

SUNBEAM HOUSE SERVICES PROCEDURE DOCUMENT



Procedure Name	Subject Access Request Procedure
Effective Date	21 September 2022

Document Control

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Procedure Sign-Off

Senior Manager Name	Senior Manager Signature	Date
Joe Lynch		3 October 2022

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1. DOCUMENT ASSOCIATION

- *Data Protection Policy 007.088*
- *Access to Personal Records Policy 008.081*

2. ACRONYMS/ABBREVIATIONS

Listing of abbreviations used within this document:

<i>SHS</i>	<i>Sunbeam House Services</i>
<i>DPO</i>	<i>Data Protection Officer</i>
<i>GDPR</i>	<i>General Data Protection Regulation</i>
<i>SARs</i>	<i>Subject Access Request</i>

3. PURPOSE

The purpose of the procedure is to outline the method by which a data subject can make a data subject rights request and give more details of a data subject's data protection rights. In addition, the procedure outlines the SHS process for satisfying such a request.

4. SCOPE

This procedure applies to everyone whose personal data SHS processes.

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5. WHAT IS PERSONAL INFORMATION?

Information protected under the GDPR is known as "personal data" and is defined as: -

"Any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person."

Further information on what constitutes personal information and your rights under the data protection regulation and laws can be found at www.dataprotection.ie and is outlined below.

6. THE RIGHT TO ACCESS

A subject access request (SAR) is a request for access to the personal information that the SHS holds about you, which we are required to provide under the GDPR (*unless an exemption applies*). Under Article 15 of the GDPR, an individual has the right to obtain from the controller confirmation as to whether personal data concerning them is being processed. We are committed to upholding the rights of individuals and have dedicated processes in place for providing access to personal information.

Where requested, SHS will provide the following information: -

- The purposes of the processing.
- The categories of personal data concerned.
- The recipient(s) or categories of the recipient(s) to whom the personal data have been or will be disclosed.
- If the data has been transferred to a third country or international organisation(s) (*and if applicable, the appropriate safeguards used*).
- The envisaged period for which the personal data will be stored (*or the criteria used to determine that period*).
- Where the personal data was not collected directly from the individual, any available information as to its source.
- A copy of your personal data

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7. OTHER DATA SUBJECT RIGHTS

Under the GDPR, you have the right to request rectification of any inaccurate data held by us. Where we are notified of inaccurate data and agree that the data is incorrect, we will amend the details immediately as directed by you and make a note on the system (*or record*) of the change and reason(s). We will rectify any errors within 30 days and inform you in writing of the correction, and, where applicable, provide the details of any third party to whom the data has been disclosed.

If, for any reason, we are unable to act in response to a request for rectification and/or data completion, we will always provide a written explanation to you and inform you of your right to complain to the Supervisory Authority and to seek a judicial remedy.

In certain circumstances, you may also have the right to request from SHS the erasure of personal data or to restrict the processing of personal data where it concerns your personal information, as well as the right to object to such processing.

8. FEES AND TIMEFRAMES

We aim to complete all access requests within 30 days and provide the information free of charge. We provide the information in a commonly used electronic format unless an alternative format is requested.

Whilst we provide the information requested without a fee, further copies requested by the individual may incur a charge to cover our administrative costs. In addition, if there is a requirement or request to provide you with the data on an encrypted and password-protected external hard drive such as a memory stick the cost of the device will be chargeable.

SHS always aims to provide the requested information at the earliest convenience, but at a maximum of 30 days from the date, the request is received. However, where the retrieval or provision of information is particularly complex or is subject to a valid delay, the period may be extended by two further months. If this is the case, we will write to you within 30 days and keep you informed of the delay and provide the reasons.

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9. EXEMPTIONS AND REFUSALS

The GDPR contains certain exemptions from the provision of personal information. If one or more of these exemptions applies to your subject access request or where SHS does not act upon the request, we shall inform you at the earliest convenience, or at the latest, within one month of receipt of the request.

Where possible, we will provide you with the reasons for not acting and any possibility of lodging a complaint with the Supervisory Authority and your right to seek a judicial remedy. Details of how to contact the Supervisory Authority are laid out in section 12 of this document.

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10. PROCEDURE

10.1 How a data subject (you) can make a GDPR rights request to SHS

Step	Procedure Detail	Responsibility
10.1.1	You can make a SARs or other rights request in writing using the details provided in section 11 of this document, or you can submit your access request via email by emailing the SHS DPO via DPO@sunbeam.ie .	The Data Subject or their legal representative
10.1.2	Please provide the following information when making a request: Clearly state that the request is being made under the GDPR <ul style="list-style-type: none"> • The Data Subject's Name. • If the Data Subject is a client of SHS their SHS identification number. • Contact information: Email, phone number and/or address. • Specific details of what is being requested. • Any other information that may help us to locate your personal data. • If you are acting as a legal representative of the data subject: <ul style="list-style-type: none"> ○ Your name. ○ Your relationship to the data subject. ○ Your telephone numbers. ○ Your email. ○ Your address. ○ A statement confirming that you are authorised to represent the data subject. ○ The data subject's name. ○ You're signature if the request is in writing (not email). 	The Data Subject or their legal representative
10.1.3	If SHS requests proof of identification from either the representative or the data subject, this should be supplied on request.	The Data Subject or their legal representative

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10.2 Processing a Request

Step	Procedure Detail	Responsibility
10.2.1	Once the DPO receives the request, it must be processed by the DPO as per the GDPR and Irish Data Protection Laws.	DPO
10.2.2	Once a request has been made for information under GDPR all data is put on legal hold (i.e., it is in breach of SHS policy to delete or edit any data once it has been requested under GDPR).	SHS staff
10.2.3	All SHS staff must comply with any request for data made by the DPO within the time frame requested by the DPO.	SHS staff
10.2.4	The DPO will provide each staff member who has been requested to search for records a search and retrieval declaration form. This form must be completed and returned to the DPO as soon as the search is completed.	SHS Staff
10.2.5	Where staff are unable to search for records themselves, the DPO will perform and content search for the records.	DPO

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11. SUBMITTING A REQUEST OR LODGING A COMPLAINT

To submit your request, you can contact us at DPO@sunbeam.ie. You can also submit your request in writing by sending the request to either of the addresses below:

For the attention of the Data Protection Officer

Sunbeam House Services,
Cedar Estate,
Killarney Road
Bray
Co. Wicklow A98 WN97

For the attention of the Data Protection Officer

Sunbeam House Services,
Ballyraine Campus
Vale Road
Arklow
Co. Wicklow Y14 XY75

If you are unsatisfied with our actions or wish to make an internal complaint, you can contact us in writing at:

For the attention of the CEO

Sunbeam House Services,
Cedar Estate,
Killarney Road
Bray
Co. Wicklow A98 WN97

12. SUPERVISORY AUTHORITY

If you remain dissatisfied with our actions, you have the right to lodge a complaint with the Irish Data Protection Supervisory Authority. The Office of the Data Protection Commissioner can be contacted at:

Office of the Data Protection Commissioner

21 Fitzwilliam Square South
Dublin 2, D02 RD28

Telephone: 076 110 4800 / 057 868 4800

Lo Call Number: 1890 252 231

Fax: +353 57 868 4757

E-mail: info@dataprotection.ie

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