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| **DATA SUBJECT ACCESS REQUEST** |

**1 Introduction**

1.1 As a data controller it is the Standards Commission’s responsibility to make sure that the personal information it holds, which includes data processing on behalf of the Standards Commission by third party processors, is dealt with in accordance with the data protection principles. The Standards Commission will take appropriate and proportionate steps to ensure that personal data is:

* used fairly, lawfully and transparently
* used in a way to fulfil its statutory functions, its responsibilities as an employer and in the operation of an efficient and effective office
* accurate and, where appropriate, kept up to date
* kept no longer than is necessary
* handled in a way that ensures appropriate security measures are in place, including protection against unlawful or unauthorised processing, access, loss, destruction or damage.

**2 How do you find out what personal information is held by the Standards Commission?**

2.1 You, as an individual, have certain rights in respect of your personal data, including asking the Standards Commission to confirm what information it holds. Information about what details are held about you can be obtained by sending a subject access request to the Standards Commission.

**3 What details and information should you include when you making a Subject Access Request?**

3.1 When you send a subject access request to the Standards Commission, please include the following information

* your full name and address (including your email address if you wish an email response) together with a phone number so we can contact you if we require further details or if we need to clarify any part of your request; and
* additional information which will help us to identify you including the dates which you had contact with us, or any reference number quoted on correspondence with us.

3.2 You should try and be as specific as possible about the personal data you are interested in finding out about. If you provide minimal information when you make a subject access request we may need to get in touch with you to ask for more details.

**4 How do I make a subject access request**

4.1 To help us to process your subject access request and find the information you are asking to be provided with it would be helpful if you make your request in writing.

By email: [enquiries@standardscommission.org.uk](mailto:enquiries@standardscommission.org.uk)

By post: Executive Director

Standards Commission for Scotland

Room T2.21, Scottish Parliament

Edinburgh

EH99 1SP

4.2 An example / template letter has been provided at the end of this information about Subject Access Requests to the Standards Commission, however, if you prefer you can use your own words.

**5 How long will I have to wait for your reply after sending in the request to find out what personal information you hold about me?**

* We will ensure that you receive a reply to your subject access request without undue delay and, in any event, within one month of receiving your 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 providing the reply we will inform you of this decision within one month of receipt of your request and provide the reasons why the delay in relying is necessary.

**6 What will it cost?**

6.1 We will usually reply to your subject access request free of charge. If, however, your request is complex or excessive we may:

* Charge a reasonable fee taking into account the administrative costs of providing or transmitting the personal information
* Refuse to act on the request.

6.2 We may also make a charge if you require additional copies of the information requested.

**7 Can you refuse to send me the information?**

7.1 If we are not going to comply with the request, we will tell you why we are not going to provide you with the information and give you details about your right to lodge a complaint with the Information Commissioner’s Office

**8 What can I expect to be sent?**

8.1 You are entitled to be told if the Standards Commission holds any personal information about you and if so to be provided with that information together with reasons as to

8.2 The purpose of the processing:

* The categories of personal data concerned (e.g. contact details, bank account information, Hearing related activities;
* The recipients or categories of recipient to whom the personal data have or will be disclosed;
* Where possible, the period for which the personal data will eb stored, or, if not possible, the criteria used to determine the period the information will be held;
* The existence of the right to request that the information we hold to be corrected or deleted or restricted with regard to the processing or to object to that processing;
* The right to make a complaint to the Information Commissioner.
* Where the information we hold was not provide by you, any available information about the source of the data
* The existence of automated decision making and meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for you;
* Where personal information are transferred outside the EU, details of the appropriate safeguards to protect your personal data.

8.3 We will attempt to provide the information to you by email or electronic format unless you specifically request not to be provided with a copy of the information using an electronic format.

**9 What happens if the information I am requesting is not just my personal information, it also includes some other person’s information i.e. a third party**

9.1 There may be circumstances in which the Standards Commission finds that providing you with the information you have asked for also involves personal data relating to another person. In these circumstances we may need to hide (redact) the personal data of the other individuals prior to sending you the information you have asked for.

**Sample letter / text for use when making a request to find out about the personal information held by the Standards Commission**

You may find the following sample letter / email text helpful when you make a request to be given details about your personal information. It may find it useful to keep a copy of the letter/email together with any further correspondence received from the Standards Commission.

***{Your name and address***

***Your contact telephone number of email address}***

***Date***

**Attention:** Executive Director

**Email:**  enquiries@standardscommission.org.uk

Standards Commission for Scotland

Room T2-21, Scottish Parliament

Edinburgh

EH99 1SP

Please send me the information I am entitled to access under Article 15 of the General Data Protection Regulation in relation to ….

The personal data that I looking for relating to ***{dates during which you had contact with us, any reference numbers quoted on correspondence with us / the name of the person who you were in contact with}***

I have enclosed the following information to enable you to verify my identity ***{list}***

If you require further information from me, please let me know as soon as possible.

Yours sincerely

***{Your signature}***



**Document Control & Version information**

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| --- | --- | --- | --- | --- |
| Summary of changes made to the document | | | | |
| Date | Action by  (initials) | Version Updated | New Version number | Brief Description  *(for example – corrected typos – whole document; updated para. 1 – revised, reformatted, Corporate Branding)* |
| 22/05/19 | EM | 2019v1 | N/A | SCS advice about making a Subject Access Request |