

Report to:	QSMTM
Report by:	Helen Gardner-Swift, Head of Corporate Services (HOCS) Liz Brown Finance and Administration Manager (FAM)
Meeting Date:	04 February 2021
Subject/ Title: (and VC no)	Subject Access Requests Report Q3 2020-21 VC144758
Attached Papers (title and VC no)	Summary table and outcomes of requests

Purpose of report

1. This report is required under the Governance Reporting Arrangements and its purpose is to inform the SMT about subject access requests received and dealt with in Q3 of 2020-21.

Recommendation and actions

2. It is recommended that:
 - (i) the SMT notes the contents of this report
 - (ii) the SMT notes that the information in this report regarding the number of subject access requests received has been uploaded to the FOI and EIR Statistics Portal
 - (iii) the publications arrangements set out in paragraph 23 are agreed.

Executive summary

3. The right of access, commonly referred to as subject access, gives individuals the right to obtain a copy of their personal data as well as other supplementary information. This helps individuals to understand how and why we are using their data and also enables them to check we are doing this lawfully. Requests are forwarded, on receipt, to the most appropriate member of staff for a response. We maintain a record of all subject access requests in our case management system.
4. We have previously considered subject access statistics along with requests for information and requests for review statistics for the purposes of our reporting systems. However, from this financial year, 2020-21, subject access statistics are reported separately from information request statistics.

Subject access requests received

5. In Q3, 5 subject access requests were received
6. Figures in comparison to last year:

	2019-20	2020-21	% increase/decrease
Number received Q1	3	3	-
Number received Q2	8	4	50%
Number received Q3	4	5	25%
Number received Q4			
Total	15	12	20%

Subject access requests analysis

7. Breakdown of subject access requests dealt with by quarter:

	2019-20	2020-21 Q1	2020-21 Q2	2020-21 Q3	2020-21 Q4	2020-21 Total
Total received	18	3	4	5		12
Total closed	18	2	5	2		9

8. The following outcomes were recorded:

	2019-20		2020-21 Q1	2020-21 Q2	2020-21 Q3	2020-21 Q4	2020-21 Total	%
Granted in full	4	22%	2	3	2		7	78%
Refused - no proof of ID	0	0%	0	0	0		0	0%
Refused - manifestly unfounded/excessive	0	0%	0	0	0		0	0%
Refused - exemption applied	4	22%	0	0	0		0	0%
Partially refused	6	33%	0	0	0		0	0%
Information not held	1	5%	0	2	0		2	22%
Fee not paid	0	0%	0	0	0		0	0%
Withdrawn	3	17%	0	0	0		0	0%
Total	18	100%	2	5	2		9	100%

9. Timescales and targets for responding to subject access requests:

Description	Target	2020-21 Q1	2020-21 Q2	2020-21 Q3	2020-21 Q4	2020-21 Total
Requests to be responded to in a calendar month	100%	100%	100%	100%		100%

10. There were 3 subject access requests open as at 31 December 2020.

11. The average time to respond to subject access requests in Q3 was 2.5 days.

COVID-19 pandemic

12. Our priority as an organisation has been to continue to provide key services and guidance within available resource while safeguarding the health, safety and wellbeing of our members of staff.

13. Since closing our office premises on 23 March 2020 and putting in place our business continuity arrangements, we have worked to maintain operational output within the constraints imposed by limitations on access to paper records stored in the office premises. This has included ensuring subject access requests are responded to, as far as possible, in line with our data protection procedures.

Risk impact

14. We have policies and procedures in place providing detailed guidance on how to respond to subject access requests. These policies are reviewed to ensure that they are up to date and that subject access requests are being appropriately handled and responded to.

15. A failure to respond to a subject access request within the statutory timescales would have an adverse impact on the Commissioner's reputation and could result in a complaint being made to the ICO.
16. This committee report contributes towards the control measures aimed at reducing the likelihood and impact of risk relating to information governance.

Equalities impact

17. There is no direct equalities impact arising from this report.

Privacy impact

18. There is no direct privacy impact arising from this report.

Resources impact

19. Responding to subject access requests can be demanding on staff time due to the research that may be required to identify relevant information and the deadlines for response.

Operational/ strategic plan impact

20. The guidance and procedures for handling subject access requests aim to ensure consistency of approach across the office and improve the efficiency of the process.

Records management impact (including any key documents actions)

21. Guidance to staff on handling and responding to subject access requests is set out in the revised Key Document C5 Data Protection Policy and Handbook which is due to be finalised in Quarter 4 of 2020-21.

Consultation and Communication

22. Publication of minute.

Publication

23. I recommend:
 - (i) publishing the committee report in full
 - (ii) publishing the summary table in full in our Guide to Information / Class 7
 - (iii) the outcome of requests table contains personal data and is withheld on the basis that section 38(1)(b) of FOISA would apply if a request were, at this stage, to be made for the information.