

Subject Access Request (SAR) Handling Policy

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1.0 Purpose and Legal Basis

This Subject Access Request (SAR) Handling Policy is a cornerstone of the charity's commitment to transparency, accountability, and the fundamental rights of individuals. By establishing a clear and robust framework for responding to requests for personal data, the charity not only ensures legal compliance but also builds and maintains the trust of the beneficiaries it serves. This policy is a tangible expression of our dedication to respecting the rights of every member of the Beneficiary Community.

Purpose

The purpose of this policy is to provide a clear, consistent, and compliant framework for responding to Subject Access Requests. It ensures that all individuals are aware of how to exercise their right of access and that all trustees, volunteers, and contractors acting on

behalf of the charity understand their responsibilities in upholding this right in a lawful and timely manner.

Legal Basis

This policy is grounded in the charity's legal obligations under UK data protection legislation. The primary legal frameworks that underpin this policy include:

- **The UK General Data Protection Regulation (UK GDPR):** Specifically, this policy implements the requirements of Article 15, which establishes the 'Right of access by the data subject'.
- **The Data Protection Act 2018:** This Act supplements the UK GDPR and sets out specific requirements and exemptions for data protection in the UK.
- **The Equality Act 2010:** This legislation informs our commitment to ensuring that the right of access is provided fairly and without discrimination, with due consideration for making the process accessible to all individuals.

This policy applies to all personal data processed by the charity and to all individuals acting on its behalf, as detailed in the following section.

2.0 Scope

This policy applies to all personal data held and processed by the charity, regardless of the format in which it is stored. It is binding on all individuals acting on the charity's behalf who may receive, handle, or be involved in responding to a Subject Access Request.

The policy's provisions extend to the following groups:

- **Charity Trustees:** In their capacity, managing the affairs of the Charitable Incorporated Organisation (CIO).
- **Staff:** This applies to any future staff employed by the charity in accordance with the powers set out in its constitution.
- **Volunteers:** Any individuals performing voluntary roles or duties for the charity.
- **Contractors and Third-Party Service Providers:** Any external organisations or individuals engaged by the charity to process personal data on its behalf.
- **Beneficiaries:** As defined in Clause 3 of the charity's constitution.

This policy affirms the charity's core commitment to upholding the data rights of all these individuals.

3.0 Policy Statement

The Board of Trustees formally declares its commitment to upholding the rights of individuals as enshrined in UK data protection law.

The charity is committed to upholding the right of access to personal data for all individuals whose information we process. We pledge to handle all Subject Access Requests with transparency, diligence, and in full compliance with the UK General Data Protection Regulation and the Data Protection Act 2018. We recognise the unique and often sensitive nature of the data we hold, particularly concerning our beneficiary community, and are dedicated to ensuring its protection and proper handling at all times.

To ensure the consistent and correct application of this commitment, the following definitions and procedures have been adopted.

4.0 Definitions

To ensure a clear and shared understanding of the application of this policy, the following key terms are defined below. These definitions are to be interpreted in the context of the charity's specific operations, its constitution, and its legal obligations under UK law.

Term	Definition
Personal Data	Any information relating to an identified or identifiable individual. For the charity, this includes but is not limited to sensitive information relating to beneficiaries' health, family circumstances, and financial status, as gathered in pursuit of the charity's objects (Clause 3, Constitution).
Data Subject	The individual to whom the personal data relates. Within the context of this policy, this includes the charity's beneficiaries, trustees, volunteers, and contractors.
Subject Access Request (SAR)	A request made by a data subject for a copy of their personal data, along with other supplementary information as specified under Article 15 of the UK GDPR.
Data Controller	The charity is the Data Controller, as it is the organisation that determines the purposes for which and the means by which personal data is processed.

Data Processor	Any third-party contractor or organisation engaged by the charity to process personal data on its behalf and under its instruction.
Beneficiary	Any person defined in Clause 3(1) of the charity's constitution.

These definitions provide the foundation for the detailed procedures that must be followed when handling a Subject Access Request.

5.0 Procedures

A robust, step-by-step procedure for handling SARs is essential for ensuring consistency, accountability, and legal compliance. This process protects the rights of the data subject while also safeguarding the charity from legal risk. The following procedure must be followed for all SARs received by the charity.

5.1. Receiving a Request 5.1.1. A SAR can be made verbally or in writing to any representative of the charity, including by email or through social media channels. 5.1.2. All verbal requests must be documented in writing immediately by the person who receives them. The documented request must then be forwarded without delay to the designated Data Protection Officer (DPO). 5.1.3. Upon receipt, all requests must be logged centrally in a secure SAR Log, which will be used to track the request through to its completion.

5.2. Verifying Identity 5.2.1. Before any personal data is disclosed, the charity must be satisfied with the data subject's identity to prevent unauthorised disclosure. 5.2.2. If the identity of the requester is not clear from the circumstances, reasonable and proportionate steps will be taken to request further proof of identity. The information requested for verification must not be excessive. 5.2.3. The one-month statutory deadline for responding to the request does not begin until the data subject's identity has been satisfactorily verified.

5.3. Clarifying the Request 5.3.1. If a request is unclear, or if the charity processes a large quantity of information about the individual, the charity may ask the data subject to specify the information or processing activities their request relates to. 5.3.2. The response deadline may be paused until this clarification has been received from the data subject.

5.4. Searching for and Compiling Data 5.4.1. The DPO will coordinate a comprehensive search of all relevant charity systems to locate all personal data relating to the data subject. This includes electronic files, emails, databases, and any relevant paper records. 5.4.2. The compiled data must be carefully reviewed to determine if it contains personal data relating to other individuals (third-party data). 5.4.3. Any personal data identifying a third party must be redacted or removed from the response, unless that third party has

given their consent for the disclosure, or it is otherwise reasonable in all the circumstances to disclose the information without their consent.

5.5. Responding to the Request 5.5.1. A full response must be provided to the data subject within **one calendar month** of receiving the valid request (or from the date of identity verification or clarification, where applicable). 5.5.2. The response must include a copy of the personal data being processed and the supplementary information required under UK GDPR Article 15. This includes, for example, the purposes of the processing, the categories of personal data concerned, and the envisaged retention periods. 5.5.3. The response time may be extended by a further two months where requests are complex or numerous. If an extension is necessary, the charity must inform the individual within the first month, explaining the reasons for the delay.

5.6. Handling Exemptions 5.6.1. In certain limited circumstances, exemptions under the Data Protection Act 2018 may apply, which may permit the charity to withhold some information. 5.6.2. If an exemption is applied, the charity must (unless it would undermine the purpose of the exemption) inform the data subject of the decision to withhold information and the specific exemption relied upon.

The successful execution of these procedures depends on a clear understanding of roles and responsibilities across the charity.

6.0 Roles and Responsibilities

The effective implementation of this policy requires a clear allocation of responsibilities to ensure accountability throughout the charity's governance and operational structure.

- **The Board of Trustees:** The Board holds ultimate responsibility for ensuring the charity complies with all its legal and regulatory obligations, including data protection law. The Board is responsible for the formal adoption of this policy and for ensuring that adequate resources are made available for its successful implementation.
- **The Data Protection Officer (DPO):** The DPO is the designated lead for overseeing compliance with this policy. Key responsibilities include:
 - Maintaining the central SAR log.
 - Coordinating the search for, compilation, and review of personal data.
 - Advising the Board of Trustees on the handling of complex or contentious requests.
 - Acting as the primary point of contact for data subjects making a request.
 - To ensure the DPO's independence as required by UK GDPR, the Board of Trustees is required to formally appoint one of its ordinary Trustees to serve as DPO.
- **All Trustees, Volunteers, and Contractors:** All individuals acting on behalf of the charity are responsible for understanding their obligations under this policy. They

must be able to identify a Subject Access Request and are required to forward any request they receive to the DPO immediately and without delay.

The assignment of these responsibilities is supported by the charity's plan for implementation.

7.0 Implementation

A policy is only effective when it is properly implemented and embedded within an organisation's culture and operations. The Board of Trustees will take the following practical steps to ensure this SAR policy is understood and followed.

Training

All trustees, volunteers, and any contractors who handle personal data will receive training on this policy and the associated procedures. This training will ensure they understand what constitutes a SAR, how to recognise one, and the immediate steps they must take upon receipt. Training will be provided as part of the induction process for all new personnel and will be refreshed on at least an annual basis for everyone.

Resources

The Board of Trustees will ensure that the Data Protection Officer has the necessary resources and support to fulfil their duties under this policy effectively. This includes the provision and maintenance of a secure, central SAR log to track all requests from the point of receipt through to final closure, ensuring a complete audit trail.

The effectiveness of these implementation measures will be assessed through ongoing monitoring.

8.0 Monitoring

Ongoing monitoring is essential to ensure that this policy remains effective, compliant with the law, and fit for purpose. The following mechanisms will be used to monitor SAR handling performance and policy adherence.

- **Key Performance Indicators (KPIs):** The DPO will track and report to the Board of Trustees on key SAR-related metrics, including:
 - The number of SARs received, pending, and closed per quarter.
 - The average time taken to acknowledge and provide a full response to SARs.
 - The number of requests that required clarification or a time extension.
 - The number of complaints received related to the handling of SARs.
- **Reporting:** A summary report detailing these KPIs will be presented for discussion at a Board of Trustees meeting at least once per year.

- **Policy Review:** This policy will be formally reviewed by the Board of Trustees at least **annually** to ensure it remains aligned with current legislation, regulatory guidance, and the charity's operations. The policy will be reviewed sooner if there are significant changes to data protection law or best practice.

This policy forms one part of the charity's wider governance and data protection framework.

9.0 Related Policies

This Subject Access Request (SAR) Handling Policy operates as part of an integrated suite of data protection and governance documents. For a complete understanding of the charity's approach to data protection, this policy should be read in conjunction with other relevant internal documents, including:

- Data Protection Policy
- Privacy Notice Policy
- Data Breach Notification Policy
- Data Subject Rights Policy
- Document Retention and Archiving Policy
- Complaints Handling Policy

10.0 Charity-Specific Considerations

The charity recognises that its beneficiaries may constitute a vulnerable group due to their shared history and experiences. Therefore, all interactions related to Subject Access Requests, particularly those from beneficiaries, must be handled with the utmost sensitivity, empathy, and respect. The charity is committed to ensuring that the process of making a SAR is accessible and does not present an unnecessary administrative or emotional burden to the community it exists to serve, in line with its duties under The Equality Act 2010.