

<b>PROVIDER NAME: CCT College Dublin (CCT)</b>			
<b>POLICY AREA: Standard 10: Information Management</b>			
<b>Policy and Procedure Title:</b>	<b>Data Access Request Policy</b>	<b>Document Number: CCTP1003</b>	<b>Version: 1.1</b>
<p>The right of access, commonly referred to as subject access, gives individuals the right to obtain a copy of their personal data as well as other supplementary information. It helps individuals to understand how and why you are using their data, and check you are doing it lawfully.</p> <p>Individuals have the right to obtain the following:</p> <ul style="list-style-type: none"> <li>• confirmation that CCT College Dublin is processing their personal data;</li> <li>• a copy of their personal data; and</li> <li>• other supplementary information</li> </ul> <p>Supplementary Information is considered to be the following information:</p> <ul style="list-style-type: none"> <li>• the purposes of the processing;</li> <li>• the categories of personal data concerned (In order to comply with the Government's COVID-19 Return to Work Protocol, CCT College Dublin shall be obliged to maintain contact tracing logs in respect of all persons attending upon its premises and any personal data relating to Data Subjects contained in these contact tracing logs may form a category of personal data);</li> <li>• the recipients or categories of recipient CCT College Dublin discloses the personal data to;</li> <li>• the retention period for storing the personal data or, where this is not possible, the criteria for determining how long CCT College Dublin will retain it;</li> <li>• the existence of their right to request rectification, erasure or restriction or to object to such processing;</li> <li>• the right to lodge a complaint with the Data Protection Commissioner;</li> <li>• information about the source of the data, where it was not obtained directly from the individual;</li> <li>• the existence of any automated decision-making (including profiling); and</li> <li>• the safeguards CCT College Dublin provide if transferring personal data to a third country or international organisation.</li> </ul> <p>An individual is only entitled to their own personal data, and not to information relating to other people (unless the information is also about them or they are acting on behalf of someone). For this reason CCT College Dublin will take reasonable steps to verify that the information requested falls within the definition of personal data.</p> <p>Individuals can make a subject access request verbally or in writing to any member of CCT College Dublin staff. CCT College Dublin encourages the submission of requests in writing, to the Data Protection Contact – njackson@cct.ie, to ensure it is wholly understood what is being requested at what specific time and date.</p>			

A record of all subject access requests received will be retained.

GDPR places a responsibility on Data Processors to respond to a subject access request within one month, in most circumstances. For the purpose of implementation of this policy CCT College Dublin interprets that to be 30 calendar days. An extension of the response time by a further two months is acceptable if the request is complex or CCT College Dublin have received a number of requests from the individual. In such cases CCT College Dublin will notify the individual within one month of receiving their request and explain why the extension is necessary.

There may be circumstances when CCT College Dublin needs to verify the identity of the individual making the access request. In such case, proof of identity will be sought as soon as possible, before responding to the request. The period for responding to the request will commence once the proof of identity has been received.

In certain case an access request may be made by a third party such a solicitor or representative. This is permissible where the third party is able to provide verifiable evidence which confirms their authority to do so.

Subject access requests are to be processed free of charge in most circumstances. Where the request is manifestly unfounded or excessive CCT College Dublin may charge a reasonable fee for the administrative costs of complying with the request.

A reasonable fee may also be charged if an individual requests further copies of their data following a request. This fee will be based on the administrative costs of providing further copies.

Unless specifically requested otherwise, CCT College Dublin will normally respond to a subject access request through a commonly used electronic format. In certain circumstances a data subject may be invited to view their data on CCT premises where it is not feasible or practicable to provide another means of access.

Responding to a subject access request should not adversely affect the rights and freedoms of others – including the right to privacy, trade secrets or intellectual property.

Where the information sought includes the personal data of others CCT College Dublin is not obliged to comply with the request except if:

- the other individual has consented to the disclosure; or
- it is reasonable to comply with the request without that individual's consent.

In determining whether it is reasonable to disclose the information, CCT College Dublin will take into account all relevant circumstances, including:

- the type of information that would be disclosed;
- any duty of confidentiality to the other individual;
- any steps taken to seek consent from the other individual;
- whether the other individual is capable of giving consent; and
- any express refusal of consent by the other individual.

A subject access request will also include the provision of personal data held by any processor operating on behalf of CCT College Dublin. It does not include data held by a joint controller. In such circumstances a separate access request should be made to the joint controller.

CCT College Dublin views an access request as relating to the data held at the time the request was received. However, in some instances, routine use of the data may result in it being amended or deleted while the access request is being processed. In such cases CCT College Dublin will supply information it holds at the time of responding to the request. This does not permit CCT College Dublin to delete or amend data specifically as a result of an access request.

CCT College Dublin will seek to provide information to data subjects in a concise, transparent, intelligible and easily accessible form, using clear and plain language. It is noted that there is no obligation to interpret, type or re-write poorly handwritten notes or translate information into a language other than English.

CCT College Dublin reserves the right to process an access request where it is manifestly unfounded or excessive, taking into account whether the request is repetitive in nature. In such cases justification for the decision will be provided in writing, within one month. The data subject will be advised of their right to make a complaint or to seek judicial remedy.

Further details on the rights of the Data Subject are available on the Data Protection Commissioner's website [www.dataprotection.ie](http://www.dataprotection.ie) or through contacting the Data Protection Commissioner

By post: Office of the Data Protection Commissioner, Canal House, Station Road, Portarlington, Co. Laois, R32 AP23, Ireland.

By phone +353 (0761) 104800, or

By email: [email info@dataprotection.ie](mailto:info@dataprotection.ie)

<b>Procedure Outline / Method(s) used to carry out this procedure</b>	<b>Responsibility of</b>	<b>Evidence generated by this procedure to ensure its effectiveness</b>
<p><b>Procedure</b> To exercise your right to access personal data, a data subject should submit their request in writing to the CCT College Dublin Data Protection Contact, by email to <a href="mailto:njackson@cct.ie">njackson@cct.ie</a> where it will be recorded and the date of receipt noted.</p> <p>Where a request is received through other means or through an alternative member of CCT staff, the date of first receipt will also be recorded.</p> <p>Staff members receiving a request to access personal data must forward it to the Data Protection Contact (the Dean of Academic Affairs) as an urgent priority.</p> <p>In the case of absence of the Dean of Academic Affairs, the matter should be forwarded to the College President.</p>	<p>Data subject Dean of Ac. Affairs</p> <p>All staff</p> <p>All staff , President</p>	<p>Access requests Records of requests</p> <p>Records of receipt and forwarding</p>

<p>To assist in providing a full response, the data subject is requested to be as specific as possible about the information they wish to see, and provide as much information as possible to assist in locating it. CCT College Dublin may hold a substantial amount of data across different departments but an individual may only want access to a small portion of that data. CCT College Dublin therefore requests individuals to be as specific as possible about the information they wish to see.</p> <p>An individual seeking amendments to their personal data processed by CCT College Dublin, must specify what data is incorrect and provide the correct version of same. Evidence to support the required change of personal information may be required in some cases, e.g. change of name. We will advise you if this arises.</p> <p>Upon receipt of an access request, the Data Protection Contact will determine whether further information, including proof of identity or authority, is required.</p> <p>Once the Data Protection Contact is satisfied all information required is available the data access request will be processed. Where this requires assistance from other individuals they will be notified of the information request and the timeframe in which they must provide it.</p> <p>The Data Protection Contact will compile the response to the data access request, including the provision of supplementary information.</p> <p>The response will be issued to the data subject, normally in electronic format, except where specified otherwise or where this is not feasible and practicable. A copy of the response will be retained by the College for a period of 12 months.</p> <p>The data subject will be notified of their right to correction, right to erasure, right to withdraw consent and right to complain to the supervisory authority (Data Protection Commissioner).</p>	Data subject	Request records
	Dean of Ac. Affairs	Correspondence
	Dean of Ac. Affairs	Requests to other staff / processors
	Dean of Ac. Affairs	Response records
	Dean of Academic Affairs	Response

**Monitoring**

<b>Monitor (Job Title)</b>	<b>Frequency</b>	<b>Monitoring Method(s)</b>
Dean of Academic Affairs	Annually	Review of access requests and findings Review of data breaches



## POLICY CONTROL SHEET

<b>Policy Title</b>	Subject Access Policy
<b>Responsible Officer(s)</b>	Dean of Academic Affairs, College President
<b>Issuance Date</b>	May 2018
<b>Effective Date</b>	May 25 <sup>th</sup> 2018
<b>Last Review Date</b>	July 2019
<b>Supersedes</b>	N/A
<b>Next Review Date</b>	August 2024
<b>Designated Reviewer</b>	Dean of Academic Affairs
<b>Scope</b>	All staff and stakeholders

### Revision History

Revision	Approval Date	Revision Description	Originator	Approved By
New Policy	May 2018	New Policy for GDPR compliance	Senior Management Team	Academic Council
1.1	July 2020	Revision to reflect Return to Work protocols	College President	Executive Leadership Team

### References upon which the Policy section is based

<b>CCT Policy area</b>	Information Management
<b>Statutory &amp; System Wide Basis</b>	The Irish Qualifications and Quality Assurance (Education and Training) Act, 2012; QQI Core Statutory Guidelines for Quality Assurance EU GDPR
<b>Related CCT Policies / Forms</b>	CCTP1001 Privacy Statement CCTP1002 Data Protection Policy CCTP1004 CCTV Policy CCTP1005 Information Management Policy

