

Report to:	QSMTM Q4 2022-23
Report by:	Helen Gardner-Swift, Head of Corporate Services (HOCS) Liz Brown, Finance and Administration Manager (FAM)
Meeting Date:	27 April 2023
Subject/ Title:	Subject Access Requests Report 2022-23 VC184937
Attached Papers	Summary table and outcomes of requests

Purpose of report

- This Committee Report (CR) is required under the Key Document C1 Governance Reporting Arrangements and its purpose is to inform the Senior Management Team (SMT) about subject access requests received and dealt with in 2022-23 Q4 and the related cumulative statistics for 2022-23.

Recommendation and actions

- It is recommended that:
 - the SMT notes the contents of this CR
 - the SMT notes that the information in this CR regarding the number of subject access requests received has been uploaded to the FOI and EIR statistics platform
 - the publications arrangements set out in paragraph 25 are agreed.

Executive summary

- 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. This helps individuals understand how and why we are using their data and also enables them to check we are doing this lawfully. Requests are forwarded, on receipt, to the most appropriate member of staff for a response. We maintain a record of all subject access requests in our case management system.

Subject access requests received – 2022-23

- In Q4, 8 subject access requests were received.
- The statistics for 2022-23, as well as the comparative figures for 2021-22, are set out in the table below:

	2021-22	2022-23	% increase/decrease
Number received Q1	3	11	266%
Number received Q2	9	1	89%
Number received Q3	2	4	100%
Number received Q4	9	8	11%
Total	23	24	4%

- 12 (50%) of the subject access requests received in 2022-23 have been from 1 person.

Subject access requests analysis

- The breakdown of subject access requests dealt with by each quarter in 2022-23 is:

	2021-22	2022-23 Q1	2022-23 Q2	2022-23 Q3	2022-23 Q4	2022-23 Total
Total received	23	11	1	4	8	24
Total closed	23	12	0	5	6	23

8. There was 1 open case at the end of Q4 2021-22 which was carried forward and closed in Q1 2022-23.
9. There were 2 open subject access requests at the end of Q4 2022-23.
10. The following outcomes for 2022-23 were recorded:

	2021-22		2022-23 Q1	2022-23 Q2	2022-23 Q3	2022-23 Q4	2022-23 Total	20202- 23
Granted in full	11	49%	8	0	3	2	13	57%
Refused - no proof of ID	0	0%	0	0	0	0	0	0%
Refused - manifestly unfounded/excessive	3	13%	0	0	2	0	2	9%
Refused - exemption applied	1	4%	0	0	0	0	0	0%
Partially refused	6	26%	1	0	0	0	1	4%
Information not held	1	4%	3	0	0	3	6	26%
Fee not paid	0	0%	0	0	0	0	0	0%
Withdrawn	1	4%	0	0	0	1	1	4%
Erasure - granted	0	0%	0	0	0	0	0	0%
Total	23	100%	12	0	5	6	23	100%

11. The timescales and targets for responding to subject access requests are set out in the Key Document C7 Performance and Quality Framework 2022-23 and the performance against these was:

Description	Target	Q1	Q2	Q3	Q4	2022-23 Total
Requests to be responded to within one calendar month	100%	100%	100%	100%	100%	100%

12. In 2022-23, the target of responding to all subject access requests within one calendar month was met.

COVID-19 pandemic

13. Our priority as an organisation is to continue to provide services and guidance while safeguarding the health, safety and wellbeing of our members of staff.
14. Our office premises re-opened in May 2022 and hybrid working is in place. We continue to maintain operational output which includes responding to subject access requests in line with our C5 Data Protection Policy and Handbook and related procedures.

Risk impact

15. We have policies and procedures in place providing detailed guidance on how to respond to subject access requests to ensure that such requests are appropriately managed and

responded to. These policies and procedures mitigate against the risk of not complying with our statutory duties and responsibilities.

16. A failure to respond to a subject access request within the statutory timescales would have an adverse impact on the Commissioner's reputation and could result in a complaint being made to the ICO. The policies and procedures that are in place mitigate this risk.
17. This CR contributes towards the control measures aimed at reducing the likelihood and impact of risk relating to information governance and data protection.

Equalities impact

18. There is no direct equalities impact arising from this report.

Privacy impact

19. There is no direct privacy impact arising from this report.

Resources impact

20. Responding to subject access requests can be resource intensive due to the research that may be required to identify relevant information and the deadlines for response.

Operational/ strategic plan impact

21. The guidance and procedures for handling subject access requests aim to ensure consistency of approach across the office and improve the efficiency of the process.

Records management impact (including any key documents actions)

22. Guidance to staff on handling and responding to subject access requests is set out in the Key Document C5 Data Protection Policy and Handbook. A planned review of the key document is due to take place in 2023 -24.

Consultation and Communication

23. QSMTM Q4 minute and publication of CR.
24. A report on subject access requests will be included in the Annual Report and Accounts 2022-23.

Publication

25. This CR and attached papers should be published as follows:
 - the CR should be published in full
 - the summary table should be published in full in our Guide to Information/Class 7
 - the outcome of requests table contains personal data and is withheld on the basis that section 38(1)(b) of FOISA would apply if a request were, at this stage, to be made for the information.