

Altlaw



DSAR

CHECKLIST
FOR CLIENTS

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DSAR CHECKLIST FOR CLIENTS

1. **Assign a data protection lead** – You can choose a staff member to lead on data protection. If you are a one-person band, then it is your responsibility.

2. **Gather information** – Gather information to see exactly what the data subject is after and whether it is feasible and realistic.

3. **Authenticate** – You need to make sure that the requester is who they say they are. This will mitigate the risk of potential data breaches. You can authenticate their identity by either asking for ID that you can verify or asking questions that only they would know, e.g., reference numbers or appointment details.

If the SAR is made by someone other than the person the data is about (i.e. relative, friend or solicitor), check they are allowed to have it. You will need to see that they have written authority to act on behalf of the person concerned, or a document showing general power of attorney.

Note: Children over the age 12 are capable of making their own SARs, consequently, if a parent or carer requests personal data of anyone 12 or over, you should get permission from the child first.

4. **Set Reminders** – You have one calendar month to gather and send the requested information to the relevant person. If you need to check their ID or ask for other information, you can wait until they reply before starting the clock.

One calendar month timeframe:

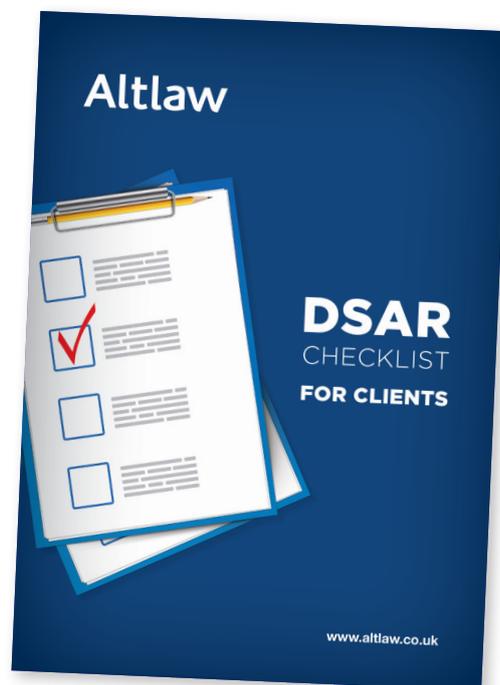
4.1. It doesn't matter that the request was received on the weekend. E.g., if the request was received on Saturday 7 March, you should still respond by Tuesday 7 April.

4.2. If the SAR due date falls on a weekend or bank holiday, you have until the next working day to respond.

4.3. You can't add extra days when the calendar month is shorter. E.g., If you receive a request on the 31 January, you should respond by the 28 February.

4.4. For best practice, you could set a reminder to complete your SAR within 28 days. That way you'll always be on time, regardless of the month.

4.5. Where there is a 'complex request', or if the requester has made a lot of requests, you can take an extra two calendar months to respond. However, you must let the requester know there will be a delay before the end of the first calendar month.



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5. **Complex requests** – some factors may add to the complexity of a request are:

- 5.1. Technical difficulties in retrieving the information – e.g. data is electronically archived
- 5.2. The request involves a large volumes of particularly sensitive information
- 5.3. Potential issues around disclosing information about a child to a legal guardian
- 5.4. Any specialist work involved in redacting information or communicating it in an accessible way.

6. **Search for Relevant information** – Altlaw can assist here – Depending on how you run your business, you might need to check smartphones, computers, external hard-drives, tablets, portable memory sticks, voice recordings, social media posts and CCTV files, too.

7. **Check what you need to redact** – Altlaw can assist here – The requestor is only entitled to information relating to them. Therefore, look through it carefully to make sure it really is their information. Consequently, If you have an email that mentions a number of different people, you should 'redact' (black out) any information which doesn't relate to the person making the SAR. This is important, because most of the time you should avoid disclosing information about other people.



8. **Prepare your Reply** - If you got the SAR by email, you should reply by email, unless the requester has said otherwise. Check with them what format they'd like it sent in and give it a final check.

9. **Send your reply** - As well as the requester's personal data, you need to send your privacy information. They have a right to know why you hold their data, how you got it, how long you're planning on keeping it, who you share it with, and how they can ask for it to be changed (such as updating their address) or deleted.

Make sure you keep dated records of the information you send as you may need to refer to it again, for example if they're unhappy with your response or make another request soon after.