

SAFEGUARD COACHES DATA REQUEST RESPONSE PLAN (SUBJECT ACCESS REQUEST)

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| <i>Safeguard coaches</i> | | | |
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1. Introduction

The Company needs to collect personal information to effectively and compliantly carry out our everyday business functions and services and in some circumstances, to comply with the requirements of the law and/or regulations.

As the Company processes personal information regarding individuals (*data subjects*), we are obligated under the General Data Protection Regulation (GDPR) and Data Protection Bill to protect such information, and to obtain, use, process, store and destroy it, only in compliance with the GDPR and its principles.

- 1.1 Data subjects have certain rights in respect of their personal data. When we process data subjects' personal data, we shall aim to respect those rights. These procedures provide a framework for responding to requests to exercise those rights. It is our policy to ensure that requests by data subjects are covered by these procedures to exercise their rights in respect of their personal data are handled in accordance with applicable law.
- 1.2 These procedures only apply to data subjects whose personal data we process.

2. The General Data Protection Regulation

The General Data Protection Regulation (GDPR) gives individuals the right to know what information is held about them, to access this information and to exercise other rights, including the rectification of inaccurate data. The GDPR is a standardised regulatory framework which ensures that personal information is obtained, handled and disposed of properly.

As the Company are obligated under the GDPR and UK data protection laws, we abide by the Regulations' principles, which ensure that personal information shall be: -

| | | |
|---|---|--|
| a | processed lawfully, fairly and in a transparent manner in relation to the data subject | lawfulness, fairness and transparency |
| b | collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes | purpose limitation |
| c | adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed | data minimisation |
| d | accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay | accuracy |
| e | kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed | storage limitation |
| f | processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against | integrity and confidentiality |

| | | |
|--|--|--|
| | accidental loss, destruction or damage, using appropriate technical or organisational measures | |
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The Regulation also requires that 'the controller shall be responsible for, and be able to demonstrate, compliance with the GDPR principles' (**'accountability'**). The Company have adequate and effective measures, controls and procedures in place, that protect and secure an individuals' personal information and guarantee that it is only ever obtained, processed and disclosed in accordance with the relevant data protection laws and regulations.

3. WHAT IS PERSONAL INFORMATION?

Information protected under the GDPR is known as "personal data" and is defined as: -

"Any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person."

'Processing' means any operation or set of operations that are performed on personal data such as collection, use, storage, dissemination and destruction.

Further information on what constitutes personal information and your rights under the data protection regulation and laws can be found on the [Information Commissioners Office \(ICO\) website](#).

4. THE RIGHT OF ACCESS

Under Article 15 of the GDPR, an individual has the right to obtain from the controller, confirmation as to whether personal data concerning them is being processed. We are committed to upholding the rights of individuals and have dedicated processes in place for providing access to personal information.

Where requested, we will provide the following information: -

- the purposes of the processing;
- the categories of personal data concerned (for example, contact details, bank account information and details of sales activity);
- the recipient(s) or categories of recipient(s) to whom the personal data have been or will be disclosed
- if the data has been transferred to a third country or international organisation(s) *(and if applicable, the appropriate safeguards used)*
- the envisaged period for which the personal data will be stored *(or the criteria used to determine that period)*
- where the personal data was not collected directly from the individual, any available information as to its source
- the existence of the right to request rectification or erasure of personal data or restriction of processing of personal data or to object to such processing
- the right to lodge a complaint with the Information Commissioner's Office (ICO)

- the existence of automated decision making and the reason why we do this as well as the implication(s) and envisaged consequence of the processing of the data of the individual

5. HOW TO MAKE A SUBJECT ACCESS REQUEST (SAR)

A subject access request (SAR) is a request made by the data subject for access to the personal information that the Company holds about you, we are required to provide this under the GDPR (*unless an exemption applies*). The information that we provide is covered in section 3 of this document.

A request can be made in writing using the details provided in section 9, or an access request can be submitted electronically. Where a request is received by electronic means, we will provide the requested information in a commonly used electronic form (CSV file) (unless otherwise requested by the data subject).

Data subjects have the right to request access to their personal data processed by us by completing the form at Appendix 1 of this policy. Such requests are called subject access requests (SARs). When a data subject makes an SAR we shall take the following steps:

1. Log the date on which the request was received, to ensure that the relevant timeframe of 'one month from receipt of the request' for responding to the request is met
2. Confirm the identity of the data subject who is the subject of the personal data. For example, we may request additional information from the data subject to confirm your identity;
3. Search databases, systems, applications and other places where the personal data which are the subject of the request may be held
4. Confirm to the data subject whether or not personal data of the data subject making the SAR are being processed.

Before providing the personal data to the data subject making the SAR, we shall review the personal data requested to see if it contains the personal data of other data subjects. If it does, we will redact the personal data of those other data subjects prior to providing you with your personal data, unless those other data subjects have consented to the disclosure of their personal data.

If the SAR is manifestly unfounded or excessive, for example, because of its repetitive character, we may charge a reasonable fee, taking into account the administrative costs of providing the personal data, or refuse to act on the request.

If we are not going to respond to the SAR we shall inform the data subject of the reason(s) for not taking action and of the possibility of lodging a complaint with the ICO.

6. WHEN WE RECEIVE AN ACCESS REQUEST

6.1 Identity Verification

Subject Access Requests (SAR) are passed to the Data Manager as soon as received and a record of the request is made. The person in charge will use all reasonable measures to

verify your identity, especially where the request is made using online services.

We will utilise the request information to ensure that we can verify your identity and where we are unable to do so, we may contact you for further information, or ask you to provide evidence of their identity prior to actioning any request. This is to protect your information and rights.

If a third party, relative or representative is requesting the information on your behalf, we will verify their authority to act for you and again, may contact you to confirm your identity and gain your authorisation prior to taking action on any request.

6.2 Information Gathering

If you have provided enough information in your SAR to collate the personal information held about you, we will gather all documents relating to you and ensure that the information required is provided in an acceptable format. If we do not have enough information to locate your records, we may contact you for further details. This will be done as soon as possible and within the timeframes set out below.

6.3 Information Provision

Once we have collated all the personal information held about you, we will send this to you in writing or in a commonly used electronic form as requested. The information will be in a concise, transparent, intelligible and easily accessible format, using clear and plain language.

7. FEES AND TIMEFRAMES

We aim to complete all access requests within 'one month from receipt of the request' and provide the information free of charge. Where the request is made by electronic means, we provide the information in a commonly used electronic format, unless an alternative format is requested.

Whilst we provide the information requested without a fee, further copies requested by you may incur a charge to cover our administrative costs.

Where the retrieval or provision of information is particularly complex or is subject to a valid delay, the period may be extended by two further months. If this is the case, we will write to you within 'one month from receipt of the request' and keep you informed of the delay and provide the reasons.

8. OTHER RIGHTS

Under the GDPR, you have the right to request rectification of any inaccurate data held by us. Where we are notified of inaccurate data, and agree that the data is incorrect, we will amend the details immediately as directed by you and make a note on the system (or record) of the change and reason(s).

We will rectify any errors within 'one month from receipt of the request' and inform you in writing of the correction and where applicable, provide the details of any third-party to whom the data has been disclosed.

If for any reason, we are unable to act in response to a request for rectification and/or data completion, we will always provide a written explanation to you and inform you of your right to complain to the Supervisory Authority and to seek a judicial remedy.

In certain circumstances, you may also have the right to request from the Company, the erasure of personal data or to restrict the processing of personal data where it concerns your personal information; as well as the right to object to such processing. You can use the contact details in section 11 to make such requests.

8.1 Responding to requests to rectify personal data

- You have the right to have your inaccurate personal data rectified. Rectification can include having incomplete personal data completed. Where such a request is made, we shall, unless there is an exemption (see paragraph 10 below), rectify the personal data without undue delay.

We shall also communicate the rectification of the personal data to each recipient to whom the personal data have been disclosed (for example, a third party service providers who process the data on our behalf), unless this is impossible or involves disproportionate effort. We shall also inform you about those recipients should you request it.

8.2 Responding to requests for the erasure of personal data

You have the right, in certain circumstances, to request that we erase your personal data. Where such a request is made, we shall, unless there is an exemption (see paragraph 9 below), erase the personal data without undue delay if:

- (a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- (b) you withdraw your consent to the processing of your personal data and consent was the basis on which the personal data were processed and there is no other legal basis for the processing;
- (c) you object to the processing of your personal data on the basis of our performance of a task carried out in the public interest or in the exercise of official authority vested in us, or on the basis of our legitimate interests which override the data subject's interests or fundamental rights and freedoms, unless we either can show compelling legitimate grounds for the processing which override those interests, rights and freedoms, or we are processing the data for the establishment, exercise or defence of legal claims;
- (d) you object to the processing of your personal data for direct marketing purposes;

- (e) the personal data have been unlawfully processed;
- (f) the personal data have to be erased for compliance with a legal obligation to which we are subject; or
- (g) the personal data have been collected in relation to the offer of e-commerce or other online services.

When you make a request for erasure in the circumstances set out above, we shall, unless there is an exemption (see paragraph 9 below), take the following steps:

- (h) log the date on which the request was received (to ensure that the relevant timeframe of within 'one month from receipt of the request' for responding to the request is met);
- (i) confirm your identity. We may request additional information from you to do this;
- (j) search databases, systems, applications and other places where the personal data which are the subject of the request may be held and erase such data within one month from receipt of the request. If the request is complex, or there are a number of requests, we may extend the period for responding by a further two months. If we extend the period for responding we shall inform you within 'one month from receipt of the request' and explain the reason(s) for the delay;
- (k) where we have made the personal data public, we must, take reasonable steps, including technical measures, to inform those who are processing the personal data that you have requested to be erased by them of any links to, or copies or replications of, those personal data; and
- (l) communicate the erasure of the personal data to each recipient to whom the personal data have been disclosed unless this is impossible or involves disproportionate effort. We shall also inform you about those recipients if you request it.

In addition to the exemptions in section 9 below, we can also refuse to erase the personal data to the extent processing is necessary:

- (m) for exercising the right of freedom of expression and information;
- (n) for compliance with a legal obligation which requires processing by law and to which we are subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in us;
- (o) for reasons of public interest in the area of public health;
- (p) for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes in so far as the right to erasure is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- (q) for the establishment, exercise or defence of legal claims.

8.3 Responding to requests to restrict the processing of personal data

You have the right, unless there is an exemption (see section 9 below), to restrict the processing of their personal data if:

- (r) You contest the accuracy of the personal data, for a period to allow us to verify the accuracy of the personal data;
- (s) the processing is unlawful and you oppose the erasure of the personal data and request the restriction of its use instead;
- (t) we no longer need the personal data for the purposes we collected it, but it is required by you for the establishment, exercise or defence of legal claims; and
- (u) you have objected to the processing, pending verification of whether we have legitimate grounds to override your objection.

Where processing has been restricted, we shall only process the personal data (excluding storing the data):

- (v) with your consent;
- (w) for the establishment, exercise or defence of legal claims;
- (x) for the protection of the rights of another person; or
- (y) for reasons of important public interest.

Prior to lifting the restriction, we shall inform you of the lifting of the restriction.

We shall communicate the restriction of processing of the personal data to each recipient to whom the personal data have been disclosed, unless this is impossible or involves disproportionate effort. We shall also inform the data subject about those recipients if the data subject requests it.

8.4 Responding to requests for the portability of personal data

You have the right, in certain circumstances, to receive your personal data that you have provided to us in a structured, commonly used and machine-readable format that you can then transmit to another company. Where such a request is made, we shall, unless there is an exemption (see section 9 below), provide the personal data without undue delay if:

- ↳ the legal basis for the processing of the personal data is consent or pursuant to a contract; and
- ↳ our processing of those data is automated.

When a you make a request for portability in the circumstances set out above, we shall take the following steps:

1. Log the date on which the request was received (to ensure that the relevant timeframe of one month for responding to the request is met)

2. Confirm the identity of the data subject who is the subject of the personal data. We may request additional information from the data subject to confirm their identity
3. Search databases, systems, applications and other places where the personal data which are the subject of the request may be held and provide the data subject with such data (or, at the data subject's request, transmit the personal data directly to another company, where technically feasible) within one month from receipt of the request. If the request is complex, or there are a number of requests, we may extend the period for responding by a further two months. If we extend the period for responding we shall inform the data subject within one month from receipt of the request and explain the reason(s) for the delay.

8.5 Responding to objections to the processing of personal data

You have the right to object to the processing of your personal data where such processing is on the basis of our performance of a task carried out in the public interest or in the exercise of official authority vested in us, or on the basis of our legitimate interests which override the data subject's interests or fundamental rights and freedoms, unless we either:

- ↳ can show compelling legitimate grounds for the processing which override those interests, rights and freedoms; or
- ↳ are processing the personal data for the establishment, exercise or defence of legal claims.

You also have the right to object to the processing of your personal data for scientific or historical research purposes, or statistical purposes, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

Where such an objection is made, we shall, unless there is an exemption (see section 9 below), no longer process a data subject's personal data.

Where personal data are processed for direct marketing purposes, you have the right to object at any time to the processing of your personal data for such marketing. If you make such a request, we shall stop processing the personal data for such purposes.

In all cases regarding the rights of the individual if the request is manifestly unfounded or excessive, for example, because of its repetitive character, we may charge a reasonable fee, taking into account the administrative costs of providing or transmitting the personal data, or refuse to act on the request.

If we are not going to respond to the request we shall inform the data subject of the reasons for not taking action and of the possibility of lodging a complaint with the ICO.

9. EXEMPTIONS AND REFUSALS

The GDPR contains certain exemptions from the provision of personal information. If one or more of these exemptions applies to the individuals' subject access request or where the Company does not act upon the request, we shall inform you at the earliest convenience, or at the latest, within one month from receipt of the request.

Where possible, we will provide the individual with the reasons for not acting and any possibility of lodging a complaint with the Supervisory Authority and their right to seek a judicial remedy. Details of how to contact the Supervisory Authority are laid out in section 11 of this document.

Before responding to any request we shall check whether there are any exemptions that apply to the personal data that are the subject of the request. Exemptions may apply where it is necessary and proportionate not to comply with the requests described above to safeguard:

- a. national security;
- b. defence;
- c. public security;
- d. the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security;
- e. other important objectives of general national public interest, in particular an important national economic or financial interest, including monetary, budgetary and taxation matters, public health and social security;
- f. the protection of judicial independence and judicial proceedings;
- g. the prevention, investigation, detection and prosecution of breaches of ethics for regulated professions;
- h. a monitoring, inspection or regulatory function connected, even occasionally, to the exercise of official authority in the cases referred to in section 9 (a) and section 9 (g) above;
- i. the protection of the data subject or the rights and freedoms of others; or
- j. the enforcement of civil law claims.

10. SUBMISSION & LODGING A COMPLAINT

To submit your SAR, you can contact us at info@safeguardcoaches.co.uk or visit our Subject Access Request page on our website. You can also submit your request in writing using the form in Appendix 1, sending the request to: -

Data Manager

Safeguard House
Clay Lane
Guildford
Surrey GU4 7NZ
Tel: 01483 561103
E: info@safeguardcoaches.co.uk

If you are unsatisfied with our actions or wish to make an internal complaint, you can contact us in writing at the above address, please address your correspondence to Customer Services.

11. SUPERVISORY AUTHORITY

If you remain dissatisfied with our actions, you have the right to lodge a complaint with the Supervisory Authority.

The Information Commissioner's Office (ICO) can be contacted at: -

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 0303 123 1113 (local rate) or 01625 545 745 (national rate)
Fax: 01625 524 510
Email: enquiries@ico.org.uk

Appendix 1

Subject Access Request Form

| | | | |
|---|---|--------------------------------|-------------------|
| <p>Under the General Data Protection Regulation, you are entitled as a data subject to obtain from the Company, confirmation as to whether we are processing personal data concerning you, as well as to request details about the purposes, categories and disclosure of such data.</p> <p>You can use this form to request information about, and access to any personal data we hold about you. Details on where to return the completed form can be found at the end of the document.</p> | | | |
| 1. Personal Details: | | | |
| Data Subject's Name: | | | |
| Home Telephone No: | | DOB: | ___ / ___ / _____ |
| Email | | | |
| Data Subject's Address: | | | |
| Any other information that may help us to locate your personal data: | | | |
| 2. Specific Details of the Information Requested: | | | |
| I wish to: | | | |
| <input type="checkbox"/> | Make a Subject Access Request | | |
| <input type="checkbox"/> | Have my data corrected. My correct details are: | | |
| <input type="checkbox"/> | Have my data erased | | |
| <input type="checkbox"/> | Restrict the processing of my data | | |
| <input type="checkbox"/> | Receive the personal data in a CSV format that I have provided to your organisation | | |
| <input type="checkbox"/> | Object to you processing my data | | |
| 3. Representatives <i>(only complete if you are acting as the representative for a data subject)</i> [Please Note: We may still need to contact the data subject where proof of authorisation or identity are required] | | | |
| Representative's Name: | | Relationship to Data Subject: | |
| Telephone No: | | Email: | |
| Representative's Address: | | | |
| I confirm that I am the authorised representative of the named data subject: | | | |
| Representative's Name: _____ | | Signature: _____ | |
| 4. Confirmation | | | |
| Data Subject's Name: _____ [print name] | | | |
| Signature: _____ | | Date: ___ / ___ / _____ | |
| 5. Completed Forms | | | |
| For postal requests, please return this form to: Data Manager Safeguard House | | | |

Clay Lane
Guildford
Surrey GU4 7NZ
Tel: 01483 561103
E: info@safeguardcoaches.co.uk

For email requests, please return this form to: : info@safeguardcoaches.co.uk marked FAO the DATA
MANAGER

Appendix 2

Example of **Subject Access Request Acknowledgement**_(Send as soon as the SAR is received)

[Subject Name]

[Subject Address]

[Enter Date]

Dear **[Enter Name]**

Thank you for recent your **[letter/email/form]** received on **[date]** requesting access to personal information regarding **[subject]**.

We aim to process the request as soon as possible and certainly within 'one month from receipt of the request'. You will therefore hear from us no later than **[insert date one month after request receipt]**.

If for any reason we are unable to provide the requested information within this timeframe, we will inform you immediately, providing a full explanation for the delay.

In the interim if you have any queries, please do not hesitate to contact me.

Yours sincerely,

[Enter Name Data Manager]

[Contact details]

Appendix 3

Example of **Subject Access Response** (Enclose copies of any information being processed and your SAR Procedures for reference to the other rights and lodging a complaint)

[Subject Name]

[Subject Address]

[Enter Date]

Dear [Enter Name]

Further to your recent access request, please find enclosed copies of all personal information relating to you currently being processed by **[Your Company Name]**.

In accordance with the General Data Protection Regulation (GDPR) we have provided further information below regarding the processing of your personal information.

- [insert the purposes of the processing]
- [insert the categories of personal data concerned]
- [insert the recipient(s) to whom the personal data has/will be disclosed]
- [if applicable, provide details of any recipients in third countries or international organisations; as well as the appropriate safeguards used]
- [insert retention period or criteria used to determine that period]
- [if applicable, provide details of the source of the personal data if not collected directly from the data subject]

As per GDPR & data protection law, you have the right to request the rectification of any inaccurate or incomplete data held by us. Details of how to notify us of any inaccuracies can be found in the enclosed Subject Access Request Procedures, along with further information about your other rights.

If you are unsatisfied with our actions or wish to make a complaint, you can contact us using the details enclosed. You also have the right to lodge a complaint with the Supervisory Authority, whose details have been provided in our Subject Access Request Procedures.

Yours sincerely,

(Enclose SAR Procedures and copies of all relevant personal information)

[Enter Name Data Manager]

[Contact details]

APPENDIX 4 SUBJECT ACCESS REQUEST TIMELINE

| | WEEK ONE | WEEK TWO | WEEK THREE | WEEK FOUR |
|----------|---|---|---|--|
| 1 | SAR received | Information gathering from all relevant departments | Combine all of the gathered information into one file | SAR has been reviewed and signed off internally |
| 2 | Verify identity of data subject | | Redact information of any 3 rd parties unless consent has been given from the 3 rd parties for their details to be given as part of the SAR | Upload to secure file or sharing location or print (as is required) |
| 3 | Log SAR in SAR log | | Redact any commercially sensitive information | Notify the Data subject that to collect or access the information as requested |
| 4 | Notify all relevant departments where the data subjects data is being processed | | Submit for sign off by Data Protection Officer or Data Manager or Senior Management | Record date and time of SAR in the SAR log. |