UK Society for Behaviour Analysis

UK-SBA
SUBJECT ACCESS REQUEST (SAR) POLICY

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1. Purpose

1.1 Under Data Protection Law, individuals (known as 'data subjects') have a general right to find out whether UK-SBA hold or process personal data about them, to access that data, and to be given supplementary information. This is known as the right of access, or the right to make a data subject access request (SAR). The purpose of the right is to enable the individual to be aware of, and verify, the lawfulness of the processing of personal data that the Society is undertaking.

1.2 This policy sets out the procedure to be followed to ensure a consistent and effective approach is in place for managing SARs across UK-SBA.

2. Definitions

2.1 'UK-SBA' is an acronym for UK Society for Behaviour Analysis.

3. Scope

3.1 This policy applies to all staff and members of UK-SBA. This includes temporary, casual or agency staff and contractors, consultants, trustees, governors, suppliers and data processors working for, or on behalf of UK-SBA.

4. Rights of the Individual

4.1 Any individual has the right to ask what data is held about them and can make a Subject Access Request (SAR).

4.2 The SAR may cover one or more of the rights a data subject has under UK GDPR. Namely:

- **To be informed** of the purpose of data processing, who information is shared with and how long it is retained.
- To have access to data held about them (via a Subject Access Request).
- To have data rectified if inaccurate.
- **To have data erased** in specific circumstances (Sometimes called 'The right to be forgotten').
- To restrict processing.
- **To have data portability** (The right to have electronically held personal data provided in structured, commonly used and machine-readable format and for this to be passed at subject's consent from one data controller to another).
- **To object** to use of personal data or for personal data to no longer be used for some purposes. (Possible in limited circumstances).
- **For decisions to have an element of human intervention**, rather than be made solely on basis of automatic profiling.

5. Making a Subject Access Request

5.1 Any written request for information can be a Subject Access Request. A request can be received electronically as well as in permanent form. If an individual has made the request electronically, the information requested can be sent via the same electronic method.

5.2 A SAR form is available to give to individuals to use who want to make a subject access request (Appendix A). It is important to note that we cannot insist that the form is used, but individuals can be encouraged to use the standard form so that their request can be handled quickly and efficiently.

5.3 It is permissible to ask the individual who has made the request to be more specific about the information that they require in order to ensure that the information they are provided with meets their requirements rather than providing lots of information that may not be relevant to their query.

5.4 UK-SBA is not allowed to charge a fee for the provision of information in response to a Subject Access Request. However, a reasonable charge can be made in the following circumstances:

- A request is manifestly unfounded or excessive, particularly if it is repetitive.
- Requests for further copies of the same information (administrative costs of providing the information only).

5.5 UK-SBA can refuse to act on the request, but must be able to prove that the request is manifestly unfounded or excessive (Guidance on this point from the Information Commissioners Office is available at https://ico.org.uk/media/about-the-ico/consultations/4019206/dpa-2018-guidance-guide-to-le-manifestly-unfounded-excessive-requests.pdf).

5.6 The individual must also be informed of their right to complain to the supervisory authority (ICO). Information on how they can do this can be found at https://ico.org.uk/concerns/

6. Responding to a Subject Access Request

6.1 The Data Protection Officer (DPO) has been designated as the person who will coordinate the response to a SAR.

6.2 Before responding to a Subject Access Request, it is important to establish whether the information requested falls within the definition of personal data. UK-SBA is only required to conduct a 'proportionate and reasonable search' in response to a subject access request.

6.3 Exemptions to a SAR include:

- Education, Health, Social Work records
- Examination marks and scripts
- Legal advice and proceedings
- National security, crime and taxation
- Journalism, literature and art
- Research history, and statistics
- Confidential references

6.4 UK-SBA must respond to a Subject Access Request within 30 calendar days of receipt of the request. It may be possible in exceptional circumstances to extend the period by a further two months where requests are complex or numerous. In these cases, the

individual must be informed within 30 calendar days of receipt of the request and explain why the extension is necessary.

6.5 Where a third party makes a SAR, the Data Controller will check that the third party is entitled to act on behalf of the individual. Evidence of the identity of the person making the request and their relationship to the data subject must be gained prior to any disclosure of information. This should be recorded on the SAR Log (Appendix 1).

6.6 An individual is only entitled to personal data about himself or herself. Therefore, if the personal data include information about someone else, the Data Controller will need to remove that information before supplying the personal data to the individual making the subject access request or may be able to decline to provide that data.

6.7 If a Subject Access Request involves providing information relating to the individual making the request and someone else (i.e. a third party), then UK-SBA does not have to comply with the request if it would mean disclosing information about the other person. However, third party material is not automatically excluded. You do have to provide the information about the other person if:

- They have given their consent; or
- It is reasonable to go ahead without consent.

6.8 In deciding whether it is reasonable to go ahead without consent, you have to take account of:

- Any duty of confidentiality you owe to the other person.
- Anything you have done to try and get their consent.
- Whether they are able to give consent.
- Whether they have refused consent.

6.9 Personal data includes opinions about an individual therefore opinions about the individual making a Subject Access Request must be included in the personal data which is provided to them.

6.10 It is an offence to make amendments and deletions to personal information after receiving a SAR, even if the information is inaccurate or embarrassing.

7. Policy Review

7.1 This policy will be reviewed as it is deemed appropriate, but no less frequently than every two years. The policy review will be undertaken by the person responsible for data protection alongside senior managers within UK-SBA.

7.2 This policy will be updated as necessary to reflect best practice and to ensure compliance with any changes or amendments to relevant legislation.

7.3 This policy was last reviewed in March 2024.

8. Contact

8.1 Any enquiries in relation to this policy should be directed to UK-SBA Administrator admin@uk-sba.org

APPENDIX 1 - Subject Access Request (SAR) Form

Under the Data Protection Act 2018 , you have a right to access personal information that UK-SBA holds about you, or to request information on behalf of an individual for whom you are the parent or legal guardian and who is of insufficient age or does not have capacity to consent to the request in person. Completing this form will help us to locate the information you are seeking and deal with your request as quickly as possible.

Part 1 – About You

Title:	
Full Name:	
Date of Birth:	
Address:	
Are you the Data Subject (the person whose information you are requesting)?	YES / NO If yes, please continue to Part 3. If no, please complete Part 2 below

Part 2 – Details Required from Requestor

As you are requesting information relating to another person (the Data Subject), please complete the information below.

We may ask for identification to confirm who you are and verify your authority to request information relating to the Data Subject.

Data Subject Title:	
Data Subject Full Name:	
Data Subject Address:	
Data Subject Date of Birth:	
Your Contact details (phone / email address):	
Your status as requestor:	Parent or person with parental responsibility: Yes / No Other: Yes / No If you have selected 'yes' for 'Other', please outline your role here:

Part 3 – Details of Subject Access Request

Details of data being requested:	

Part 4 - Declaration

Please read the following declaration carefully and sign and date it.

I, …… (your name) certify that the information provided on this application is true and hereby request that UK-SBA provide the data requested on the basis of the authority I have as the Data Subject / Requestor of data in relation to …….. (insert name of Data Subject)

Signature: …… Date: ……

Please return the completed form to:

The Data Protection Officer
UK-SBA,
Building 20, Dunsfold Park
Stovolds Hill
Cranleigh
Surrey GU6 8TB

Email: treasurer@uk-sba.org