



Subject Access Requests Policy

VERSION CONTROL

Version No.	Date Edited	Edited By	Summary of Changes
1.0	24.5.18	Dawn Hambly	Created
1.1	2.9.19	Marina Edwards	Update surgery Name + add version control, update page numbering

GDPR - Subject Access Policy

Subject Access Requests in General Practice under General Data Processing Regulations (GDPR) 2018

1. If you hold personal information about a living individual under GDPR that individual has the right to obtain:
 - a. confirmation that their data is being processed;
 - b. access to their personal data; and
 - c. other supplementary information – such as who you share their information with, how long you hold it for and what other – this should be contained in a Privacy Notice and made available to patients and staff.
2. The GDPR clarifies that the reason for allowing individuals to access their personal data is so that they are made aware of what information the organisation holds about them and so that they can check that it is being processed lawfully.
3. A copy of this information must, on request, be provided **free of charge**. However, a 'reasonable fee' can be charged when a request is manifestly unfounded excessive or repetitive or the organisation may refuse to respond within one month. In this case the organisation must provide an explanation and the patient or member of staff must be informed of their right to complain to the Information Commissioner's Office.
4. A reasonable fee based on the administrative cost of providing the information may be charged to comply with requests for further copies of the same information
5. Information must be provided without delay and at the latest within one month of receipt. This may be extended by a further two months where requests are complex or numerous. In this case the individual must be informed within one month of the receipt of the request and explain why the extension is necessary. Date of receipt of the request and the response time must be documented for audit purposes.
6. The identity of the person making the request must be verified, using 'reasonable means'.
7. If the request is made electronically, you should provide the information in a commonly used electronic format.
8. The GDPR includes a best practice recommendation that, where possible, organisations should be able to provide remote access to a secure self-service system which would provide the individual with direct access to his or her information. Within General Practice this means that patients should be offered on-line access to their health record.
9. If the individual requests a 'large amount' of their personal information, the GDPR permits you to ask the individual to specify the information requested.
10. The GDPR does not include an exemption for requests that relate to large amounts of data, but you may be able to consider whether the request is manifestly unfounded or excessive.