

Code of Practice for handling requests for personal data under the Data Protection Act 1998 (Subject Access Requests)

Introduction

Under the Data Protection Act (the Act) individuals are entitled to access all data that we may hold about them. Once a valid* request has been received, the University has 40 days to provide the data it holds.

1 Scope

- 1.1 The Act relates to information held by the University about a living individual who has requested sight of his/her personal data
- 1.2 Data relates to electronic and manual data; if any parts of the information are unintelligible to the individual, e.g. encrypted or otherwise decipherable by code, an explanation must be provided

2 Procedure

2.1 If the request is for all personal data held on the applicant, the request must be referred to the University Secretary's office. If the request is for specific readily accessible information held by the department/school to whom the request has been made then it can be dealt with by the department/school, and the University Secretary informed that the request has been made.

2.2 Before any request can be considered valid* the following checks should be made:-

- 2.2.1 Is the request in writing?
- 2.2.2 Has sufficient information been provided to verify the identity of the individual?
- 2.2.3 Has the £10 fee been paid
- 2.2.4 Has sufficient information been given to enable the University to locate the information requested

2.3 Where a request has been referred to the University Secretary and sufficient information has been received to enable the request to proceed, the Information and Records Manager will contact other teams within the University to request that copies of any information held by them are forwarded to the University Secretary's

office in a timely manner. The Information and Records Manager will also inform the teams concerned of the timescales which must be met

2.4 The following data holders/processors will be contacted in response to a request:-

Students – Registry; IT Services; Learning Resources; Facilities; Finance; Marketing; Dean of Students; School associated with applicant

Staff – Personnel; Finance; Learning Resources; Facilities; Teams in which the applicant has worked; Other teams they may have been in contact with e.g. Occupational Health

2.5 The Information and Records Manager will record the request in the subject access register, monitor the deadline and issue reminders as the deadline approaches

2.6 Staff who have been contacted to provide information should provide a copy of any relevant data they hold (originals should be retained by the departments holding the information). If no information is held a nil return should be provided

2.7 Once information, or nil return, has been supplied by all teams approached, the Information and Records manager will make a copy of the information, check the data for third party/exempt information and make redactions (remove data which the applicant is not entitled to see) where necessary

2.8 Staff making subject access requests will be invited to view their personnel data at the University, in most circumstances

2.9 Once the redactions have been made, the University Secretary will check the copy and the redacted information and approve disclosure where appropriate.

3.10 The Information Manager will send the copy to the data subject, or their authorised representative, and update the subject access register

3.11 Where the request is dealt with by the department/school the information requested should be checked for third party data/exempt information before sending the information out. A copy should be made of the data which has been provided to the applicant. The request should be referred to the University Secretary where there is any doubt about whether the information can be released

3.12 Due to the confidential nature of counselling information, the counselling service will be informed where a request is made and will contact the individual to arrange a personal viewing of the data in the presence of a counsellor

4. Related information:

4.1 Subject Access Form, available online at

http://www.wlv.ac.uk/Docs/dp_subj_access_reqt.doc

4.2 Data Protection Statement, available online at

http://www.wlv.ac.uk/PDF/dp_regs.pdf

Visit <http://www.wlv.ac.uk/polsregs> for further policies and regulations.

(copies can be obtained from the University Secretary's Office)

Contact: [Information and Records Manager](#) 01902 322444



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