

Bensham Family Practice

SUBJECT ACCESS REQUESTS

PRACTICE PROCEDURE

A Subject Access Request (SAR) is a right of access. An individual is entitled only to their own personal data and not data relating to other people (unless they are acting on behalf of that person).

REQUEST FOR A SUBJECT ACCESS REPORTS OR SUBJECT ACCESS

- A valid subject access request can be in writing or by email.
- The request must have clear identity details – name, address & D.O.B. stating the exact data required e.g. a specific period or all personal data. (Data can be in electronic or manual format or both).
- It must be signed by the requester.
- Individuals requesting Subject Access must have two valid forms of ID.

If a verbal request is made for Subject Access explain the above procedure to the individual on how to make a valid request.

If a disabled individual finds it impossible or unreasonably difficult to make a Subject Access in writing, reasonable adjustments must be made to accommodate requests. This could include treating a verbal request for information as though it were a valid Subject Access request.

It may be necessary to respond in a particular format such as Large Print or Braille. (in this case contact Equality and Diversity Office for further information).

If the request does not mention the Act specifically or even say that it is a Subject Access Request, it is nevertheless valid and treated as such, if it is clear that the individual is asking for their own personal data.

A request is valid regardless of who the individual has sent a Subject Access Request to in the practice. It is therefore important to recognise this and treat appropriately.

ACKNOWLEDGEMENT OF SUBJECT ACCESS REQUESTS

The data subject should be advised that their request will be dealt with within one month.

- Add read code **EMISNQSU84 (Subject Access Request Status)** when a request is received and data subject advised.

TIMEFRAME

- Process subject Access Requests with within one month. (EMIS search to be run weekly to monitor timeframe compliance).
- Add read code **EMISNQSU87 (Subject Access Request Completed)** when personal information has been supplied.

CHARGES

Charges for personal data cannot be made to the data requester unless the request is excessive. In this case, only a reasonable administration charge can be made. The data subject/requester should be advised if there is a charge.

Note – In some cases the data requester could be a solicitor acting on behalf of the data subject. In this case written consent must be obtained.

REQUESTS TO HAVE DATA ALTERED / CORRECTED/ERASED

Data subjects have the right to ask for personal data to be corrected/altered/erased. Refer such requests to the Practice Manager/GP for action.

Note – It is important to check subject access request/consent given to third parties e.g. insurance companies to confirm exactly what data is requested. **Excessive data must not be provided.**