><li>• the source of the personal data.</li></ul>

## Exemptions and refusals

The GDPR contains certain exemptions from the provision of personal information. If one or more of these exemptions applies to a Subject Access Request, or where QAA cannot act upon a request, we will inform the data subject within one month of receipt of the request.

Where possible, we will provide the data subject or requestor with the reasons for not acting and any possibility of lodging a complaint with the supervisory authority or right to seek a judicial remedy.

## Submitting a Subject Access Request

Please contact our Governance Team to make a Subject Access Request by email to [governance@qaa.ac.uk](mailto:governance@qaa.ac.uk) or by telephoning 01452 557000.

## Lodging a complaint

If you are not satisfied with our actions or wish to make an internal complaint, you can contact us according to our [Complaints procedure](#).

## Supervisory authority

Data subjects who remain dissatisfied with the response received from QAA have the right to lodge a complaint with the supervisory authority. The Information Commissioner's Office (ICO) can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF

Telephone: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

Fax: 01625 524 510

Email: [enquiries@ico.org.uk](mailto:enquiries@ico.org.uk)