

Subject Access Request Procedure

Data Controller: TDK Lambda UK Limited, Kingsley Avenue, Ilfracombe, EX34 8ES

Data Protection Officer: Paul Swan, paul.swan@uk.tdk-lambda.com, 01271 856695

HR Manager: Lis Gillingham, lis.gillingham@uk.tdk-lambda.com, 01271 856650

Scope

This policy sets out how individuals make a Subject Access Request and how the Company will respond to such requests.

A subject access request is a request for personal information (known as personal data) held about individuals (employees, ex-employees, contractors, customers, job applicants etc) by TDK Lambda UK Limited (TLU).

Personal data of the individual

An individual is only entitled to access their own personal data, and not to information relating to other people (unless the information is also about them or they are acting on behalf of someone).

Proof of Identity

When we receive a subject access request we will first check that we have enough information to be sure of identity. Often we will have no reason to doubt a person's identity, for example, if we have regularly corresponded with them or they are currently employed. However, if we have good cause to doubt an individual's identity we can ask for the provision of any evidence we reasonably need to confirm identity.

How to make a request?

Requests can be made verbally or in writing, via email, letter or using the SAR form. I

Ideally requests should be made to the Data Protection Officer or the HR Manager using the SAR form. However, requests made via any company email address or other media will be addressed. Individuals are not required to use particular language or quote any GDPR references.

When making a subject access request, you should consider and state clearly what you want access to. For example, you may want to ask for:

- Your personnel file
- Your training record
- Emails between 'person A' and 'person B' (say from 1st June 2018 to 1st Sept 2018).

How will we provide the data?

The Data Protection Officer has responsibility for coordinating responses to subject access requests and will gather any manual or electronically held information (including emails) about the individual and will explain what steps have been taken in dealing with requests i.e. we will set out the source of the personal information we have gathered and who was involved in the process.

What will be provided?

Individuals will be provided with their personal data and information regarding the categories of data, the purpose for which the data is processed, retention periods, to whom the data has been or will be disclosed and the source of any data not provided by the employee. The information will be provided in a concise, transparent and easily accessible form. It may be provided electronically or in hard copy as agreed between both parties.

How long will it take?

We will deal with subject access requests without undue delay and in any event within one month of receipt. However, if the work involved is particularly complex or if numerous requests are made then we may extend this period by up to two additional months. In this case, we will inform individuals about the extension and explain the reasons for the extension.

Requests for large amounts of personal data:

If a large amount of information is held about an individual (i.e. a long serving member of staff with TMS swipe records/holiday records/licenses etc) we can ask for more information to clarify the request. We will only ask for information that we reasonably need to find the personal data covered by the request.

Fees

We will not charge a fee for dealing with requests unless they are manifestly unfounded or excessive. If a fee is to be charged, the individual will be informed prior to the access request being undertaken and will be told the reasons for the charge.

Refusal to comply with a request:

TLU can refuse to comply with a subject access request if it is manifestly unfounded or excessive, taking into account whether the request is repetitive in nature.

If a request is considered manifestly unfounded or excessive we will:

- request a "reasonable fee" to deal with the request; or
- refuse to deal with the request.

In either case we will justify the decision to the individual without undue delay and within one month of receipt of the request.

Justification will include:

- the reasons for not taking action;
- their right to make a complaint to the ICO or another supervisory authority; and
- their ability to seek to enforce this right through a judicial remedy.

Action

Individuals have the right to have inaccurate data rectified/removed. If we agree that the information provided is inaccurate or falls outside of our GDPR Policy, we will correct it and where practicable, destroy the inaccurate information. If we do not agree or feel unable to decide whether the information is inaccurate, we will make a note of the alleged error and keep this on file.

Complaints Procedure

Individuals have the right to appeal through our internal Grievance Procedure (Y038) if they are dissatisfied with any part of the SAR's process. If agreement is not reached using the internal appeals process, individuals have the right to refer the matter to the Information Commissioner or seek recourse through the courts.

SUBJECT ACCESS REQUEST FORM

Name:

Address:

Clock Number:

Please supply the data about me that I am entitled to under data protection law relating to:

Please give specific details of the data you want:

Signed:

Date:

Ordinarily requests will be dealt with within 30 days.

Please note however, that if your request is manifestly unfounded, excessive or the request is repetitive in nature we will:

- request a "reasonable fee" to deal with the request
- request additional time to deal with the request; or
- refuse to deal with the request.

If this is the case we will contact you within 5 working days of receipt.