

# SUBJECT ACCESS REQUEST PROCEDURE (TIER 2)

## Document Control

Reference: GDPR DOC 2.2

Issue No: 1.1

Issue Date: 25/05/18

Page: 1 of 4

## 1. Scope

All personal data processed by Cognus is within the scope of this procedure.

Data subjects are entitled to obtain:

- Confirmation as to whether Cognus is processing any personal data about that individual;
- Access to their personal data;
- Any related information.

## 2. Responsibilities

- 2.1 The Head of Resources is responsible for the application and effective working of this procedure, and for reporting to the information owner Head of People, Services Director, etc.] on Subject Access Requests (SARs).
- 2.2 The Head of Resources is responsible for handling all SARs.

## 3. Procedure

- 3.1 Subject Access Requests are made using the Subject Access Request Record ([GDPR REC 4.2](#)).
- 3.2 The data subject provides Cognus with evidence of their identity, in the form of two copies of forms of identification (one of which must include a signature), which can be:
- Passport
  - Driving licence
  - Birth certificate
  - Utility bill (from last 3 months)
  - Current vehicle registration document
  - Bank statement (from last 3 months)
  - Rent book (from last 3 months).
- The signature on the identity must be cross-checked to that on the application form GDPR REC 4.2. Where the subject access request is from a child, appropriate identification access should be sought aligned to the identity documents that children will likely be able to supply.
- 3.3 The data subject specifies to Cognus the specific set of data held by Cognus on their subject access request (SAR). The data subject can request all data held on them.
- 3.4 Cognus records the date that the identification checks were conducted and the specification of the data sought.
- 3.5 Cognus provides the requested information to the data subject within one month from this recorded date.

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# SUBJECT ACCESS REQUEST PROCEDURE (TIER 2)

## Document Control

Reference: GDPR DOC 2.2

Issue No: 1.1

Issue Date: 25/05/18

Page: 2 of 4

- 3.6 Once received, the subject access request (SAR) application is immediately forwarded to the Head of Resources, who will ensure that the requested data is collected within the specified time frame in clause 3.4 above.  
Collection entails:
- 3.6.1 Collecting the data specified by the data subject, or
  - 3.6.2 Searching all databases and all relevant filing systems (manual files) in Cognus, including all back up and archived files (computerised or manual) and all email folders and archives. The Head of Resources maintains a data map that identifies where all data in Cognus is stored.
- 3.7 The Head of Resources maintains a record of requests for data and of its receipt, including dates.
- 3.8 The Head of Resources reviews subject access requests from a child. Before responding to a SAR of the child data subject the Head of Resources considers their ability to making the request by adequately explaining any implications of sharing their personal data, etc.. In most cases it is reasonable for a child aged 12 years or more to make a subject access request.
- 3.9 The Head of Resources reviews all documents that have been provided to identify whether any third parties are present in it, and either removes the identifying third party information from the documentation or obtains written consent from the third party for their identity to be revealed.
- 3.10 If any of the requested data is being held or processed under one of the following exemptions, it does not have to be provided:
- National security
  - [Crime and taxation](#)
  - Health
  - Education
  - Social Work
  - [Regulatory activity](#)
  - [Journalism, literature and art](#)
  - Research history, and statistics
  - [Publicly available information](#)
  - Corporate finance
  - Examination marks
  - Examinations scripts
  - Domestic processing
  - [Confidential references](#)
  - Judicial appointments, honours and dignities
  - Crown of ministerial appointments
  - Management forecasts
  - Negotiations
  - [Legal advice and proceedings](#)
  - Self-incrimination
  - Human fertilization and embryology
  - Adoption records

Cognus

Public

# SUBJECT ACCESS REQUEST PROCEDURE (TIER 2)

## Document Control

Reference: GDPR DOC 2.2

Issue No: 1.1

Issue Date: 25/05/18

Page: 3 of 4

- Special educational needs
- Parental records and reports

3.11 In the event that a data subject requests Cognus to provide them with the personal data, then Cognus will provide the data subject with the requested information in electronic format, unless otherwise specified. All of the items provided to the data subject are listed on [GDPR REC 13](#) that shows the data subject's name and the date on which the information is delivered to and received by the data subject.

3.12 In the event that a data subject requests what personal data is being processed then Cognus provides the data subject with the following information:

3.12.1 Purpose of the processing

3.12.2 Categories of personal data

3.12.3 Recipient(s) of the information, including recipients in third countries or international organisations

3.12.4 How long the personal data will be stored

3.12.5 The data subject's right to request rectification or erasure, restriction or objection, relative to their personal data being processed.

3.12.5.1 Cognus removes personal data from systems and processing operations as soon as a request for erasure has been submitted by the data subject.

3.12.5.2 Cognus contacts and communications with other organisations, where the personal data of the data subject is being processed, to cease processing information at the request of the data subject.

3.12.5.3 Cognus takes appropriate measures without undue delay in the event that the data subject has: withdrawn consent (GDPR-REC 4.6A); objects to the processing of their personal data in whole or part; no longer under legal obligation and/or has been unlawfully processed.

3.12.6 Inform the data subject of their right to lodge a complaint with the Information Commissioner's Office and a method to do so (Complaints Procedure [GDPR DOC 2.9](#)).

3.12.7 Information on the source of the personal data if it hasn't been collected from the data subject.

3.12.8 Inform the data subject of any automated decision-making.

3.12.9 If and where personal data has been transferred and information on any safeguards in place.

3.13 Cognus uses the following electronic PDF formats to respond to SARs.

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Issue No: 1.1

Issue Date: 25/05/18

Page: 4 of 4

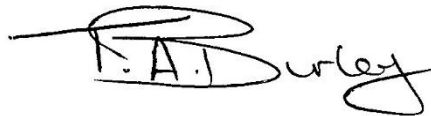
### Document Owner and Approval

The Head of Resources is the owner of this document and is responsible for ensuring that this procedure is reviewed in line with the review requirements of the GDPR.

A current version of this document is available to all employees and staff on the Intranet.

This procedure was approved by the Managing Director on 25<sup>th</sup> May 2018 and is issued on a version controlled basis under his/her signature.

Signature:



Date: 25/05/2018

### Change History Record

Issue	Description of Change	Approval	Date of Issue
1	Initial issue	Managing Director	16/05/2018
1.1	Amendment of Job Titles	Managing Director	25/05/2018