



General Data Protection Regulation Subject Access Request Approach

1. Purpose

This document sets out our approach for responding to subject access requests under the General Data Protection Regulations which took effect from May 25th 2018. This document is for internal use only and is intended as a guide for training.

2. Introduction – What is a Subject Access Request?

Article 15 of the General Data Protection Regulations state that any data subject has the right to obtain from the controller, confirmation as to whether or not personal data that concerns him or her is being processed. Where this is the case, in addition to providing access to the personal data, the data subject is entitled to the following information:

- The purpose of processing
- The categories of personal data concerned
- The recipients or categories of recipient to whom the personal data has or will be disclosed, in particular recipients in third countries (ie outside of the EEA) or international organisations
- The envisaged period for which the personal data will be stored
- The existence of the right to request from the controller rectification or erasure of personal data, or restriction of processing of personal data concerning the data subject or to object to such processing.
- The right to lodge a complaint with the supervisory authority
- Where personal data is not collected from the data subject, any available information and its source.
- The existence of automated decision making, including profiling with any meaningful information about the logic involved as well as the significance and envisaged consequences of the processing.

3. What is Orbis Expedition's policy on providing information?

Orbis Expedition welcomes the rights of access to information that are set out in the GDPR. We are committed to operating openly and to meeting all reasonable requests for information that are not subject to specific exemption in the Regulations or in any other legislation.

4. How does a data subject make a subject access request?

A subject access request is made either as a written request or an email.

A data subject has the right to see what personal information we hold about them. They are entitled to be given a description of the information, what we use it for, who we might pass it onto, and any information we might have about the source of the information. We do, however, reserve the right to withhold personal data if disclosing it would adversely affect the rights and freedoms of others.

5. What is personal information?

At Orbis Expedition's the personal information we hold is listed below:

6. What do we do when we receive a subject access request?

6.1 Log the request

We will log the date on which the request was received, to ensure that the relevant timeframe of month responding to the request is met. This will be logged in the Individuals Rights spreadsheet which will be stored in our **in-house database**.



We will send a response to the data subject making the request outlining our next steps, including the request for identity if required.

6.2 Checking of identity

Orbis Expedition's will check the identity of the person making a Subject Access Request (SAR). If the request is made in writing, we will request additional information. This could include a copy of a document that verifies the requestors address. This will be send via WeTransfer Plus which is secure.

If the requester is making a SAR on behalf of another person, we will also check the identity of that person. This is to prevent disclosure of personal data to the wrong person.

If a person is making a request on behalf of someone else, it is the requester's responsibility to provide evidence of their entitlement to make this request, e.g., a power of attorney. We will also check the identity of the person on whose behalf the request is made as the information requested belongs to the person on whose behalf the request is being made and Orbis Expedition's may respond directly to the individual. Similarly, if a person is making a request on behalf of a child, as the data belongs to the child, we will check the identity of the child.

While Orbis Expedition's needs to be satisfied as to the requester's or the subject's identity, it will only ask for sufficient information to verify this. Occasionally, if we do not have enough to verify a person, we will request extra information such as proof of address.

The 30 days that we have to respond to the request begins at the time that any identity checks are completed.

6.3 Collection of information

Orbis Expedition's will gather manual and electronic information that relates to the request for personal information. Orbis Expedition's will provide personal information, not documents, in response to a Subject Access Request. This information will be provided in an intelligible form.

Orbis Expedition's will consider sending a copy of a document containing personal information unless we cannot provide the information without disclosing information about any other individual who can be identified from that information. We will send the document if the other individual has consented to the disclosure of the information to the requestor, or if we consider it reasonable to proceed without their consent. If it is not possible to gain the consent of the third-party then we may still be able to provide some information, having removed any that would identify the third-party.

6.4 Issuing our response

Once any queries around the information requested have been resolved, copies of the information will be sent to the data subject securely. For electronic requests, this will be by WeTransferPlus. For written requests, this will be by registered post.

The exception to this is if it is impossible or where it would involve undue effort.

6.5 Will we charge a fee?

Under the GDPR we are not able to charge a fee, unless we consider the request to be '*manifestly unfounded or excessive*'. We can also decide to charge a 'reasonable fee' for multiple requests, **which is set in the amount of £25 per additional request.**

6.6 What is the timeframe for responding to subject access requests?

We have 30 calendar days starting from when we have received all the information necessary to identify the data subject, to identify the information requested. If the request is complex or we have a large number of requests to deal with, we will extend



this time frame by a further 60 days. If we do this however, we will contact the data subject within the first 30 days to provide an explanation about why we are delaying our response.

6.7 Are there any grounds we can rely on for not complying with a subject access request?

If the data subject made a previous subject access request we must respond if a reasonable interval has elapsed since the previous request. A reasonable interval will be determined upon the nature of the information, the time that has elapsed, and the number of changes that have occurred to the information since the last request.

There are also a number of exemptions to our duty to disclose personal data and we may seek legal advice if we consider that they might apply. Possible exemptions would be: information covered by legal professional privilege, information used for research, historical and statistical purposes, and confidential references given or received by Orbis Expeditions.

7. What if the data subjects identify an error in our records?

If we agree that the information is inaccurate, we will correct it and where practicable, destroy the inaccurate information. We will inform any relevant third party of the correction. 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.

8. What if the data subjects wants Orbis Expeditions to stop processing their data?

The data subject can request that Orbis Expeditions to stop processing their data altogether or in relation to a particular purpose or in a particular way. We will comply with their request within 30 days and we will give the data subject written notice that either we have complied with their request, intend to comply with it or state the extent to which we will comply with it and why.

9. Our complaints procedure

If the data subject is not satisfied by our actions, they can seek recourse through our internal complaints procedure or the Information Commissioner or the courts.