

HOW TO HANDLE SUBJECT ACCESS REQUESTS



7 SIMPLE STEPS TO UNDERSTANDING AND HANDLING SUBJECT ACCESS REQUESTS.

TIP

Any written request by an individual asking for their personal information is a subject access request.

If you can, treat requests that are easily dealt with as routine matters, in the normal course of business; for example:

What address do you have on file for me?

The following is more likely to be treated formally:

Please send me a copy of my blood test results.

- 1 Is it a subject access request?**
YES. Go to question 2
NO. Handle as a normal part of your business
- 2 Do you have enough information to be sure of the requester's identity?**
YES. Go to question 3
NO. Ask the requester for any evidence you reasonably need to confirm their identity.
- 3 Do you need more information from the requester to find what they want?**
YES. Ask them for the other information you reasonably need so you can find the information they want.
NO. Go to question 4
- 4 Are you charging a fee?**
YES. PAIA prescribes what fees you are allowed to charge.
NO. Go to question 5
- 5 Do you have the information the requester wants?**
YES. Go to question 6
NO. Tell him or her you don't have the information they want.
- 6 Do you have valid grounds for refusal?**
YES. Tell the requester that you are refusing and why.
NO. Go to question 7
- 7** Prepare a response. You can now provide the records to the data subject in the form that they requested.

Special Rules relating to health records: Health records are special personal information. If you (or your information officer) believe that granting access would cause serious harm to the data subject's physical or mental health, you may provide the record only after a health practitioner, nominated by the data subject, has had prior access to the record and is in a position to counsel the data subject during or after the disclosure of the record.