

## **Subject Access Requests (SAR)**

Rights of access – Subject Access Requests (SAR) is simply a request made by or on behalf of an individual for the information which he or she is entitled to ask for under GDPR. The request does not have to be in any particular form. The right to find out what personal data is held about them by an organisation, why the organisation is holding it and who their information is disclosed to by that organisation.

Anyone can ask what data you hold on them. Written or verbal and you have one month to provide this. It is advised you ask for legal or compliance guidance with these as they are difficult and risky. It is a prelude to suing. A SAR is only that information and documentation relating to the person, the request relates to. You MUST verify the persons identity first. They must prove who they are. The one month only starts after this. You must redact anything that relates to any other person in any of the documents.

Stop and think

The information only goes to the person who the SAR relates to even if the request comes from someone else.

You must act quickly.

A failure to meet the deadline or provide employees with access to all the data they request could expose employers to significant penalties.

GDPR allows employers to extend the deadline by up to two months (so up to three months in total) where requests are particularly ‘complex or numerous.’ If this is the case, the data subject must be contacted within one month of making their request and informed why an extension is necessary.

The ability to extend the time limit will be extremely useful for employers dealing with particularly time-consuming requests. The burden of determining whether a request will be considered ‘complex’ is on the employer. Provided employers can evidence good reasons for the delay, it is generally considered unlikely that the ICO will challenge employers on this point

The information must be provided free of charge