

## Data Subject Access Request Procedure

### 1. Scope of the Procedure

#### 1.1 Purpose of the Procedure

Compliance with this procedure is required to ensure the University's compliance with data protection law and particularly the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 ("the UK GDPR"), which give data subjects the right of access to their personal data. Failure to comply with this legislation can result in financial penalties being levied against the University.

This procedure should be read in conjunction with the Privacy Policy.

#### 1.2 What is covered by the Procedure

This procedure must be followed where a data subject asks for copies of their own personal data ("Data Subject Access Request").

#### 1.3 Who is covered by the Procedure

All those who access personal data held by the University, including staff, must familiarise themselves with this procedure and comply with it when in receipt of a Data Subject Access Request. Requests for a third party's personal data are dealt with under the Freedom of Information Act 2000 and should be referred to the Data Protection Officer at [dp\\_officer@aston.ac.uk](mailto:dp_officer@aston.ac.uk).

Failure to comply with the procedure will be dealt with in accordance with the Privacy Policy and may involve disciplinary action.

### 2. Detailed Procedures Statement

2.1 Any Data Subject Access Request must be referred immediately to the Data Protection Officer at [dp\\_officer@aston.ac.uk](mailto:dp_officer@aston.ac.uk). Colleagues should contact the Data Protection Officer where a data subject does not formally state that a communication is a request for personal data and they are unsure as to whether referral to the Data Protection Officer is required.

2.2 It may be that the data subject is required to provide proof of identity. The University will not be able to process the request if the data subject fails to provide proof of identity for whatsoever reason.

2.3 The Data Protection Officer (or their nominee) will contact the relevant University data processor to obtain copies of any personal data that is held.

2.4 The Data Protection Officer (or their nominee) will notify the data subject of the outcome of the Data Subject Access Request. The outcome notification will state that on the basis of the information provided by the data subject in the Data Subject Access Request that either

- that their Data Subject Access Request is being actioned, or
- that the Data Subject Access Request cannot be met, with reasons.

2.5 The data subject has a right of appeal in relation to the outcome of the Data Subject Access Request. If the data subject remains dissatisfied of the outcome of the appeal, the data subject will be has

the right to make a complaint to the Information Commissioner’s Office or another supervisory authority and their ability to seek to enforce their rights through a judicial remedy. The University will inform the data subject of this right without undue delay and within one month of receipt of their Data Subject Access Request.

2.6 Where a large amount of personal data is held, the Data Protection Officer (or their nominee) will send the requester a scoping document setting out:

- the time period that will be searched;
- the locations that will be searched;
- the classes of items that will be excluded; and
- the exclusions on which the University expects to rely.

2.7 The Data Protection Officer (or their nominee) will review the personal data and make any redactions necessary to protect the data protection rights of third parties and any other redactions that may be necessary and permissible under the legislation and in accordance with the scoping document.

2.8 The Data Protection Officer may decide to treat the Data Subject Access Request as manifestly unfounded or excessive and to either:

- request a reasonable fee to deal with the Data Subject Access Request, or
- refuse to process the Data Subject Access Request in accordance with the University’s statutory rights.

In either case this will be communicated to the data subject in accordance with the law. The data subject will be informed without undue delay and within one month of receipt of their Data Subject Access Request.

2.9 The Data Protection Officer (or their nominee) records requests and their outcomes on the Register of Data Subject Access Requests.

### 3. **Version Control**

Reference No.	Version	Executive Sponsor	Officer Responsible	Consultation Process	Effective Date
SARP001	1	Chief Financial Officer	Head of Legal Services	GDPR Working Party	24 May 2018
SARP001	1.1	Chief Operating Officer	General Counsel	Chief Operating Officer	1 February 2019
SARP001	1.2	Chief Operating Officer	General Counsel	Information Security & Compliance Group	February 2021