

## Subject Access Request Policy

### 1. INTRODUCTION, SCOPE & APPLICATION

- 1.1 All Data Subjects have rights of access to their personal data. This document sets out the procedure to be followed in relation to any requests made for the disclosure of personal data held or processed by Europe Netball.

### 2. RECOGNISING A SUBJECT ACCESS REQUEST

- 2.1 As Europe Netball **processes personal data** concerning **data subjects**, those **data subjects** have the right to access that **personal data** under Data Protection law. A request to access this personal data is known as a subject access request or SAR.
- 2.2 A **data subject** is generally only entitled to access their own **personal data**, and not to information relating to other people.
- 2.3 Any request by a **data subject** for access to their **personal data** is a SAR. This includes requests received in writing, by email, and verbally.
- 2.4 If any member of **staff** receives a request for information, they should inform the Chair of Europe Netball as soon as possible.
- 2.5 In order that Europe Netball is properly able to understand the nature of any SAR and to verify the identity of the requester, any requester making a request verbally should be asked to put their request in writing and direct this to the Chair of Europe Netball.
- 2.6 A SAR will be considered and responded to in accordance with the Data Protection law.
- 2.7 Any SAR must be notified to the Chair of Europe Netball at the earliest opportunity.

### 3. VERIFYING THE IDENTITY OF A REQUESTER

- 3.1 Europe Netball is entitled to request additional information from a requester in order to verify whether the requester is in fact who they say they are.
- 3.2 Where Europe Netball has reasonable doubts as to the identity of the individual making the request, evidence of identity may be established by production of two or more of the following:
  - 3.2.1 Current passport
  - 3.2.2 Current driving licence
  - 3.2.3 Recent utility bills with current address
  - 3.2.4 Birth/marriage certificate
  - 3.2.5 Recent credit card or mortgage statement
- 3.3 If Europe Netball is not satisfied as to the identity of the requester, then the request will not be complied with, to avoid the potential for an inadvertent disclosure of **personal data** resulting in a data breach.

### 4. FEE FOR RESPONDING TO REQUESTS

- 4.1 Europe Netball will usually deal with a SAR free of charge.

- 4.2 Where a request is manifestly unfounded or excessive, a fee may be requested. Alternatively, Europe Netball may refuse to respond to the request. If a request is manifestly unfounded or unreasonable, Europe Netball will inform the requester why this is the case.
- 4.3 A fee may also be requested in relation to repeat requests for copies of the same information. In these circumstances a reasonable fee will be charged considering the administrative costs of providing the information.

## 5. TIME PERIOD FOR RESPONDING TO A SAR

- 5.1 Europe Netball has one month to respond to a SAR. This will run from the later of
  - a. the date of the request,
  - b. the date when any additional identification (or other) information requested is received, or
  - c. payment of any required fee.
- 5.2 In circumstances where Europe Netball is in any reasonable doubt as to the identity of the requester, this period will not commence unless and until sufficient information has been provided by the requester as to their identity, and in the case of a third-party requester the written authorisation of the **data subject** has been received (see below in relation to sharing information with third parties).
- 5.3 The period for response may be extended by a further two calendar months in relation to complex requests. What constitutes a complex request will depend on the nature of the request. The Chair of Europe Netball must always be consulted in determining whether a request is sufficiently complex as to extend the response period.
- 5.4 Where a request is sufficiently complex as to require an extension of the period for response, Europe Netball will notify the requester within one calendar month of receiving the request, together with reasons as to why this is considered necessary.
- 5.5 Requests received during extended holiday periods may not be able to be responded to within the one-month response period. Europe Netball will, in those circumstances send out an initial acknowledgement of the request, followed by a further acknowledgment as soon as possible following commencement of the next term setting out details of when a full response will be provided (being not more than one month of commencement of that term).

## 6. FORM OF RESPONSE

- 6.1 A requester can request a response in a particular form. Where a request is made by electronic means then, unless the requester has stated otherwise, the information will be provided in a commonly readable format.

## 7. SHARING INFORMATION WITH THIRD PARTIES

- 7.1 **Data subjects** can ask that Europe Netball shares their **personal data** with another person such as an appointed representative (in such cases Europe Netball should request written authorisation signed by the **data subject** confirming which of their **personal data** they would like Europe Netball to share with the other person).

- 7.2 Equally if a request is made by a person seeking the **personal data** of a **data subject**, and which purports to be made on behalf of that **data subject**, then a response must not be provided unless and until written authorisation has been provided by the **data subject**. Europe Netball should not approach the **data subject** directly but should inform the requester that it cannot respond without the written authorisation of the **data subject**.
- 7.3 If Europe Netball is in any doubt or has any concerns as to providing the **personal data** of the **data subject** to the third party, then it should provide the information requested directly to the **data subject**. It is then a matter for the **data subject** to decide whether to share this information with any third party.
- 7.4 **Personal data** belongs to the **data subject**, and in the case of the **personal data** of a child regardless of their age, the rights in relation to that **personal data** are theirs and not those of their parents. Members, in most cases, do not have automatic rights to the **personal data** of their individual Members. Similarly, parents, in most cases, do not have automatic rights to the **personal data** of their child.
- 7.5 In relation to a child 12 years of age or older, then provided that Europe Netball is confident that it understands its rights, and there is no reason to believe that the child does not have the capacity to make a request on their own behalf, Europe Netball will require the written authorisation of the child before responding to the requester, or provide the **personal data** directly to the child in accordance with the process above.
- 7.6 In all cases Europe Netball will consider the particular circumstances of the case, and the above are guidelines only.

## 8. WITHHOLDING INFORMATION

- 8.1 There are circumstances where information can be withheld pursuant to a SAR. These are specific exemptions and requests should be considered on a case-by-case basis.
- 8.2 Where the information sought contains the **personal data** of third party **data subjects** then Europe Netball will:
  - 8.2.1 Consider whether it is possible to redact information so that this does not identify those third parties, taking into account that it may be possible to identify third parties from remaining information;
  - 8.2.2 If this is not possible, consider whether the consent of those third parties can be obtained; and
  - 8.2.3 If consent has been refused, or it is not considered appropriate to seek that consent, then to consider whether it would be reasonable in the circumstances to disclose the information relating to those third parties. If it is not then the information may be withheld.
- 8.3 Where possible Europe Netball will inform the requester of the reasons why any information has been withheld.
- 8.4 Where providing a copy of the information requested would involve disproportionate effort Europe Netball will inform the requester, advising whether it would be possible for them to view the documents at Europe Netball or seeking further detail from the requester as to what they are seeking, for example keyword searches that could be conducted, to identify the information that is sought.
- 8.5 In certain circumstances information can be withheld from the requester, including a **data subject**, on the basis that it would cause serious harm to the **data subject** or another individual. If there are any concerns in this regard, then the Chair of Europe Netball should be consulted.

## 9. PROCESS FOR DEALING WITH A SUBJECT ACCESS REQUEST

- 9.1 When a subject access request is received, Europe Netball will:
- 9.1.1 Notify the Chair of Europe Netball who will be responsible for managing the response.
  - 9.1.2 In the event of the Chair of Europe Netball not being available for any reason within relevant timescales, the Chair of Europe Netball will nominate another individual.
  - 9.1.3 The Chair of Europe Netball will acknowledge receipt of the request and provide an indication of the likely timescale for a response within 5 working days;
  - 9.1.4 The Chair of Europe Netball will take all reasonable and proportionate steps to identify and disclose the data relating to the request;
  - 9.1.5 The Chair of Europe Netball will never delete information relating to a subject access request, unless it would have been deleted in the ordinary course of events – it is an offence to amend or delete data following receipt of a SAR that would not have otherwise been so amended or deleted;
  - 9.1.6 The Chair of Europe Netball will consider whether to seek consent from any third parties which might be identifiable from the data being disclosed;
  - 9.1.7 The Chair of Europe Netball will seek legal advice, where necessary, to determine whether the INF is required to comply with the request or supply the information sought;
  - 9.1.8 The Chair of Europe Netball will provide a written response, including an explanation of the types of data provided and whether and as far as possible for what reasons any data has been withheld; and
  - 9.1.9 The Chair of Europe Netball will ensure that information disclosed is clear and technical terms are clarified and explained.

## 10. DEFINITIONS

Term	Definition
Data	Information that is stored electronically, on a computer, or in certain paper-based filing systems.
Data Subjects	This includes all living individuals about whom we hold personal data. This includes volunteers, Europe Netball staff, staff, and other individuals. A data subject need not be a UK national or resident. All data subjects have legal rights in relation to their personal information.
Personal Data	Any information relating to an identified or identifiable natural person (a data subject); an identifiable natural person is one who can be identified, directly or indirectly, 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.
Data Controllers	The people who or organisations that determine the purposes for which, and the way, any personal data is processed. They are responsible for

Term	Definition
	establishing practices and policies in line with Data Protection law. Europe Netball is the data controller of all personal data used in its organisation for its own purposes.
Processing	Any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. Processing also includes transferring personal data to third parties.
Workforce/Staff	Includes any volunteer in any capacity.